

FACTORIES AND SHOPS.

No. 65 of 1972.

AN ACT to amend the Factories and Shops Act, 1963-1970.

[Assented to 31st October, 1972.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may cited as the *Factories and Shops Act Amendment Act, 1972.*

Short title
and
citation.

(2) In this Act the Factories and Shops Act, 1963-1970 is referred to as the principal Act.

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(3) The principal Act as amended by this Act may be cited as the Factories and Shops Act, 1963-1972.

Approved
for reprint
23rd May,
1965 and
amended by
Act No. 50
of 1970.

Commence-
ment.

2. (1) Sections 1, 2, 4, 6, 9, and 11 of this Act shall come into operation on a date to be fixed by proclamation, but it is not necessary that those several sections, or the whole of any of them, be proclaimed to come into operation on the one day and they, or the parts of any of them, may be proclaimed to come into operation on such respective days as are fixed by proclamation.

(2) Sections 3, 5, 7, 8, and 10 of this Act shall come into operation on the day on which the Public and Bank Holidays Act, 1972 comes into operation.

Amendment
to section 5.
(Inter-
pretation.)

3. Section 5 of the principal Act is amended by deleting the interpretation "public holiday".

Amend-
ment to
section 12.
(Inspectors.)

4. Section 12 of the principal Act is amended by adding after the word "examination", in line three of subsection (5), the passage "or has otherwise satisfied the Minister that he possesses a professional or technical qualification that necessarily implies a training and experience relevant for the purposes of carrying out the duties of an inspector and that he has a sufficient knowledge of the law relevant for that purpose".

Amend-
ment to
section 59.
(Holidays
in factories.)

5. Subsection (1) of section 59 of the principal Act is amended by substituting for paragraph (a) a paragraph as follows—

- (a) a whole holiday on every public holiday and a half-holiday on every public half-holiday; .

Repeal and
re-enact-
ment of
section 86.

6. Section 86 of the principal Act is repealed and re-enacted as follows—

Exempted
shops.

86. Section eighty-five does not apply with respect to shops, in this Act called "exempted shops"—

- (a) in which the only goods kept or stored, sold or supplied, or offered for sale or supply are goods that are prescribed to

be exempted goods or are, under the Liquor Act, 1970, authorised to be sold and supplied there; or

- (b) that are at any public passenger transport terminal or station where public passenger transport services are running. .

7. Subsection (1) of section 89 of the principal Act is amended by substituting for paragraph (c) a paragraph as follows—

Amendment to section 89. (Closing hours of chemists' druggists' shops.)

- (c) on Sunday of each week and on every public holiday and public half-holiday, except between thirty minutes past six o'clock in the afternoon and eight o'clock in the afternoon of each of those days. .

8. Subsection (1) of section 92 of the principal Act is amended by adding after the word "Day"—

Amendment to s. 92. (Trading hours for sale of motor vehicle requisites.)

- (a) in line seven of paragraph (a); and
(b) in line five of paragraph (b),

the words "and whether any part of that day is a public half holiday or not".

9. Subsection (3) of section 92 of the principal Act is amended by substituting for subparagraph (ii) of paragraph (b) a subparagraph as follows—

Further amendment to section 92. (Trading hours for sale of motor vehicle requisites.)

- (ii) one of the goods prescribed to be exempted goods. .

10. Section 95 of the principal Act is amended—

Amendment to section 95. (Holidays in shops.)

- (a) by substituting for the words "half holiday", in lines three and four of subsection (1), the words "public half-holiday"; and

- (b) by repealing and re-enacting subsection (2) as follows—

(2) a shopkeeper shall allow to each shop assistant a whole holiday on each public holiday and a half-holiday on each public half-holiday. .

Repeal
and re-enact-
ment of
section 118.

11. Section 118 of the principal Act is repealed and re-enacted as follows—

Additional
powers of
inspectors
appointed
under this
and other
Acts.

118. (1) An inspector—

- (a) may, to the extent authorised by the Chief Inspector of Machinery under and for the purposes of the Inspection of Machinery Act, 1921, exercise the powers of an inspector under and for the purposes of that Act in relation to the machinery and boilers to which that Act applies; and
- (b) may, to the extent authorised by the Chief Inspector of Construction Safety under and for the purposes of the Construction Safety Act, 1972, exercise the powers of an inspector under and for the purposes of that Act in relation to the works to which that Act applies.

(2) Notwithstanding any other provision of this Act, an inspector under and for the purposes of the Inspection of Machinery Act, 1921 or the Construction Safety Act, 1972 may, to the extent authorised by the Chief Inspector, under and for the purposes of this Act, exercise the powers of an inspector under and for the purposes of this Act, in relation to the factories and shops to which this Act applies. .
