



Factories Act 1961

1961 CHAPTER 34

PART IX

WAGES

135 Particulars of work and wages to be given to pieceworkers

- (1) In every textile factory the occupier shall, for the purpose of enabling each person employed who is paid by the piece to compute the total amount of wages payable to him in respect of his work, cause particulars of the rate of wages applicable to the work to be done, and also particulars of the work to which that rate is to be applied, to be published as follows:—
- (a) in the case of weavers in the worsted and woollen, other than the hosiery, trades, the particulars of the rate of wages applicable to the work done by each weaver shall be furnished to him in writing at the time when the work is given out to him, and shall also be exhibited on a placard not containing any other matter, and posted in a position where it is easily legible;
 - (b) in the case of weavers in the cotton trade, the particulars of the rate of wages applicable to the work to be done by each weaver shall be furnished to him in writing at the time when the work is given out to him, and the basis and conditions by which the prices are regulated and fixed shall also be exhibited in each room on a placard not containing any other matter, and posted in a position where it is easily legible ;
 - (c) in the case of other persons employed, the particulars of the rate of wages applicable to the work to be done by each person shall be furnished to him in writing a) the time when the work is given out to him, except that, if the same particulars are applicable to the work to be done by each of the persons employed in-one room, it shall be sufficient to exhibit them in that room on a placard not containing any other matter, and posted in a position where it is easily legible;
 - (d) such particulars of the work to be done by each person employed as affect the amount of wages payable to him shall (except so far as they are ascertainable

Status: This is the original version (as it was originally enacted).

- by an automatic indicator) be furnished to him in writing at the time when the work is given out to him ;
- (e) where such particulars of the work as affect the amount of wages are ascertained by an automatic indicator, and a placard containing the particulars as to the rate of wages is exhibited in each room in pursuance of an agreement between employers and persons employed, and in conformity with the requirements of this section, the exhibition thereof shall be a sufficient compliance with the foregoing provisions of this section ;
 - (f) the particulars either as to rate of wages or as to work shall not be expressed by means of symbols;
 - (g) where an automatic indicator is used for ascertaining work, the indicator shall have marked on its case the number of teeth in each wheel and the diameter of the driving roller or such other particulars as will enable the accuracy of the indicator to be checked, so however, that in the case of spinning machines with traversing carriages the number of spindles and the length of the stretch in such machines shall be so marked instead of the diameter of the driving roller.
- (2) If the occupier fraudulently uses a false indicator for ascertaining the particulars or amount of any work paid for by the piece, or if any (person employed fraudulently alters an automatic indicator, the occupier or person employed, as the case may be, shall be guilty of an offence.
- (3) If any person employed in a factory, having received any such particulars, whether they are furnished directly to him or to a fellow workman, discloses the particulars for the purpose of divulging a trade secret, he shall be guilty of an offence.
- (4) If any person for the purpose of obtaining knowledge of or divulging a trade secret solicits or procures a person employed in a factory to disclose any such particulars, or with that object pays or rewards any such person, or causes any such person to be paid or rewarded for disclosing any such particulars, he shall be liable to a fine not exceeding one hundred pounds or to imprisonment for a term not exceeding three months.
- (5) The Minister, on being satisfied by the report of an inspector that the provisions of this section are applicable to any class of factories other than textile factories, may, if he thinks fit, by regulations apply the provisions of this section to any such class, subject to such modifications as may in his opinion be necessary for adapting those provisions to the circumstances of the case ; and he may also by regulations apply those provisions, subject to such modifications as may in his opinion be necessary for adapting them to the circumstances of the case, to any class of persons of whom lists may be required to be kept under the provisions of this Act relating to outworkers, and to the employers of those persons.
- (6) In this section " textile factory " means any factory in which mechanical power is used in the spinning, weaving or knitting of cotton, wool, hair, silk (including artificial silk), flax, hemp, jute, tow, china-grass, cocoanut fibre, asbestos, or other like material, either separately or mixed together, or mixed with any other material, or any fabric made thereof or in any process preparatory or incidental thereto, whether or not carried on in the same premises.

136 Prohibition of deductions from wages

Save as otherwise expressly provided under this Act, the occupier of a factory shall not, in respect of anything to be done or provided by him in pursuance of this Act,

make any deduction from the sum contracted to be paid by him to any person employed or receive or allow any person in his employment to receive any payment from any such person.