



# Factories Act 1961

1961 CHAPTER 34 9 and 10 Eliz 2

## PART XII E+W+S

### OFFENCES, PENALTIES AND LEGAL PROCEEDINGS

#### 155 Offences. E+W+S

- (1) In the event of any contravention in or in connection with or in relation to a factory of the provisions of this Act, or of any regulation or order made thereunder, the occupier, or (if the contravention is one in respect of which the owner is by or under this Act made responsible) the owner, of the factory shall, subject to the following provisions of this Part of this Act, be guilty of an offence.
- (2) In the event . . . <sup>F1</sup> of a contravention by any person of any regulation or order made under this Act which expressly imposes any duty upon him, that person shall be guilty of an offence and the occupier or owner, as the case may be, shall not be guilty of an offence, by reason only of . . . <sup>F1</sup> the contravention of the provision imposing the said duty, as the case may be, unless it is proved that he failed to take all reasonable steps to prevent the contravention; but this subsection shall not be taken as affecting any liability of the occupier or owner in respect of the same matters by virtue of some provision other than the provisions or provision aforesaid.
- (3) If the occupier of a factory avails himself of any exception allowed by or under this Act and fails to comply with any of the conditions attached to the exception, he shall be deemed to have contravened the provisions of this Act.
- (4) If any persons are employed in a factory otherwise than in accordance with the provisions of this Act or of any regulation or order made thereunder, there shall be deemed to be a separate contravention in respect of each person so employed.
- [<sup>F2</sup>(5) Where an offence under this Act committed by a company is proved to have been committed with the consent or connivance of, or to have been facilitated by any neglect on the part of, any director, manager, secretary or other officer of the company, he, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly.]

---

*Changes to legislation: There are currently no known outstanding effects  
for the Factories Act 1961, Section 155. (See end of Document for details)*

---

.....

**Textual Amendments**

**F1** Words repealed by S.I. 1975/1012, **Sch.**

**F2** S. 155(5) repealed by S.I. 1974/1941, reg. 7, **Sch. 1** except in relation to offences under s. 135

**Changes to legislation:**

There are currently no known outstanding effects for the Factories Act 1961, Section 155.