



# Factories Act 1961

## 1961 CHAPTER 34

### PART VI

#### EMPLOYMENT OF WOMEN AND YOUNG PERSONS

##### *Exemptions in interest of efficiency of industry or transport*

#### **117 Exemptions from provisions regulating hours of employment**

- (1) Where the Minister is satisfied, on an application made to him in that behalf, that it is desirable in the public interest to do so for the purpose of maintaining or increasing the efficiency of industry or transport, he may, after such consultations as he may think appropriate or as may be required under subsection (5) of this section, exempt the employment of persons of or over the age of sixteen from any of the following provisions, except in so far as they relate to mines and quarries, that is to say.—
  - (a) the foregoing provisions of this Part of this Act;
  - (b) subsection (3) of section one of the Employment of Women, Young Persons, and Children Act, 1920; and
  - (c) the Hours of Employment (Conventions) Act, 1936.
- (2) An exemption granted under this section may extend to the employment of persons generally, of a class of persons or of particular persons, and to employment generally, or any class of employment or particular employment, and may be granted to such extent and on such conditions as may be specified in the instrument by which it is granted and, subject to subsection (4) of this section, either indefinitely or for such period as may be so specified.
- (3) An exemption under this section extending only to particular persons or a particular employment or to a class of persons or employment defined by reference to particular premises or to work supervised from particular premises, and any exemption under this section for a particular day or particular days only, shall be granted by order, to be known as a special exemption order, and any other exemption under this section shall be granted by special regulations, to be known as general exemption regulations.

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*Status: This is the original version (as it was originally enacted).*

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- (4) An exemption granted by a special exemption order shall not be for more than one year, without prejudice however to the granting of the like exemption for further periods by further special exemption orders.
- (5) The Minister shall not make general exemption regulations except—
- (a) on the application of a joint industrial council, conciliation board or other similar body constituted by organisations which appear to him to be representative respectively of workers and employers concerned; or
  - (b) on the application of a wages council; or
  - (c) on the joint application of an organisation which appears to him to be representative of employers concerned and of an organisation which appears to him to be representative of workers concerned; or
  - (d) on the application of an organisation which appears to him to be representative of employers concerned and after consulting an organisation which appears to him to be representative of workers concerned; or
  - (e) on the application of an organisation which appears to him to be representative of workers concerned and after consulting an organisation which appears to him to be representative of employers concerned.
- (6) The Minister shall publish in the London Gazette such particulars of special exemption orders as he considers appropriate.
- (7) In this section " organisation " includes—
- (a) in relation to workers, an association of trade unions, and
  - (b) in relation to employers, an association of organisations of employers and also any body established by or under any enactment for the purpose of carrying on under national ownership any industry or part of an industry or undertaking;
- and " trade union " includes an association of trade unions.