

1946

VICTORIA

INTERIM REPORT

(No. 2)

OF THE

BOARD OF INQUIRY

APPOINTED TO EXAMINE SUGGESTIONS FOR

AMENDMENT OF THE FACTORIES AND SHOPS ACTS

PRESENTED TO BOTH HOUSES OF PARLIAMENT BY HIS EXCELLENCY'S COMMAND

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BOARD OF INQUIRY—FACTORIES AND SHOPS ACTS.

At the Executive Council Chamber, Melbourne, the twenty-sixth day of November, 1940.

PRESENT :

His Excellency the Governor of Victoria
Mr. Old | Mr. Hyland

WHEREAS representations have been made that the Factories and Shops Acts require amendment: And whereas it is deemed expedient that an expert examination be made of any proposals for amendment: Now therefore His Excellency the Governor of the State of Victoria, in the Commonwealth of Australia, by and with the advice of the Executive Council of the said State, doth by this Order constitute and appoint:—

The Honorable PERCY JOHN CLAREY, M.L.C.
CHARLES HERBERT GRANT, Esquire,
GEORGE HAYES, Esquire,
PERCY COLLINGWOOD OAKE, Esquire.
JAMES VICTOR STOUT, Esquire, and
ERNEST WILLIAM TREND, Esquire.

to be a Board to invite and examine suggestions for amendment of the Factories and Shops Acts and to report upon the same with full power and authority to call before them or any four of them, any person whose evidence in the judgment of the Board, or of any member thereof, is material to the subject-matter of the inquiry to be made by the Board, and to inquire of and concerning the premises by all other lawful means whatsoever: And it is hereby directed that the members of the said Board shall, from time to time, select a Chairman from their own number: And it is further directed that the said Percy John Clarey, Charles Herbert Grant, George Hayes, Percy Collingwood Oake, James Victor Stout, and Ernest William Trend shall, with as little delay as possible, report under their hands their opinions resulting from this inquiry, provided that in making such report only suggestions for amendment which are unanimously approved by the said Board shall be included, and where a difference of opinion is entertained both the subject-matter and the contending views shall be stated.

Whereof the said Percy John Clarey, Charles Herbert Grant, George Hayes, Percy Collingwood Oake, James Victor Stout, and Ernest William Trend, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

And the Honorable Henry Stephen Bailey, His Majesty's Chief Secretary for the State of Victoria, shall give the necessary directions herein accordingly.

C. W. KINSMAN,
Clerk of the Executive Council.

BOARD OF INQUIRY—FACTORIES AND SHOPS ACTS.

At the Executive Council Chamber, Melbourne, the first day of March, 1943.

PRESENT :

His Excellency the Governor of Victoria	
Mr. Dunstan	Mr. Hogan
Mr. Lind	Mr. Hyland

WHEREAS by an Order made on the twenty-sixth day of November, 1940 :—

The Honorable PERCY JOHN CLAREY, M.L.C.,
CHARLES HERBERT GRANT, Esquire,
GEORGE HAYES, Esquire,
PERCY COLLINGWOOD OAKE, Esquire,
JAMES VICTOR STOUT, Esquire, and
ERNEST WILLIAM TREND, Esquire,

were constituted and appointed a Board to invite and examine suggestions for amendment of the Factories and Shops Acts and to report upon the same :

And whereas Percy Collingwood Oake, Esquire, one of the persons aforesaid, has since died :

And whereas it is considered expedient to appoint another person to be a member of the Board in place of the said Percy Collingwood Oake :

Now therefore His Excellency the Governor of the State of Victoria, in the Commonwealth of Australia, by and with the advice of the Executive Council of the said State, doth by this Order appoint :—

ROBERT OSWALD SNAPE, Esquire,
to be a member of the said Board.

Whereof the said Percy John Clarey, Charles Herbert Grant, George Hayes, James Victor Stout, Ernest William Trend, and Robert Oswald Snape, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

And the Honorable Henry Stephen Bailey, His Majesty's Chief Secretary for the State of Victoria, shall give the necessary directions herein accordingly.

C. W. KINSMAN,
Clerk of the Executive Council.

BOARD OF INQUIRY—FACTORIES AND SHOPS ACTS.

At the Executive Council Chamber, Melbourne, the eighteenth day of December, 1944.

PRESENT :

His Excellency the Lieutenant-Governor of Victoria
Mr. Tuckett | Mr. Chandler

WHEREAS by an Order made on the twenty-sixth day of November, 1940 :—

The Honorable PERCY JOHN CLAREY, M.L.C.,
CHARLES HERBERT GRANT, Esquire,
GEORGE HAYES, Esquire,
PERCY COLLINGWOOD OAKE, Esquire,
JAMES VICTOR STOUT, Esquire, and
ERNEST WILLIAM TREND, Esquire,

were constituted and appointed a Board to invite and examine suggestions for amendment of the Factories and Shops Acts, and to report upon the same :

And whereas by an Order made on the 1st day of March, 1943, Robert Oswald Snape, Esquire, was appointed to be a member of the said Board in place of the said Percy Collingwood Oake, Esquire :

And whereas the said Robert Oswald Snape, Esquire, has since resigned :

And whereas it is considered expedient to appoint another person to be a member of the Board in place of the said Robert Oswald Snape :

Now therefore His Excellency the Lieutenant-Governor of the State of Victoria, in the Commonwealth of Australia, by and with the advice of the Executive Council of the said State, doth by this Order appoint :—

KENNETH HERBERT BOYKETT, Esquire,
to be a member of the said Board.

Whereof the said Percy John Clarey, Charles Herbert Grant, George Hayes, James Victor Stout, Ernest William Trend, and Kenneth Herbert Boykett, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

And the Honorable Herbert John Thornhill Hyland, His Majesty's Chief Secretary for the State of Victoria, shall give the necessary directions herein accordingly.

C. W. KINSMAN,
Clerk of the Executive Council.

These exemptions could, at any time, be revoked, so that any change in the future would be in the direction of Saturday.

At the time that the Board heard evidence on this question, in 1941, there were, approximately, 1,300 shops affected by the exemptions, which enabled the half holiday to be observed on a day other than Saturday. Since then, however, several localities, including large centres like Mildura and Shepparton, where considerable opposition to any change had been evinced, have by majority petitions sought the revocation of the Regulations granting exemptions, and are now, as the result, observing the Saturday half holiday. This has not been confined to inland towns only, as seaside places like Frankston, Mornington, and Queenscliff have acted similarly. It is estimated that the number of shops to which the exemptions now apply would not exceed 600.

Having fully considered this matter, the Board is unanimously of the opinion that the Saturday half holiday should apply universally, and, therefore, recommends that the Saturday half holiday be applied throughout the whole of the State to all shops, other than shops of the classes or kinds mentioned in the Fourth Schedule to the "*Factories and Shops Act, 1928*".

As to hairdressers' shops and tobacconists' shops we recommend that for those parts of Victoria outside—

- (a) the Metropolitan District, and
- (b) the Cities of Ballarat, Bendigo, and Warrnambool, the Geelong District and the Boroughs of Castlemaine, Eaglehawk, and Sebastopol, and the Township of Kyneton

the weekly half holiday shall be on Saturday afternoon unless a majority of such shopkeepers in any locality favour Wednesday afternoon.

THE LATE SHOPPING NIGHT.

Before the National Security Regulations had been made, requiring shops to be closed not later than six o'clock each evening, the Board had considered somewhat fully the proposal that the late shopping night should be abolished. At several meetings, evidence was heard concerning this proposal. However, the National Security Regulations coming into force on the 16th December, 1941, automatically brought an end to the late shopping night.

Feeling that it should not be re-introduced on the lapsing of the National Security Regulations, the Board affirms the principle of the abolition of the late shopping night, and recommends that the necessary amendments be made to give effect to such affirmation.

The employers' representatives support this recommendation, on the understanding that no alteration will be made in the trading hours for Saturday, i.e., that trading on Saturday morning will not be prohibited.

P. J. CLAREY, Chairman.
 K. H. BOYKETT, Member.
 CHAS. GRANT, Member.
 GEO. HAYES, Member
 J. V. STOUT, Member.
 ERNEST W. TREND, Member.

H. N. JONES, Secretary,
 Melbourne, 15th February, 1946.

