

*Hon. Mr. O'Brien*

**FACTORIES AMENDMENT**

Title.		ANALYSIS	
1. Short Title.	2. Limits of working-hours. Repeals.	3. Working-hours in laundries. Repeal.	4. Certain awards and industrial agreements may be adjusted as to wages.
5. Powers of inspection for health purposes.			

**A BILL INTITULED**

AN ACT to amend the Factories Act, 1921-22.

Title.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the Factories Amendment Act, 1945, and shall be read together with and deemed part of the Factories Act, 1921-22 (hereinafter referred to as the principal Act).
2. (1) Subject to the provisions of the principal Act and of this section, no worker shall be employed in or about a factory—
- (a) For more than forty hours (excluding meal-times) in any one week; or
- (b) For more than eight hours (excluding meal-times) in any one day; or

Short Title.

See Reprint of Statutes, Vol. III, p. 198  
Limits of working-hours.

See Reprint  
of Statutes,  
Vol. III, p. 939

Repeals.  
1936, No. 7

1936, No. 16

Working-hours  
in laundries.

(c) For more than four and one-quarter hours continuously without an interval of at least three-quarters of an hour for a meal, except as may be provided in any award or industrial agreement within the meaning of the Industrial Conciliation and Arbitration Act, 1925. 5

(2) Subject to the provisions of the principal Act, no woman or boy shall be employed in or about a factory— 10

(a) At any time between the hours of six o'clock in the evening of any day and eight o'clock in the morning of the following day; or

(b) On any Sunday; or

(c) On any holiday or half-holiday. 15

(3) A male worker over the age of eighteen years may be employed in getting up steam for machinery in a factory, or in making preparations for the work of a factory, beyond the working-hours prescribed by subsection *one* of this section, but not for more than one hour in any one day. Every such worker so employed shall be paid at the ordinary rate for all time worked by him under this subsection. 20

(4) In any case where by the operation of the provisions of this section the limit of the working-hours of any workers engaged in any industry in which work is not regularly performed on seven days of the week is reduced to forty hours a week, those workers shall be paid for all time worked by them on Saturday at not less than one-half as much again as the ordinary rate. 25 30

(5) This section shall not apply to laundries.

(6) This section is in substitution for section three of the Factories Amendment Act, 1936, and that section, the Second Schedule to the principal Act, section eighteen of the Factories Amendment Act, 1936, and paragraph (a) of subsection one of section forty-seven of the Finance Act, 1936, are hereby repealed. 35

**3.** (1) Subsection *three* of the *last preceding* section shall apply with respect to the working-hours prescribed in respect of laundries by section twenty of the principal Act, as amended by section seven of the Factories Amendment Act, 1936, in the same manner as it applies in respect of other factories. 40

(2) Subsection three of section seven of the Factories Amendment Act, 1936, is hereby repealed. Repeal.

4. (1) All awards and industrial agreements under the Industrial Conciliation and Arbitration Act, 1925 Certain awards and industrial agreements may be adjusted as to wages.  
 5 (whether made before or after the commencement of this Act), shall be read subject to the provisions of this Act: See Reprint of Statutes, Vol. III, p. 939

10 Provided that nothing herein shall be construed to reduce the rate of wages payable to any worker pursuant to any award or industrial agreement or to increase his working-hours as fixed by any such award or agreement:

15 Provided also that the Court of Arbitration may, as provided in the *next succeeding* subsection, adjust the rate of wages so payable.

(2) In any case where by the operation of the provisions of this Act the limit of the working-hours of any workers is reduced to forty hours a week, the Court of Arbitration for the purpose of removing any anomalies or inequities or relieving any hardship on the workers due to the reduction, or for any other purpose contemplated by this section, shall have power in its discretion, on the application of any party to any award or industrial agreement relating to those workers in force on the date of the coming into operation of this Act, to adjust, as from that date or such later date as it thinks fit, the rates of wages and the overtime conditions prescribed by the award or industrial agreement.

30 (3) In considering any application under the *last preceding* subsection for an adjustment of the rates of wages and the overtime conditions of any workers, the Court of Arbitration shall have regard to any particular conditions of, or circumstances affecting, the industry or industries in which the workers are employed as compared with other industries, and to all other relevant circumstances.

40 5. (1) Every Medical Officer of Health and Inspector of Health under the Health Act, 1920, and every other officer of the Department of Health authorized in writing in that behalf by a Medical Officer of Health, shall for the purposes of the principal Act and of any Act relating to the public health have all the powers Powers of inspection for health purposes. Ibid., Vol. VI, p. 1061

that are conferred on Inspectors of Factories under section five of the principal Act, and sections six and seven of that Act shall extend and apply as if the references therein to Inspectors of Factories included references to the aforesaid officers of the Department of Health. 5

(2) If it appears to any such officer of the Department of Health as aforesaid that any matter affecting health should be remedied but appropriate steps are not taken in respect thereof, the matter shall be reported to the Director-General of Health who shall, if he thinks fit, report the matter to the Secretary of Labour. 10