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[1911.

REGULATIONS

UNDER

THE FACTORIES AND SHOPS ACTS.

REGULATIONS UNDER THE FACTORIES AND SHOPS ACTS.

At the Executive Council Chamber, Melbourne, the fourteenth day of February, 1911.

PRESENT :

His Excellency the Governor of Victoria.

Mr. Murray	|	Mr. Edgar.
Mr. Graham	|	

WHEREAS by the Factories and Shops Acts it is enacted that the Governor in Council may, by Order published in the *Government Gazette*, from time to time make, alter, and repeal regulations for the purposes therein mentioned, and generally for carrying into effect the provisions of the said Acts : Now therefore His Excellency the Governor of Victoria, with the advice of the Executive Council thereof, doth by this Order repeal the Regulations made on the 4th May, 1909, and on the 24th February 1910, under the provisions of the Factories and Shops Acts, and doth make the following Regulations (that is to say) :—

REGULATIONS UNDER THE FACTORIES AND SHOPS ACTS.

CHAPTER I.—MODE OF ELECTING MEMBERS OF SPECIAL BOARDS AND MATTERS RELATING TO SPECIAL BOARDS.

In the event of an election being necessary under the provisions of the Factories and Shops Acts :—

1. The Chief Inspector shall prepare electors' rolls of electors, none of whom shall be under eighteen years of age, for the purposes of the election of members of special boards, in the form of Schedule I. hereto.
2. For the purpose of the preparation of such rolls every employer shall forward to the Chief Inspector, when required by notice in writing by him, a list of the persons employed by such employer, in the form and giving the particulars required in Schedule II. hereto or as required by Section 10 of the *Factories and Shops Act 1907* as amended by Section 3 of the *Factories and Shops Act 1910* (No. 2).
3. Every employer and the occupier of every "factory or work-room," within the meaning of Section 21 of the *Factories and Shops Act 1905*, shall forward to the Chief Inspector, when required by notice in writing by him, a list of the persons employed by such employer or occupier who are working outside a registered factory or work-room, in the form and giving the particulars required in Schedule III. hereto.
4. The occupier of any registered factory or work-room in which any article is prepared or manufactured or in which there is carried on any process, trade, business, or occupation in respect of which the lowest prices or rates are to be determined by a special board shall be enrolled as an elector of the representatives of employers on such special board, and the occupier of any such registered factory or work-room who for the year in which such election is held has paid a registration fee of less than 21s. shall have one vote, the occupier of any such registered factory or work-room who has paid a registration fee of 21s. shall have two votes, the occupier of any such registered factory or work-room who has paid a registration fee of 42s. shall have three votes, and the occupier of any such registered factory or work-room who has paid a registration fee of 63s. shall have four votes.
5. For the purpose of the preparation of an electors' roll of employers in the process, trade, or business of a butcher or seller of meat, or maker or seller of smallgoods, or for any process, trade, business, or occupation for which a special board has been appointed under the provisions of Section 7 of the *Factories and Shops Act 1907* or any later enactment, the occupier of any shop, office, building, or place in any city, town, or borough whatsoever, or in any area or locality defined by the Governor in Council as the area or locality within which the Determination of such Special Board is to be operative, in which there is carried on such process, trade, business, or occupation shall be enrolled as an elector of representatives of employers on any such special board.
6. Each electors' roll of employes shall be prepared from the lists of employes forwarded to the Chief Inspector by employers in accordance with these regulations, and from any records (other than the register of out-workers to be kept under section 23 of the *Factories and Shops Act 1905*) as to employes required to be made or kept under the Factories and Shops Acts ; provided that any person qualified, as hereinafter provided to be enrolled as an elector of representatives of employes on any special board, shall be placed on such electors' roll.

7. Every employé, not under eighteen years of age, who produces evidence to the satisfaction of the Chief Inspector that his ordinary occupation when at work is employment in preparing or manufacturing any article, or in any process, trade, business, or occupation in regard to which the lowest prices or rates of payment are to be determined by any special board shall be enrolled as an elector of representatives of employés on such special board.

8. The electors' rolls of employers shall be prepared from the register kept by the Chief Inspector, in accordance with Section 13 of the *Factories and Shops Act 1905*, or from the names of employers who forward a list of their employés (not under eighteen years of age) in accordance with the provisions of Section 10 of the *Factories and Shops Act 1907* as amended by Section 3 of the *Factories and Shops Act 1910* (No. 2.) Provided also that the Chief Inspector may enter the name of any occupier of a shop, building, or place (in a city, town, or borough) in which is carried on the process, trade, or business of a butcher or seller of meat, or maker or seller of smallgoods, on the roll of employers for a special board for that process, trade, or business, and each of such occupiers shall have one vote.

9. The following special provisions shall have effect in respect to the preparation of the roll of electors of representatives of employers for a special board for men's and boys' clothing :—

- (a) The Chief Inspector shall prepare a roll of employers engaged in making ready-made clothing, and a roll of employers engaged in making order clothing.
- (b) When any occupier of a registered factory is engaged in one factory in manufacturing both ready-made and order clothing, he may request the Chief Inspector to enter his name on either roll, as such occupier may elect, and the Chief Inspector shall enrol such name accordingly, but his name shall not be entered on both rolls.
- (c) Unless such manufacturer specially, either personally or by registered letter, so requests the Chief Inspector to enter his name on a particular roll, the Chief Inspector shall decide on which roll the name shall be entered, and such decision shall be final.
- (d) In the event of an election only the names of persons nominated for whom the elector is qualified to vote shall be printed on the voting-paper sent to the elector.
- (e) In all other respects the general regulations regarding elections shall apply to the special board for men's and boys' clothing.

10. The Chief Inspector shall notify every elector for the purposes of a special board that such elector's name has been duly enrolled.

11. If the Chief Inspector fail, neglect, or refuse to enter any person's name on the electors' roll, such person may appeal to the Minister, who may direct the Chief Inspector to enter such person's name as an elector on the roll, or may dismiss the appeal, and such decision shall be final.

12. No person shall be entitled to be enrolled both as an elector of representatives of employers and as an elector of representatives of employés.

13. The names of employés working outside a factory or work-room shall be entered on an electors' roll separate from that on which the names of the employés working in a factory or work-room are entered. Provided that this Regulation and the following Regulation (14) shall not apply to employés engaged in the process, trade, or business of a butcher, or seller of meat, or maker or seller of smallgoods, or to employés engaged in any process, trade, business, or occupation for which a Special Board has been appointed under Section 7 of the *Factories and Shops Act 1907* or any later enactment.

14. If the number of electors of representatives of employés on any special board working outside a factory or work-room is greater than one-fifth of the whole number of electors who are employés, then the electors working outside a factory or work-room shall be entitled to nominate candidates, and to vote for, and elect, as hereinafter provided, one member of such special board, but shall not be entitled to nominate or vote for any person as representative of persons working inside a factory or work-room, and employés working in a registered factory or work-room shall not be entitled to vote for any person nominated for election as a special representative of persons working outside a registered factory or work-room.

15. If the number of electors (as defined in Clause 13 of above) working outside a factory or work-room is not greater than one-fifth of the whole number of electors who are employés, then the electors working outside a factory or work-room shall be entitled to vote for the full number of persons to be elected as representatives of employés on such special board, but shall not be entitled to elect a special representative for out-workers only.

16. When an election is necessary under the provisions of the *Factories and Shops Acts* and the *Rolls of Electors* have been prepared as herein prescribed the Minister may by notice in the *Government Gazette* appoint a day on or before which nominations of candidates for election may be received by the Returning Officer, and a day for the election of candidates should the number of nominations exceed the number of vacancies to be filled.

17. The Under-Secretary shall be returning officer for the purposes of the election of any special board, and he may, by writing under his hand, appoint a substitute to act for him.

18. The returning officer and any substitute of the returning officer and every clerk employed to count the votes at any election shall, before entering on any of his duties in connexion with an election, make and sign before some justice the following declaration :—

I, _____, do solemnly declare that I will faithfully and impartially, according to the best of my skill and judgment, exercise and perform all the powers, authorities, and duties reposed in or required of me by the Regulations under the *Factories and Shops Acts*, as returning officer (or substitute of the returning officer, or clerk employed in counting the votes) for the election of special boards.

And I do further solemnly promise and declare that I will not, at any such election, attempt to ascertain, save in cases in which I am expressly authorized by law so to do, how any person has voted; and that if in the discharge of my said duties at or concerning any such poll, I learn how any person votes, I will not, by word or act, directly or indirectly, divulge or discover the same, save in answer to some question which I am legally bound to answer.

19. Every candidate as a representative of employers on any special board shall be nominated, in writing, by 10 electors, and every candidate as a representative of employes on any special board shall be nominated, in writing, by 25 electors, provided that a nomination by not less than one-fifth of the whole number of employers or of employes (as the case may be) on the electors' roll prepared by the Chief Inspector of Factories shall be sufficient. Every such nomination shall contain the written consent of the candidate to his nomination, and shall be delivered or posted to the returning officer so as to reach him before four o'clock on the day of nomination.
20. Should the number of persons so nominated for any special board as representatives of employers or as representatives of employes not exceed the number to be so elected, the returning officer shall report to the Minister that such persons so nominated to the special board have been duly elected as representatives of employers or as representatives of employes (as the case may be).
21. Should the number of persons nominated either as representatives of employers or as representatives of employes exceed the number to be so elected on any special board, the returning officer shall publish the names of persons so nominated in the *Government Gazette*, and a poll shall be taken on the date fixed by the Minister for the election of representatives of employers or for representatives of employes, or for all representatives (as the case may be). The poll shall be taken by voting-papers only, and no voting-paper shall be allowed which is received by the returning officer after four o'clock in the afternoon of the day for taking the poll.
22. No additional names shall be added to the roll of electors after the returning officer has published in the *Government Gazette* the names of persons nominated until after that particular election is over.
23. Every voting-paper shall contain the names of each of the candidates for election either as a representative of employers or employes (as the case may be). The Chief Inspector shall cause every voting-paper to be posted at least four days prior to the date of such election to every elector whose name and address is on the roll of electors for the special board on the date of the notice in the *Government Gazette* by the returning officer of his intention to hold such election.
24. Each elector shall strike out on the voting-paper forwarded to him all the names except those of the candidates for whom such elector desires to vote, and shall forthwith return such voting-paper to the returning officer by placing it in a ballot-box at the office of the Chief Inspector of Factories, or posting it to the returning officer. No voting-paper shall be allowed in which more or fewer names are left uncancelled than the number of persons to be elected.
25. The returning officer shall, as soon as practicable after the hour fixed for receiving voting-papers, count the votes received, and shall report to the Minister the election of those candidates, not exceeding the number to be elected, who have received the greatest number of votes.
26. In case of two or more candidates receiving an equal number of votes, the returning officer shall have a casting vote.
27. In all cases not herein provided for the rules and usages at Parliamentary elections shall be followed so far as they may be applicable.
28. Every special board shall meet at the office of the Chief Inspector of Factories for the purpose of nominating a chairman, and thereafter at such other times and places as may be arranged by such special board.
29. The Chief Inspector may direct some officer to act as secretary to each special board.
30. Entries of all proceedings of any special board shall be kept by the secretary, with the names of the members who attend each meeting.
31. The mode of conducting the business for which any special board is appointed may be fixed by such special board, or may be left to the decision of the chairman.
32. Every determination shall be communicated to the Minister, in writing, by the chairman of such special board.
33. After the determination of any special board has been published in the *Government Gazette*, such board shall adjourn *sine die*, and shall meet again only when convened by the Minister of Labour or by the chairman of such special board.
34. The chairman of a special board for attendance at a meeting may be paid £1 for each meeting of the board extending over the morning and afternoon of any day, and £1 for a meeting of the board commenced during the afternoon of any day and continued after seven p.m. the same day. For a meeting either during only the forenoon or afternoon the chairman may be paid 10s.
35. Every member of a special board for attendance at a meeting may be paid 10s. for each meeting of the board extending over the morning and afternoon of any day, and 10s. for a meeting of not less than four hours of a board commenced during the afternoon of any day and continued after seven p.m. the same day. For a meeting either during only the forenoon or afternoon of any day each member may be paid 5s.
36. Any representative of employers or employes residing not less than 40 miles from Melbourne shall be entitled to be paid train fare only from such place of residence and a sum of 10s. per day for travelling expenses.

CHAPTER II.—MEDICAL CERTIFICATES AND REPORTS BY MEDICAL PRACTITIONERS OR EXPERTS.

Fees to be taken by Certifying Medical Practitioners.

1. The fees to be taken by certifying medical practitioners for examination, reports made, and certificates given by such certifying medical practitioners in pursuance of the provisions of the Factories and Shops Acts shall be as follows :—

The fee for any examination for a certificate for any person of fourteen years of age, and not over the age of sixteen years, shall be 2s. 6d., and where a certificate is granted such fee shall include such certificate.

The fee must be paid before examination, and will be retained, although no certificate be granted.

The fee for any investigation and report required under Section 65 of the *Factories and Shops Act 1905* shall be £1 1s. A special fee in the discretion of the Minister may be paid for an investigation and report in any case of exceptional importance and difficulty.

No other fee shall be demanded or taken by any certifying medical practitioner in respect of such examinations, reports, and certificates, except in the case of a special fee ordered by the Minister for an investigation and report under Section 65 of the *Factories and Shops Act 1905*.

Examination by Certifying Medical Practitioner.

2. The examination for a certificate under Section 43 or Section 44 of the *Factories and Shops Act 1905* must be conducted by the certifying medical practitioner in person, and there must be in every case a personal inspection and medical examination by such certifying medical practitioner of the person in respect of whose fitness the certificate is sought.

Books to be supplied to Certifying Medical Practitioners.

3. The Chief Inspector shall from time to time supply each certifying medical practitioner with a printed book of butts and forms of certificates prepared in the form contained in Schedule IV. hereto.

Record of Examination.

4. The certifying medical practitioner shall, at the time of making the examination, in every case in which he shall consider it right to grant his certificate, before issuing the same, enter in the butt of the certificate the particulars set out in the certificate, with such remarks as he may deem applicable in each case. When all the forms of certificates in any one book have been used, the book containing the butts of such certificates shall be returned to the Chief Inspector, to be by him filed for future reference.

Notice to be sent by the Certifying Medical Practitioner when Certificate is refused.

5. If the certifying medical practitioner cannot grant such certificate to an applicant on account of physical unfitness for employment in a factory or work-room, he shall forward to the Chief Inspector of Factories the name and address of the person to whom the certificate is refused.

Report by Medical Practitioners or Experts under Section 65 of the Factories and Shops Act 1905.

6. All reports of certifying medical practitioners or experts required by the Minister shall be in the form required by the Minister, and shall be made upon investigations conducted by the certifying medical practitioner or expert in person.

Factories and Work-rooms in which Medical Certificates are required.

7. Certificates of fitness for employment must be obtained by every person under the age of sixteen years working in the factories and work-rooms described in Schedule V. hereto, and in such cases as the Chief Inspector may by written notice require.

CHAPTER III.—MODE OF CONDUCTING ARBITRATIONS UNDER THE FACTORIES AND SHOPS ACTS.

1. Any occupier who has been served with notice in the form of Schedule VI. hereto to fence machinery or vats, &c., or to replace or properly fix grindstones, and who has, within the time prescribed in Section 59 of the *Factories and Shops Act 1905*, served on the inspector a requisition to refer to arbitration the question whether or not it is unnecessary or impossible to fence the machinery or vats, &c., or to replace or properly fix grindstones referred to in the notice, must under his hand appoint an arbitrator, and give notice in writing to the inspector of such appointment not later than within six days after he shall have served such requisition to refer upon the inspector.

2. The inspector shall, within six days after he shall have received written notice of the name of the arbitrator so appointed by the occupier, appoint under his hand an arbitrator, and give notice of such appointment to the occupier.

3. The arbitrators so appointed shall, without delay, and before proceeding to arbitration, appoint under their hands an umpire.

4. The arbitrators and umpire shall, before making an award, make a personal inspection of the machinery in question, and the approaches and surroundings thereof, and shall, if they or he deem it necessary, but not otherwise, take the evidence of experts upon the question of the absence of necessity or the fact of the impossibility to fence the machinery or vats, &c., or to replace or properly fix grindstones alleged in the notice to be dangerous, or of any possible modifications of the requirements in the notice.

5. The occupier or firm and the inspector may attend in person or by their agents before the arbitrators or umpire, and may themselves give evidence or adduce such evidence as they may think advisable.

6. The arbitrators or umpire may proceed to an award in the absence of the parties or either of them if, after notice of the meeting, the occupier or inspector, or both of them, are absent or unrepresented.

7. No submission other than the appointment of arbitrators shall be necessary, and no particular form of award shall be required, but the form of appointment of arbitrators, of umpire, and of award herein-after provided may be used and shall be sufficient.

8. The award of the arbitrators or umpire (as the case may be) shall be made within one month next after the appointment of the second arbitrator by the inspector, unless the time for making the award be extended by the Minister; and if the award be not made within the said period of one month or the period of extension (if any) then the not making and publishing the award within the time so limited shall be conclusive of the fact that, in the terms of sub-section (d) of section 59 "Neither the arbitrators nor the umpire have decided that it is unnecessary or impossible to fence the machinery" or vats, &c., or to replace or properly fix grindstones alleged in the notice to be dangerous.

FORMS WHICH MAY BE USED IN ARBITRATION AND HEREINBEFORE REFERRED TO.

9. I, A.B., or we, A.B. C.D., &c., occupier of a factory or work-room, situate at, &c. [*here describe site of factory*] do hereby appoint Y.Z. to act as arbitrator in the matter of the notice of inspector to fence machinery (or vats, &c., or replace or properly fix grindstone. Sections 60 and 61).

10. I, E.F., inspector of district [or Chief Inspector] do hereby appoint W.X. to act as arbitrator in the matter of the notice to fence machinery (or vats, &c., or to replace or properly fix grindstone), served upon A.B., &c., occupier, carrying on a factory or work-room at [*here describe site of factory, &c.*].

Appointment of Umpire.

11. We, W.X. and Y.Z., the arbitrators appointed in the matter of the notice to fence machinery (or vats, &c., or replace or properly fix grindstone) at the factory or work-room of [*here insert name of occupier*] at [*here insert site of factory or work-room*], hereby duly appoint E.F. to act as umpire in the said arbitration.

Award.

12. Arbitration in the matter of the notice to fence machinery (or vats, &c., or to replace or properly fix grindstones) at the factory or work-room of [*here insert name of occupier*], at [*here insert site of factory or work-room*], in the district, under Section 59 [or 60 or 61 as the case may be] of the *Factories and Shops Act 1905*.

We, W.X. and Y.Z., arbitrators (or I, E.F.), the umpire appointed in the above arbitration having duly proceeded to the final determination of the matter referred, hereby decide by this award, made under the *Factories and Shops Act 1905*, that [*here state according to the finding of the arbitrators or umpire either that it is unnecessary or that it is impossible to fence the machinery or vat, or to replace the grindstone alleged in the notice to be dangerous (see sub-section (d), section 59), or state some modification of the notice by which the fencing of the machinery or the vat, &c., or replacing or properly fixing of grindstone would, if the modification were adopted, be possible*]; (or the award may state, if neither the arbitrators nor umpire decide that it is unnecessary or impossible to fence the machinery or vats, &c., or replace or properly fix the grindstone, that it is necessary and possible to fence the machinery, vats, &c., or replace or properly fix the grindstone, in accordance with the notice).

Regulations, Application to Sections 60 and 61.

13. The above regulations and forms as to arbitrations are to be applied with the necessary modification to the case of arbitrations in the matter of notices to fence vats, pans, or other structures under Section 60, and also as to the matter of notices under Section 61 to replace faulty grindstones worked by steam, water, or other mechanical power, or to properly fix such grindstones when fixed in a faulty manner.

NOTE.—The Act provides for the payment of the expenses of the arbitration according to the result, so that the arbitrators should not state by whom the same is to be borne, but they may fix the amount of their own fees or expenses of attending the arbitration, irrespective of the cost of the parties, subject to the following regulation:—

Fees and Expenses of Arbitration and Umpire.

14. In no case shall the fees and expenses of the arbitrators and umpire together exceed the sum of £5 5s.

CHAPTER IV.—RELATING TO THE GRANTING OF CERTIFICATES TO ENGINE-DRIVERS AND BOILER ATTENDANTS.

Examinations.

1. Examinations will be conducted by the Board of Examiners at such times and places as may from time to time be notified by the secretary in the *Government Gazette* and in a newspaper or newspapers published or circulated in the locality, and candidates will be examined according to priority of receipt of service required by clause 2.

Preliminary Requirements.

2. Each applicant for a certificate must forward to the Secretary for Mines, Melbourne, notice in writing of his intention to present himself for examination, such notice to be given not less than seven clear days prior to the date of examination.

The notice must be accompanied by cash, post-office order, postal note, or stamps to the amount or value of 10s.

Should the applicant pass the prescribed examination the deposit shall, in each instance, go towards payment for the fee for certificate; in the event, however, of the failure of the candidate to pass the examination, such amount shall be forfeited and be paid to the consolidated revenue.

3. If a candidate fails to pass the examination prescribed, he shall not again present himself until a period of not less than three months shall have elapsed from the date of his last examination.

4. Every candidate for a certificate of competency or service shall make a statutory declaration that the testimonials he produces are genuine, and true and correct in every particular, such declaration to be presented to and retained by the Board.

Fees to be charged.

5. The fees to be paid for certificates issued by the Board of Examiners shall be—	
For a 1st or 2nd class certificate of competency as an engine-driver ...	£1 0 0
For a 3rd class certificate of competency as an engine-driver ...	0 10 0
For a certificate of competency as a boiler attendant ...	0 10 0
For any certificate of service ...	0 10 0
For a copy of any certificate (if lost) ...	0 2 6
For a registration slip of a certificate issued in any of the other States or in New Zealand...	0 2 6

No certificate shall be issued until full payment of the fee required shall have been made to the Secretary for Mines.

Certificate of Competency to take Charge of Engines.

6. The certificates of competency to be issued by the Board of Examiners shall be of three classes, namely; 1st, 2nd, and 3rd.

A 1st class certificate shall entitle the holder thereof to drive any engine used in or in connexion with a factory or work-room.

A 2nd class certificate shall entitle the holder thereof to drive any engine used in or in connexion with a factory or work-room, the cylinder of which does not exceed 12 inches in diameter, or, if a double-cylinder engine be used, the combined area of the cylinders of which does not exceed that of a cylinder 12 inches in diameter.

A 3rd class certificate shall entitle the holder to take charge of any engine used in or in connexion with a factory or work-room, the cylinder of which does not exceed 6 inches in diameter, or, if a double-cylinder engine be used, the combined area of the cylinders of which does not exceed that of a cylinder 6 inches in diameter.

7. An applicant for a 1st class certificate of competency must, except as hereinafter provided, produce to the Board satisfactory evidence:—

(a) Of his respectability of character.

(b) (1) That he has been the holder of a 2nd class certificate, under the Factories and Shops Acts, for a period of not less than twelve months, and that he has during that period had charge of and driven a "2nd class" steam-engine for a period of not less than six months; or

(2) that he has been in charge of and has efficiently managed, and driven a steam-engine the cylinder of which is more than 12 inches in diameter, or, a double-cylinder steam-engine the cylinders of which have a combined area equal to that of a single cylinder of more than 12 inches in diameter for a period of not less than 12 months; or

(3) that he has served an apprenticeship to an engineer for five years, and during the period of his apprenticeship has been employed in the making or repairing of steam-engines, or, if he has not served such apprenticeship, that for not less than five years he has been employed as journeyman mechanic in some factory or workshop in the making or repairing of steam-engines, and in either case that he has had not less than six months' experience in assisting the engine-driver in the engine-room and boiler-yard to drive a steam-engine the cylinder of which is more than 12 inches in diameter, or a double-cylinder engine the cylinders of which have a combined area equal to that of a single cylinder of more than 12 inches in diameter.

(c) That he is at the date of examination not under the age of nineteen (19) years or over the age of fifty (50) years. The latter age not to apply to persons who had experience in driving engines previous to their attaining the age of fifty (50) years.

(d) That neither his eyesight nor his hearing is defective, and that he is not subject to any mental or bodily infirmity likely to interfere with the efficient discharge of his duties.

The applicant must be able to pass a creditable examination as to the construction of the various steam-engines and boilers in general use, and as to the details of different working parts external and internal, and the use of such parts, and be able to explain how to correct defects, and what action is necessary in the ordinary emergencies which may arise in connexion with engines and boilers.

Candidates must, if possible, produce testimonials or certificates, signed by their employers, and such documents must specify clearly and distinctly the class of engines they have driven. In cases where candidates are unable, from any sufficient cause, to produce testimonials from their employers of their having driven engines, the board may accept a statutory declaration or other sufficient proof that such candidates drove or assisted to drive a certain engine or engines at certain places for a period of twelve months as evidence of their having had the necessary experience to entitle them to be examined. The diameter of the cylinders of the engines driven must be stated on the testimonials.

8. A 1st class certificate of competency shall be issued by the Board to a candidate who satisfies the Board by the production of his certificate that he has passed an examination equivalent to the examination of a 1st class certificate of competency under these regulations before some authority recognised by the Governor in Council for that purpose in accordance with section 51 of the *Factories and Shops Act 1905*.

9. Any person holding a factory engine-driver's or boiler attendant's certificate issued in any other State of the Commonwealth or in New Zealand, and who takes up his residence in Victoria, may be granted a registration slip of equal grade to his certificate, upon payment of the fee prescribed, and without undergoing any examination. This registration slip shall entitle the holder to drive the same class or classes of engine that he had been qualified to take charge of under his certificate in the issuing State, and these particulars will be shown on the face of the registration slip.

10. An applicant for a 2nd class certificate of competency must, except as hereinafter provided, produce to the Board satisfactory evidence—

- (a) Of his respectability of character.
- (b) That he has had not less than twelve months' experience in assisting at the working of a steam-engine.
- (c) That he is at the date of examination not under the age of eighteen (18) years, nor over the age of fifty (50) years. The latter age not to apply to persons who had experience in driving engines previous to their attaining the age of fifty (50) years.
- (d) That neither his eyesight nor his hearing is defective, and that he is not subject to any mental or bodily infirmity likely to interfere with the efficient discharge of his duties.

The applicant must be able to pass a creditable examination as to the use of the principal parts of steam-engines and boilers in general use of the class he desires to obtain a certificate to drive, and be able to explain what action is necessary in the ordinary emergencies which may arise in connexion with such engines and boilers.

Candidates must, if possible, produce testimonials or certificates, signed by their employers, and such documents must specify clearly and distinctly the class of engines they have assisted to drive. In cases where candidates are unable, from any sufficient cause, to produce testimonials from their employers of their having driven engines, the board may accept a statutory declaration or other sufficient proof that such candidates drove or assisted to drive a certain engine or engines at certain places for a period of twelve months as evidence of their having had the necessary experience to entitle them to be examined. The diameter of the cylinders of the engines should be stated on the testimonials.

11. A 2nd class certificate of competency shall be issued by the board to a candidate who satisfies the board by the production of his certificate that he has passed an examination equivalent to the examination of a 2nd class certificate of competency under these regulations before some authority recognised by the Governor in Council for that purpose, in accordance with section 51 of the *Factories and Shops Act 1905*.

12. An applicant for a 3rd class certificate of competency must produce to the board satisfactory evidence—

- (a) Of his respectability of character.
- (b) That he has had not less than twelve months' experience in assisting at the working of a steam-engine.
- (c) That he is at the date of examination not under the age of eighteen (18) years, nor over the age of fifty (50) years. The latter age not to apply to persons who had experience in driving engines previous to their attaining the age of fifty (50) years.
- (d) That neither his eyesight nor his hearing is defective, and that he is not subject to any mental or bodily infirmity likely to interfere with the efficient discharge of his duties.

The applicant must be able to pass a creditable examination as to the use of the principal parts of steam-engines and boilers in general use of the class he desires to obtain a certificate to drive, and be able to explain what action is necessary in the ordinary emergencies which may arise in connexion with such engines and boilers.

Candidates must, if possible, produce testimonials or certificates signed by their employers, and such documents must specify clearly and distinctly the class of engines they have assisted to drive. In cases where candidates are unable, from any sufficient cause, to produce testimonials from their employers of their having driven engines, the Board may accept a statutory declaration or other sufficient proof that such candidates drove, or assisted to drive, a certain engine or engines at certain places for a period of twelve months as evidence of their having had the necessary experience to entitle them to be examined. The diameter of the cylinders of the engines should be stated on the testimonials.

Certificates of Service to take charge of Engines.

13. The certificates of service to be issued by the Board of Examiners, when specially authorized by the Governor in Council, shall be of three classes, namely, 1st, 2nd, and 3rd.

- (a) A 1st class certificate shall entitle the holder thereof to drive any engine used in or in connexion with a factory or work-room.
- (b) A 2nd class certificate shall entitle the holder thereof to drive any engine used in or in connexion with a factory or work-room the cylinder of which does not exceed 12 inches in diameter, or if a double-cylinder engine be used the combined area thereof must not exceed that of a cylinder 12 inches in diameter.
- (c) A 3rd class certificate shall entitle the holder thereof to drive any engine used in or in connexion with a factory or work-room the cylinder of which does not exceed 6 inches in diameter, or if a double-cylinder engine be used the combined area of which does not exceed that of a cylinder 6 inches in diameter.

14. First class certificates of service will be granted—

To candidates who satisfy the Board that during at least twelve months within three years prior to the 1st October, 1896, they have been in sole charge of and have efficiently managed and driven an engine in Victoria the cylinder of which is more than 12 inches in diameter, or a double-cylinder engine the cylinders of which have a combined area equal to a single cylinder of more than 12 inches in diameter.

15. Second class certificates of service will be granted—

To candidates who satisfy the Board that during at least twelve months within three years prior to the 1st October, 1896, they have been in sole charge of and have efficiently managed and driven an engine in Victoria the cylinder of which is not less than 6 inches in diameter, or a double-cylinder engine the cylinders of which have a combined area equal to that of a single cylinder of not less than 6 inches in diameter.

16. Third class certificates of service will be granted—

To candidates who satisfy the Board that during at least twelve months within three years prior to the 1st October, 1896, they have been in sole charge of and have efficiently managed and driven an engine in Victoria.

Certificates of Competency to Boiler Attendants.

17. A certificate of competency as a boiler attendant shall entitle the holder thereof to take charge of any boiler used in or in connexion with a factory or work-room. An applicant for a certificate of competency as boiler attendant must produce to the Board satisfactory evidence—

(a) Of his respectability of character.

(b) That he has had not less than six months' experience in assisting to work a steam boiler.

(c) That he is, at the date of examination, not under the age of eighteen (18) nor over the age of fifty (50) years. The latter age is not to apply to persons who have previously worked steam boilers.

(d) That neither his eyesight nor his hearing is defective, and that he is not subject to any other mental or bodily infirmity likely to interfere with the efficient discharge of his duties.

The applicant must be able to pass a creditable examination as to the different fittings of the various boilers in general use, and the use of such fittings, and as to what action is necessary in the ordinary emergencies which may arise in connexion with boilers. A document signed by the applicant's employers bearing on this clause may be considered satisfactory evidence.

Certificates of Service to Boiler Attendants.

18. (a) A certificate of service as a boiler attendant shall entitle the holder thereof to take charge of any boiler used in or in connexion with a factory or work-room.

(b) When specially authorized by the Governor in Council a certificate of service as a boiler attendant will be granted to such candidates as satisfy the Board that they have been in charge of and have efficiently managed a steam boiler during at least twelve months within three years prior to the 1st October, 1896.

Disqualification of Holder of Certificate.

19. Any person holding a certificate of competency or of service as an engine-driver or boiler attendant, and who is charged with any offence or misconduct likely to be detrimental to the proper or efficient discharge of his duties, may be called upon by the Board of Examiners to show cause why he should not be disqualified as a certificated engine-driver or boiler attendant; and if he fail to satisfy the said Board, he may, by an order of the Governor in Council, published in the *Government Gazette*, be disqualified for any period from acting as engine-driver or boiler attendant.

20. Any such person shall, after such order, deliver into the charge of the said Board his certificate of competency or of service, which shall be retained by the said Board during the period of disqualification, and no such person shall during the period of such disqualification take charge of any steam-engine or boiler.

21. The Board may, if it think fit, hold an inquiry into the conduct of an engine-driver or boiler attendant accused of any of the foregoing offences; and with respect to such inquiry the following provisions shall have effect:—

(1) The inquiry shall be held at such time and place as the Board may appoint, the person charged to have the right to engage counsel to defend him at such inquiry. He shall receive fourteen days' notice of the Board's intention to hold the inquiry, and if the person charged intends to employ counsel he shall give seven days' notice of such intention to the secretary to the Board.

(2) The secretary to the Board shall, before the commencement of the inquiry, furnish to the person charged a statement of the case upon which the inquiry is instituted.

(3) The person charged shall attend such inquiry, and may produce such evidence as may be considered necessary.

(4) The Board shall, upon the conclusion of the inquiry, forward to the Minister of Labour a report containing a full statement of the case and their opinion thereon.

Miscellaneous.

22. Whenever a person proves to the satisfaction of the Board of Examiners that he has, without fault on his part, lost or been deprived of any certificate previously granted to him under the provisions of the Factories and Shops Acts, such Board shall, upon payment of the prescribed fee, cause a copy of the certificate to which the applicant appears to be entitled to be made out and certified by the secretary to the Board, and delivered to the applicant, and any copy so made and certified as aforesaid shall have the effect of the original certificate. The fee herein referred to shall be paid to the Secretary for Mines in cash, stamps, postal note or post-office order, and shall by him be paid into the consolidated revenue.

23. Every certificate of competency or service issued under the Factories and Shops Acts shall specify the name, place and date of birth of the person to whom such certificate is issued.

24. Every holder of a certificate under these regulations must produce such certificate to the Board previous to his being examined for a higher one, and in the event of the latter certificate being granted his former certificate shall be surrendered and delivered up to the Board.

25. No person in charge of a steam-engine or a steam boiler used in or in connexion with any factory or work-room shall, under any pretext whatever, unless relieved by a competent person for that purpose, absent himself or cease to have continual supervision of such steam-engine or steam boiler during the time such steam-engine or steam boiler is at work.

26. No certificate of service can be issued unless specially authorized by the Governor in Council.

CHAPTER V.—LIMITING THE TOTAL NUMBER OF HOURS IN THE WEEK DURING WHICH CARTERS AND CARRIERS (OTHER THAN THOSE EMPLOYED IN DELIVERING BREAD, MEAT AND MILK) MAY BE EMPLOYED IN THE METROPOLITAN DISTRICT, AND IN ALL CITIES AND TOWNS, AND FOR PROVIDING A WEEKLY HALF-HOLIDAY FOR SUCH PERSONS.

1. No person shall be employed in carrying or delivering any goods, wares, merchandise, or materials whatsoever or in assisting in such work for more than sixty hours (excluding meal times) in any week except with the written consent of the Chief Inspector of Factories, when such hours may be not more than seventy (excluding meal times), provided that the total number of weeks in any year in which such permission may be granted shall not exceed six.

2. Every such carrier or person assisting shall have and take a half-holiday in each and every week as follows:—

(1) In the Metropolitan District and in all Cities and Towns outside the Metropolitan District where the material to be carried or delivered is:—

Perishable articles of human food,

Parcels of laundry work, or

Aerated waters or cordials or ice, from the first day of November in any year to the 31st day of March next following,

and in cases where the Chief Inspector of Factories has given any written consent as above mentioned; such half-holiday may be had and taken on any day other than Sunday, either from midnight till 2 p.m. of the following day, or from 2 p.m. onwards.

(2) In all other cases—

(a) In the Metropolitan District from 2 p.m. on Saturday,

(b) In Cities and Towns outside the Metropolitan District from 2 p.m. on the usual local half-holiday.

CHAPTER VI.—LIMITING THE TOTAL NUMBER OF HOURS IN THE WEEK DURING WHICH CERTAIN PERSONS MAY BE EMPLOYED, AND FOR PROVIDING A WEEKLY HALF-HOLIDAY FOR SUCH PERSONS.

1. (a) Except as hereinafter provided no female shall be employed in any shop of the classes included in the Fourth Schedule to the *Factories and Shops Act* 1905 for more than fifty-six hours, and no male for more than fifty-eight hours, excluding meal times, in any one week:

(b) Except as hereinafter provided no female employed in the trade or business of a caterer or in a restaurant, coffee palace, hotel, eating-house, fish shop or oyster shop, or any premises for which a colonial wine licence or billiard-table licence is in force, or which are occupied as a club, shall be employed in such trade or business or in any such place for more than fifty-six hours, and no male for more than fifty-eight hours, excluding meal times, in any one week.

2. Any of the persons specified in the preceding clause may, with the written consent of the Chief Inspector, be employed overtime in any trade, business, shop, or place mentioned in such clause for any time not exceeding ten hours in any one week, provided that the total number of weeks in any one year in which in any such trade, business, shop, or place any such person is so employed shall not exceed six.

3. Every occupier of a shop of any of the classes included in the Fourth Schedule to the *Factories and Shops Act* 1905 shall permit each and every person whomsoever employed for hire or reward in any such shop, or at any work in connexion with such shop, to have and take a half-holiday from the hour of Two o'clock in the afternoon on some Monday, Tuesday, Wednesday, Thursday, Friday, or Saturday in each and every week.

4. Every keeper, proprietor, occupier, manager, or secretary, as the case may be, of a restaurant, coffee palace, hotel, eating-house, fish shop or oyster shop, or any premises for which a colonial wine licence or billiard-table licence is in force, or which are occupied as a club, shall permit each and every person employed on the premises of which he is such keeper, proprietor, or occupier, or manager, or secretary, as the case may be, to have and take a half-holiday from the hour of Two o'clock in the afternoon on some Monday, Tuesday, Wednesday, Thursday, Friday, or Saturday in each and every week.

5. Every person carrying on the trade or business of a caterer shall permit each and every person employed by him for hire or reward in such trade or business or at any work in connexion with such trade or business to have and take a half-holiday from the hour of Two o'clock in the afternoon on some Monday, Tuesday, Wednesday, Thursday, Friday, or Saturday in each and every week.

CHAPTER VII.—OF THE VARIOUS FORMS TO BE KEPT IN A FACTORY OR WORK-ROOM OR SHOP OR FORWARDED TO THE CHIEF INSPECTOR OF FACTORIES.

Form of Application to register.

1. The written notice to be served on the Chief Inspector by the occupier of a factory or work-room, in accordance with Section 11 of the *Factories and Shops Act* 1905, shall be in the form and contain the particulars required in Schedule VII. hereto, and may be left at his office, in Melbourne, or sent to him through the post addressed to him at his office, in Melbourne.

Record of Work done Inside a Factory or Work-room to be made in every Factory or Work-room.

2. The true record of the names, work, and wages of all persons employed in a factory or work-room, and the ages of all persons so employed under twenty-one years of age, shall be in the form and contain the particulars prescribed by Schedule VIII. hereto, and such record shall be forwarded to the Chief Inspector within seven days after the 31st October in each and every year.

Record of Employés in Shops and in certain Processes, Trades, Businesses and Occupations subject to Special Boards and of the Wages paid to such Employés.

3. Every occupier of a shop and every employer engaged in any process, trade, or business or occupation which is or may become subject to the provisions of a special board shall make a true record in the form and containing the particulars prescribed in Schedule IX. hereto, and such record shall be forwarded to the Chief Inspector within seven days after the 1st June in each and every year.

Record of Work done Outside a Factory or Work-room.

4. The record to be kept by the occupier of every factory or work-room, and every occupier of a factory or work-room, within the meaning of Section 21 of the *Factories and Shops Act 1905*, of the work done outside a factory or work-room, and the name and address of the person by whom the same is done, and the prices paid in each instance for the work, shall be in the form of and contain the particulars specified in Schedule X. hereto for each and every week of the year such work is given out.

Form of Application to Register a Shop.

5. The written notice to be served on the Chief Inspector by the occupier of a shop in accordance with Section 37 of the *Factories and Shops Act 1907* shall be in the form and contain the particulars required in Schedule XI. hereto, and may be left at his office in Melbourne or sent to him through the post addressed to him at his office in Melbourne.

Record of Fines imposed.

6. A record of all fines levied upon employés by the occupier of any factory or work-room shall be forwarded to the Chief Inspector of Factories in the form of Schedule XII. hereto.

Abstracts of the Factories and Shops Acts to be posted in Factories and Work-rooms.

7. In the factories or work-rooms of the classes mentioned hereunder there shall be kept printed, posted, or affixed true copies or abstracts of the sections of the Factories and Shops Acts specified opposite each such class respectively:—

Class of Factory or Work-room.	Sections of Factories and Shops Act No. 1975.	Sections of Factories and Shops Act No. 2008.	Sections of Factories and Shops Act No. 2137.	Sections of Factories and Shops Act No. 2265.
Factories or Work-rooms in which—				
(a) Any Chinese person is employed	12, 15, 16, 20, 26, 37, 41, 42, 48, 68, 69, 73	6, 13, 14, 33	5	24
(b) Any article of furniture is prepared or manufactured	12, 15, 20, 26, 37, 41, 42, 48, 68, 69, 70, 71, 72, 73, 74	6, 13, 14, 33	...	4, 20, 22, 24, 51
(c) Bread or pastry is made	12, 15, 20, 26, 33, 41, 48...	6, 33	...	4, 24, 51
(d) All other factories or workrooms	5, 12, 15, 20, 26, 31, 37, 40, 41, 43, 45, 48, 49, 50, 58, 62, 64, 93, 96, 113, 114	6, 33	...	4, 20, 22, 24, 27, 51

CHAPTER VIII.—OF THE WASHING AND CLEANING OF THE FLOORS AND WINDOWS, PRIVIES AND URINALS, OF FACTORIES AND WORK-ROOMS.

1. The floors and windows of every factory or work-room shall, when so required in writing by the Chief Inspector of Factories, be washed with hot water and soap.

2. The seats and floor of every privy used by the employés in any factory or work-room shall be thoroughly scrubbed with water and soap once at least every week.

3. Each urinal and the floor adjacent to such urinal shall be thoroughly flushed with water every day.

CHAPTER IX.—STAMPING OF FURNITURE.

Section 150. Act 1975.

On the classes or kinds of furniture mentioned in the Schedule hereunder the Stamp which by the Factories and Shops Acts is directed to be stamped on furniture shall be placed where specified opposite the name of each such class or kind of furniture respectively in such Schedule.

SCHEDULE.

Billiard tables	...	On the top of the cushion rail.
Book-cases	...	(a) With drawers, on the inside of the drawer bottom; (b) without drawers, on the inside of the carcass back, 24 inches from the bottom.
Book-cases, revolving	...	On the under side of the top shelf.
Box couches	...	On the bottom of the couch, "scroll end."
Cabinets	...	(a) With drawers, on the inside of the drawer bottom; (b) without drawers, on the centre of the outside back, 24 inches from the bottom.
Chairs with wooden seats	...	On the under side of the seat.
Chairs with cane seats	...	On the under side of the seat rail.
Chairs, rocking	...	On the under side of the frame.
Chairs, platform rockers	...	On the under side of an arm rest.
Chair and couch frames	...	On the bottom edge of frame, well outwards, to allow for bottom canvas.
Chest of drawers	...	On the inside of the second drawer from the bottom of the carcass, on the drawer bottom.

Chiffoniers ...	...	On the inside of the drawer bottom.
Commodols ...	...	On the under side of the top lid, on the right-hand corner.
Cupboards ...	...	On the inside of the top rail of the door.
Dinner waggons ...	...	(a) With drawers, on the inside of the bottom of the right-hand drawer; (b) without drawers, on the under side of the top shelf, on the right-hand side.
Duchesse pairs ...	...	On the centre of the right-hand drawer bottom, on the inside.
Footstools ...	...	On the bottom of frame.
Hall seats and hall chairs ...	...	On the under side of the seat.
Hall stands ...	...	(a) With drawer, on the inside of the drawer bottom; (b) without drawer, on the outside back, 24 inches from the bottom.
Hall tables ...	...	(a) With drawer, on the inside of the bottom of the drawer; (b) without drawer, on the centre of the back rail on the back.
Kitchen dressers ...	...	On the front of the carcass back, between the bottom and first shelf of the top part; if without a back, on the under side of the top shelf.
Looking-glasses ...	...	On the outside of the glass back.
Lounges ...	...	On the under side of bottom.
Meat safes ...	...	On the inside of the top rail of the door.
Office desks ...	...	(a) With drawers, on the inside of the bottom of the top drawer; (b) without drawers, on the outside of the back rail.
Ottomans ...	...	On the under side of bottom.
Overmantels ...	...	On the centre of the outside back, 18 inches from the bottom.
Pedestals ...	...	On the bottom of the pedestal.
Pedestal cupboards ...	...	On the inside of the back, 6 inches above the shelf.
Secretaires ...	...	On the inside of a drawer bottom.
Sideboards ...	...	On the inside of the bottom of the right-hand top drawer.
Sofas, chesterfield ...	...	On the bottom edge of the seat rail.
Sofas, colonial ...	...	On the outside of back.
Sofas, stump ...	...	On the under side of frame.
Tables ...	...	Kitchen, extension, occasional, gipsy, &c., on the under side of the table top.
Towel-rails ...	...	On the bottom edge of the stand.
Upholstered suites ...	...	All chair and couch frames finished with upholstered seats to be stamped on the under edge of the seat rail, in such position as not to be covered by webbing or any other material.
Wardrobes ...	...	On the inside of the carcass back, not less than 30 inches from the top of the carcass.
Washstands ...	...	On the centre of the back rail on the back.
Wall brackets ...	...	On the under side of shelf.
Whatnots ...	...	On the under side of the top shelf.

CHAPTER X.—MODE OF APPEALING TO THE COURT OF INDUSTRIAL APPEALS.

1. Every appeal under the provisions of section 123 of the *Factories and Shops Act 1905* against the determination of a special board shall be instituted by the person entitled to appeal and desiring so to do, forwarding to the Minister of Labour a notice, in writing, containing the prescribed particulars of such desire.

2. The notice of appeal shall state the character in which the appellant claims to appear as such, and when the appeal is by a single employer or group of employers employing not less than 25 per centum of the total number of workers shall set out particulars of the numbers of workers employed by each appellant. The notice shall be written in legible characters, and shall clearly and distinctly set forth or otherwise identify separately the item or items in the Determination against which appellant is appealing, and his grounds of objection to such item or items.

3. The notice of appeal shall be signed in a legible manner by each appellant, and the full address and occupation of each appellant shall be given opposite each signature.

4. Such notice shall name some address for service, not more than 5 miles from the General Post Office, where notices, orders, summonses, documents, and written communications may be left for the appellant or appellants, and all notices, orders, summonses, documents, and written communications served or left at such address shall constitute effective service on the appellant or appellants, if there be more than one.

5. Two copies of the notice of appeal shall be forwarded with the original, but in such copies it shall not be necessary to give more than five of the appellants' names and addresses.

6. The Chief Inspector of Factories, Work-rooms, and Shops, and the Registrar of the Court of Industrial Appeals may allow any employer or employé in the trade affected by a Determination against which an appeal has been lodged to make a copy of the notice of appeal for the purpose of entering an appearance against such appeal.

7. Any employer or employé in the trade affected by the Determination which is the subject of an appeal who desires to be heard by the Court against such appeal, shall, seven days at least before the hearing, notify the Registrar of the Court of Industrial Appeals of such desire, and shall give his full name, his occupation, and address in such notification.

8. The Chief Inspector of Factories, Work-rooms, and Shops shall attach to such notice of appeal a list containing the names and addresses of the Members of the Special Board the Determination of which is the subject of appeal, and also, when necessary, a certificate giving the number of persons employed in the trade affected by such employer or group of employers, and also the total number of persons employed in such trade as indicated in Appendix A of the Chief Inspector's last Annual Report issued prior to such appeal, or in the case of appeal by the workers in any trade, a certificate giving the number of persons employed in such trade as indicated in Appendix A of the Chief Inspector's last Annual Report.

9. Non-compliance with these regulations shall not prevent the hearing of an appeal or of opposition thereto unless the Court so orders.

CHAPTER XI.—MISCELLANEOUS.

Oath of Secrecy.

1. The oath of secrecy to be taken by the Under-Secretary, the Chief Inspector, and the officers under the Chief Inspector shall be in the form of Schedule XIII. hereto.

Fees for Suspension of Factories and Shops Acts.

2. The fee for any suspension of Section 40 of the *Factories and Shops Act 1905* shall be the sum of 2s. 6d., which shall be forwarded with any application for suspension of the said section, and which shall be returned to the applicant in the event of the said application being refused.

Payment of Registration Fees.

3. Fees required to be paid prior to the registration of a factory or work-room under Section 11 of the *Factories and Shops Act 1905* shall be paid to the Chief Inspector of Factories, at his office, in Melbourne, or remitted to him in a registered letter through the post office, addressed to him at his office, in Melbourne.

Certificate of Registration.

4. The certificate of registration to be issued by the Chief Inspector of Factories, in accordance with the provisions of Section 11 of the *Factories and Shops Act 1905*, shall be in the form of Schedule XIV. hereto.

Notice to Occupiers of Factories or Work-rooms of Breach of Provisions of Factories and Shops Acts.

5. The form of notice to be served on the occupier of any factory or work-room of any breach of the provisions of the *Factories and Shops Acts* in such factory or work-room may be in the form of Schedule XV. hereto.

CHAPTER XII.—CHOICE OF HALF-HOLIDAY BY SHOPKEEPER.

1. The written notice to be served on the Chief Inspector by the occupier of a shop, in accordance with Section 24 (sub-section 3) of the *Factories and Shops Act 1905* (No. 2), shall be in the form and contain the particulars required in Schedule XVI. hereto, and shall be sent to him through the post by registered letter addressed to him at his office, in Melbourne.

CHAPTER XIII.

1. The following Regulations shall apply to shops erected after the passing of these Regulations, and to shops the exits from which are locked, bolted, or barred when the public are in the shops, provided that the Chief Inspector of Factories, Work-rooms, and Shops may direct that any existing shop shall be to altered as to comply with the requirements of any of the provisions of these Regulations applicable to such shop if he considers such a course necessary to insure the safety of employes or the public.

2. Every shop shall be provided with exits and stairways on the following scales:—

(a) *Exits and Stairways required for Retail Shops used for the sale of Drapery, Millinery, and Fancy Goods, or any other class of goods combined with Drapery, Millinery, and Fancy Goods.*

Area of each Floor in Square Feet.	Number and Width of Stairs and Exits.	Total width of Stairs and Exits.
Up to 600 ...	1 2ft. 8in. ...	2ft. 8in.
More than 600 and not more than 1,000	2 2ft. 8in. or ...	5ft. 4in.
More than 1,000 and not more than 2,000	1 2ft. 8in. if fire isolated ...	2ft. 8in.
More than 2,000 and not more than 4,000	2 3ft. 4in. } 1 5ft. 0in. } 1 3ft. 4in. } One stair to be fire isolated	6ft. 8in. 8ft. 4in.
More than 4,000 and not more than 6,000	2 5ft. 0in. } 2 5ft. 0in. } 1 3ft. 4in. }	10ft. 0in. 13ft. 4in.
More than 6,000 and not more than 8,000	3 5ft. 0in. } 2 5ft. 0in. } 2 3ft. 4in. } One 5ft. 0in. stair to be fire isolated	15ft. 0in. 16ft. 8in.
More than 8,000 and not more than 10,000	3 5ft. 0in. } 2 5ft. 0in. } 2 3ft. 4in. }	18ft. 4in.
More than 10,000 and not more than 12,000	4 5ft. 0in. } 4 5ft. 0in. } 1 3ft. 4in. } Two stairs to be fire isolated	20ft. 0in. 23ft. 4in.
More than 12,000 and not more than 14,000	5 5ft. 0in. } 4 5ft. 0in. } 2 3ft. 4in. } Two 5ft. 0in. stairs to be fire isolated	25ft. 0in. 26ft. 8in.
More than 14,000 and not more than 16,000	6 5ft. 0in. }	30ft. 0in.

(b) Exits and Stairways required for Retail Shops other than those used for the sale of Drapery, Millinery, or Fancy Goods.

Area of each Floor in Square Feet.	Number and Width of Stairs and Exits.	Total Width of Stairs and Exits.
Up to 600 ...	1 2ft. 8in. ...	2ft. 8in.
More than 600 and not more than 1,000	2 2ft. 8in. or 1 2ft. 8in. if fire isolated	5ft. 4in. 2ft. 8in.
More than 1,000 and not more than 2,000	1 2ft. 8in. ... 1 3ft. 4in. ...	6ft. 0in.
More than 2,000 and not more than 4,000	2 3ft. 4in. ...	6ft. 8in.
More than 4,000 and not more than 6,000	1 5ft. 0in. ... 1 3ft. 4in. ...	8ft. 4in.
More than 6,000 and not more than 8,000	2 5ft. 0in. ...	10ft. 0in.
More than 8,000 and not more than 10,000	2 5ft. 0in. ... 1 3ft. 4in. ...	13ft. 4in.
More than 10,000 and not more than 12,000	3 5ft. 0in. ...	15ft. 0in.
More than 12,000 and not more than 14,000	2 5ft. 0in. ... 2 3ft. 4in. ...	16ft. 8in.
More than 14,000 and not more than 16,000	3 5ft. 0in. ... 1 3ft. 4in. ...	18ft. 4in.
More than 16,000 and not more than 18,000	4 5ft. 0in. ...	20ft. 0in.
More than 18,000 and not more than 20,000	4 5ft. 0in. ... 1 3ft. 4in. ...	23ft. 4in.
More than 20,000 and not more than 22,500	5 5ft. 0in. ...	25ft. 0in.
More than 22,500 and not more than 25,000	2 3ft. 4in. ... 4 5ft. 0in. ...	26ft. 8in.

The width of stairs in the scales A and B from the third to the 6th floors may be reduced to the width required for the next lower area, and from the 6th floor upwards may be again reduced to the next succeeding lower area provided that no stairs shall be reduced to a less width than 3ft. 4in. except for floor areas 1,000 sq. feet or less. Stairs shall be as far apart as is practicable from each other and lead direct to exits.

5. Doors and gates of any doorways or gateways forming exits from a shop shall, if so required by the Chief Inspector of Factories, Workrooms, and Shops be hung to open outwards towards the nearest road, street, or right-of-way, or to open both inwards and outwards.

No such door or gate shall be hung so as to open immediately on to a flight of steps, or to obstruct when open any exit of a shop.

No such door or gate shall during the whole time the shop is occupied by the public or by employes, excepting the caretaker or watchman, be secured with fastenings other than such as will allow such door or gate to be readily opened from the inside without a key.

No door or gate across a passage shall have any other fastening except such as will allow the door to be readily opened from each side without a key. Knobs and handles of all bolts and locks must be firmly secured.

6. *Internal Approaches to Doorways.*—No aisle may be less than 2ft. 8in. wide. The aggregate width of aisles or gangways to be at least as wide as the doorways to which they lead.

7. *Stairs and Landings.*—All such stairs shall be in straight flights, have half-space or quarter-space landings at intervals of not more than sixteen or less than two rises, and have proper balusters or mid-rails, and on each side a continuous handrail at a vertical height of not less than 2ft. 10in. above the nosing of the tread, and not less than 3 feet above the landing; and every such stairway shall throughout have a clear headway not less than 6ft 6in. high. The steps of each stairway shall be of uniform dimensions throughout, and have treads not less than 10 inches wide exclusive of nosing or overhang, and rises not more than 7 inches high; and the underside of the stairs and landings shall be separated from the spaces beneath with fire resisting material.

8. *Provision for Extinction of Fire.*—For this purpose the following or other appliances if approved of as equally effective by the Chief Inspector of Factories, Work-rooms, and Shops shall be provided:—(a) Iron pipes, at least 1½ inches in diameter, conducting water from a street water main to within the building, taps and hoses of the same dimensions and of such numbers and in such positions as may be approved by the Chief Inspector of Factories, Work-rooms, and Shops to be fitted to the said pipes inside the building; (b) fire buckets in such proportion as the Chief Inspector of Factories, Work-rooms, and Shops may direct, and being not less than one bucket to every 400 square feet of floor area up to sixteen hundred (1,600) square feet of floor space, such buckets to be kept filled with clean water and ready for instant use and placed in proper stands where directed, or in lieu of fire buckets, effective chemical fire extinguishers, each of which, having a fluid capacity of three gallons, shall be reckoned as equivalent to four buckets.

If by reason of any special circumstances of the cases any of these provisions are, in the opinion of the Chief Inspector of Factories, Work-rooms, and Shops unnecessary or unsuitable for any particular building or place, the Chief Inspector of Factories, Work-rooms, and Shops may approve of such building or place without such provision or provisions being carried out.

SCHEDULE I.

ELECTORS' ROLL FOR SPECIAL BOARD FOR DETERMINING THE LOWEST PRICES OR RATES
FOR

(I) ROLL OF EMPLOYERS.

Number on Roll.	Surname.	Christian Names in full.	Address.			No. of Notes†
			Number.	Street.	Place.	

(II) ROLL OF EMPLOYÉS OF EIGHTEEN YEARS OF AGE AND UPWARDS.

(a) Employed in Factories, Work-rooms or Shops, or in any Process, Trade, Business, or Occupation.

Number on Roll.	Surname.	Christian Names in full.	Address.		
			Number.	Street.	Place.

(b) Employed outside Factories and Work-rooms.

Number on Roll.	Surname.	Christian Names in full.	Address.		
			Number.	Street.	Place.

SCHEDULE II.

Factories and Shops Acts.

LIST FOR ELECTORS' ROLL OF THE PERSONS OF EIGHTEEN YEARS OF AGE AND UPWARDS
EMPLOYED*

Name of Occupier or Firm—

Address—

Nature of Process, Trade, Business or Occupation carried on—

Name of Person employed.		Indicate opposite each name whether Employé is—		Address—			Kind of Work done by each Employé.
Surname.	Christian Name in full.	A Male.	A Female.	Number.	Street.	Place.	

I certify that the above is a true and correct list of all the persons of eighteen years of age and upwards employed, at the date of forwarding this list, as described above.

Signature of Occupier or Manager—

Date—

* Here insert "Inside the factory or work-room in preparing or manufacturing in the process, trade, business or occupation of" as the case may be.

SCHEDULE III.

Factories and Shops Acts.

LIST FOR ELECTORS' ROLL OF THE PERSONS OF EIGHTEEN YEARS OF AGE AND UPWARDS EMPLOYED OUTSIDE A FACTORY OR WORK-ROOM IN PREPARING OR MANUFACTURING AN ARTICLE OF OR IN WORKING IN THE PROCESS, TRADE, BUSINESS OR OCCUPATION OF

Name of Occupier of Firm (for whom persons are working)—

Address—

Nature of Process, Trade, Business or Occupation carried on—

Name of Person employed.	Indicate opposite each Name whether Employé is—		Address.			Kind of Work done by each Employé.
	A Male.	A Female.	Number.	Street.	Place.	

I certify that the above is a true and correct list of all persons employed at the date of forwarding this list outside a factory or work-room by _____ of _____

Signature of Occupier or Manager—

Date—

Date—

Place—

Name of Applicant—

Residence—

Age—

In what class or classes of Factory to be employed—

Remarks :—

SCHEDULE IV.

Factories and Shops Acts.

CERTIFICATE UNDER SECTIONS 43 AND 44 OF THE FACTORIES AND SHOPS ACT 1905.

I, being a certifying medical practitioner under the Factories and Shops Acts, have been satisfied either by a certificate of birth, a statutory declaration, or other sufficient evidence that _____ is of _____

age of _____ years, and I certify that _____ has been personally examined by me, and is not incapacitated by disease or bodily infirmity for working daily for the time allowed by law in the following class or classes of factories or work-rooms,* viz. :—

Certifying Medical Practitioner.

Date—

* NOTE.—If the certifying medical practitioner is of opinion that he can truly give the certificate for employment in all or any factories or work-rooms he may here insert the words "all classes," or he may confine the certificate to any particular class or classes of factories or work-rooms by naming same.

Certifying Medical Practitioner.

SCHEDULE V.

MEDICAL CERTIFICATES.

1. Certificate of fitness for employment must be obtained by employé under sixteen years of age working in factories or work-rooms in which or in connexion with which steam, water, gas, oil, or electric power is used, but such Certificate need not be obtained in factories and work-rooms in which such power is used only to drive sewing machines, or in factories or work-rooms in which dresses, mantles, clothing, white work, underclothing, shirts, or boots and shoes are prepared or manufactured.

2. Certificates of fitness for employment must be obtained by employé under sixteen years of age working in all factories or work-rooms in which or in connexion with which work is carried on incidental to the following businesses, manufactures, or trades (that is to say) :—

- Aerated Water Works.
- Blast Furnaces.
- Bleaching and Dyeing Works.
- Bookbinding Works.
- Candle, Soap, and Tallow Works.
- Cigars, Cigarettes, and Tobacco Works.
- Copper Mills.
- Die-sinking and Engraving Works.
- Earthenware Works.
- Foundries.
- Glass and Glass Bottle Works.
- Glass Beveling and Cutting.
- Glass Silvering and Staining.

- Iron Mills.
- Lead and Shot Works.
- Letter-press Printing Works.
- Manure Works, Bone Mills, Glue Works, &c.
- Metal Works (that is to say) :—Any works in which the manufacture of any article of metal is carried out.
- Paint Works.
- Plumbers' Works.
- Tinware Works.
- Varnish Works.
- White Lead Works.
- Wire Works.

SCHEDULE VI.

NOTICE TO FENCE MACHINERY UNDER SECTIONS 59, 60, AND 61 OF THE FACTORIES AND SHOPS ACT 1905.

I hereby give you notice that you are required to [here describe in general terms the machinery or vats required to be fenced and the mode in which the same should be fenced, or in the case of grindstones to be replaced or properly fixed] in your factory street, as provided by section (59, 60; or 61 according to whether the notice is as to machinery, vats; or grindstones) of the Factories and Shops Act 1905.

Inspector.

19 .

To M.

NOTE.—If you desire to refer this matter to arbitration, you must within seven days of the receipt of this notice serve upon me a written requisition to refer the matter to arbitration, and must proceed to such arbitration in accordance with the regulations in that behalf. In default of your so doing you will be liable to the penalties provided in the said Act unless you securely fence the said machinery without delay.

N.B.—This form may be used *mutatis mutandis* in the case of vats, &c., under section 60 of the Act; and in the case of replacing grindstones, under section 61 of the Act.

SCHEDULE VII.

NOTICE UNDER THE FACTORIES AND SHOPS ACT.

No.

To the Chief Inspector of Factories, Spring-street, Melbourne.
I [or We] hereby give you notice that desire to occupy the premises described hereunder and situated at as a factory or work-room.

THE PARTICULARS ARE AS FOLLOW :—

The factory is built of	...	...
The roof is	...	...
The means of escape in case of fire are (a)		
(b) Stairs built of	...	...
Width of stairs at narrowest part is		
The number of staircases is	...	...
The position of staircases is	...	...
The number of closets for females is	...	...
The number of closets for males is	...	...
Lavatory is provided for	...	...
Urinal is provided for	...	...

THE NUMBER OF WORK-ROOMS IS , AND THE DIMENSIONS ARE AS BELOW :—

How Room is distinguished.	Floor.	Maximum Number of Persons to Work in Room.	Height.		Length.		Breadth.		Number of Windows.	Number of Doors.	Number of Ventilators.	
			Feet.	Inches.	Feet.	Inches.	Feet.	Inches.			Inlet.	Outlet.

Nature of Work to be carried on, or Articles to be manufactured—
The Mechanical Power is a engine of horse-power with a cylinder inches diameter.
Name of Occupier or Firm in full—
The Number of Persons employed is viz.:— males and females.
I [or We] declare the above particulars to be correct in every respect.
Occupier or Firm.
Date—

NOTE.—Section 158 of Factories and Shops Act 1905 imposes a penalty upon any person making false entry of any particulars in this notice.

I have examined the above factory and find the particulars given correct. Inspector of Factories.

This factory will accommodate employés Chief Inspector of Factories.
£ paid on Certificate Number issued.

SCHEDULE VIII.

RECORD UNDER THE FACTORIES AND SHOPS ACTS OF THE WORK DONE INSIDE THE FACTORY FOR THE YEAR 19

N.B.—This record to be forwarded to the Chief Inspector of Factories on the 31st October in each year or whenever demanded by him.

Name of Occupier or Firm—

Address—

Nature of Work carried on—

When an employé leaves name should be struck out of record.

Name of Person employed.	Age—Male.											Age—Female.											Particular kind of Work done by each Person.	Hours of Work per Week.	Amount of Weekly Earning.					
	13 Years.	14 Years.	15 Years.	16 Years.	17 Years.	18 Years.	19 Years.	20 Years.	21 Years and over.	13 Years.	14 Years.	15 Years.	16 Years.	17 Years.	18 Years.	19 Years.	20 Years.	21 Years and over.	Wages.	Piece-work.										

I certify that the above record is a substantially true and correct account of the persons employed in the factory or work-room described above, and of the kind of work done by and the weekly wages paid to such persons.

Signature of Occupier or Manager—

Date—

SCHEDULE IX.

RECORD UNDER THE FACTORIES AND SHOPS ACTS OF THE WORK DONE IN OR IN CONNEXION WITH A SHOP, OR A PROCESS TRADE BUSINESS OR OCCUPATION FOR THE YEAR 19

N.B.—This Record to be forwarded to the Chief Inspector of Factories on the 1st June in each year.

Name of Occupier or Firm—

Address—

Class of Work carried on—

When an employé leaves name should be struck out of record.

Name of Person employed.	Age—Male.											Age—Female.											Particular kind of Work done by each Person.	Hours of Work per Week.	Amount of Weekly Earnings.				
	13 Years.	14 Years.	15 Years.	16 Years.	17 Years.	18 Years.	19 Years.	20 Years.	21 Years and over.	13 Years.	14 Years.	15 Years.	16 Years.	17 Years.	18 Years.	19 Years.	20 Years.	21 Years and over.	Wages.	Piece-work.									

I certify that the above Record is a substantially true and correct Account of the Persons employed in the described above, and of the kind of work done by and the weekly wages paid to such Persons.

Signature of Occupier or Manager—

Date—

SCHEDULE X.

RECORD UNDER THE FACTORIES AND SHOPS ACTS OF WORK DONE OUTSIDE A FACTORY OR WORK-ROOM FOR EACH WEEK DURING THE YEAR 19 .

Name of Employer—
Address—

This record to be forwarded to the Chief Inspector of Factories on the 31st of October in each year, or whenever demanded by him.

Date.	Name.	Street.	Place.	Description of Work.	Rate.

I certify that the within record is a substantially true and correct account of the amount and kind of work done by the persons named herein for me, and the prices paid for same during the year ending

Signature of Employer—
Date—

19

SCHEDULE XI.

NOTICE UNDER THE FACTORIES AND SHOPS ACTS.

To the Chief Inspector of Factories,
Spring-street, Melbourne.

Notice is hereby given that the premises situate at _____ are occupied as a Shop by _____

That class or classes of goods sold are—

That the full name of Occupier or Firm is—

That the number of Persons employed is _____, viz. : _____ males ; and _____ females.

Occupier—
Date--

SCHEDULE XII.

RETURN UNDER THE FACTORIES AND SHOPS ACTS OF FINES LEVIED FOR THE YEAR 19 .

This return is to be forwarded to the Chief Inspector of Factories at the end of the year.

Name of Occupier or Firm—
Address—

Nature of Work carried on—

Name of Employé.	Date of Fine.	Amount of Fine.	Particulars.

I certify that the above is a true and correct list of the fines levied upon employés in the factory or work-room of _____ at _____

Signature of Occupier or Manager—
Date—

19

SCHEDULE XIII.

I, the undersigned being * do sincerely promise and swear that I will maintain and aid in maintaining secrecy as to the names and addresses of persons registered as Outworkers pursuant to the provisions of Section 23 of the *Factories and Shops Act 1905*, and that I will not divulge to any person whomsoever the name or address of any such registered Outworker except for the purposes of enforcing the provisions of the *Factories and Shops Acts*.

SO HELP ME GOD.

Sworn before me, at _____ in the State }
of Victoria, this _____ day of _____ }
in the year of our Lord One thousand nine }
hundred and _____ }

Justice of the Peace.

* The Under-Secretary of Victoria, the Chief Inspector of Factories, or an officer under the Chief Inspector (as the case may be).

SCHEDULE XIV.

Factories and Shops Acts.

CERTIFICATE OF REGISTRATION.

This is to certify that the premises occupied by _____ at _____ street, _____ in which _____ persons are or may be employed, have this day been registered under the *Factories and Shops Acts* as a factory or work-room for _____ and that the registration fee of £ _____ for that number of employes for the year _____ has been paid.

Chief Inspector

Date—

SCHEDULE XV.

*Section 154 of Factories and Shops Act 1905.*NOTICE BY INSPECTOR TO OCCUPIER OF FACTORY OR WORK-ROOM OF BREACH OF PROVISIONS OF *FACTORIES AND SHOPS ACT*.

SIR,

As Inspector under the *Factories and Shops Act* I hereby give you notice, under Section 154 of the *Factories and Shops Act 1905*, that [here state act or omission which is the breach complained of] a breach of the provisions of the said Act is taking place at the factory or work-room occupied by you at [here describe situation of factory, &c.], which breach renders you liable to penalties under the *Factories and Shops Acts* for any continuation of the said breach after the delivery of this notice.

A.B.,

Inspector of Factories and Work-rooms.

To Mr. Y.Z., occupier or firm of [here describe factory or _____].

SCHEDULE XVI.

METROPOLITAN DISTRICT.

NOTICE UNDER SECTION 24 OF THE *FACTORIES AND SHOPS ACT 1905* (No. 2).

It is hereby notified to the Chief Inspector of Factories, Work-rooms, and Shops that with respect to the premises occupied by _____ as a _____ shop at _____

_____ within the Municipal District of _____ that _____ chosen that the same shall be closed from _____ p.m. on Wednesdays for three months from the _____ 19 (and until further notice).

Full Name of Occupier, Firm, or Company—

Signature—

Date—

19

— This notice must be forwarded to the Chief Inspector of Factories by Registered Letter. —

* In case of individual or partnership "me" or "us." † I have, we have, or it has. ‡ 1, 5, 6, or 8, as case may be.

And the Honorable John Murray, His Majesty's Minister of Labour for the State of Victoria, shall give the necessary directions herein accordingly.

F. W. MABBOTT,

Clerk of the Executive Council.