



Factories Act 1961

1961 CHAPTER 34

PART VII

SPECIAL APPLICATIONS AND EXTENSIONS

Institutions

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- (1) Where, in any premises forming part of an institution carried on for charitable or reformatory purposes, any manual labour is exercised in or incidental to the making, altering, repairing, ornamenting, finishing, washing, cleaning or adapting for sale, of articles not intended for the use of the institution, but the premises do not constitute a factory, the provisions of this Act shall nevertheless apply to the premises, except as provided by subsection (3) of this section, but subject to subsection (2) of this section.
- (2) If the persons having the control of the institution (in this subsection referred to as "the managers") satisfy the Minister that the only persons working therein are persons who are inmates of and supported by the institution, or persons engaged in the supervision of the work or the management of machinery, and that the work is carried on in good faith for the purposes of the support, education, training, or reformation of persons engaged in it, the Minister may by order direct that so long as the order is in force this Act shall apply to the institution subject to the following modifications:—
 - (a) the managers may submit for the approval of the Minister a scheme for the regulation of the hours of employment, intervals for meals, and holidays of the inmates, and if the Minister is satisfied that the provisions of the scheme are not less favourable to the inmates than the corresponding provisions of this Act, the Minister may approve the scheme, and upon his approval this Act shall, until the approval is revoked, apply as if the provisions of the scheme were substituted for the corresponding provisions of this Act;
 - (b) the medical officer of the institution (if any) may, on the application of the managers, be appointed to be the appointed factory doctor for the institution;

Status: This is the original version (as it was originally enacted).

- (c) the provisions of Part X of this Act as to the posting of an abstract and notices shall not apply, but among the particulars required to be shown in the general register there shall be included the prescribed particulars of the scheme, or where no scheme is in force the prescribed particulars as to hours of employment, intervals for meals or rest, and holidays, and other matters dealt with in this Act;
 - (d) if the institution is carried on for reformatory purposes and the managers give notice thereof to the chief inspector, an inspector shall not, without the consent of the managers or of the person having charge of the institution under the managers, examine an inmate of the institution save in the presence of one of the managers or of the said person; but if the Minister is satisfied that there is reason to believe that a contravention of the provisions of this Act, or of any regulation or order made thereunder is taking place in the institution he may suspend the operation of the preceding provisions of this paragraph as respects the institution to such extent as he may consider necessary;
 - (e) the managers shall, not later than the fifteenth day of January in every year, send to the Minister a correct return in the prescribed form, specifying the names of the managers and the name of the person (if any) having charge of the institution under the managers, and such particulars as to the number, age, sex and employment of the inmates and other persons employed in the work carried on in the institution as may be prescribed, and if they fail to do so they shall be guilty of an offence and liable to a fine not exceeding ten pounds.
- (3) This Act shall not, except in so far as the Minister may by order direct, apply to any premises which do not constitute a factory, if the premises are subject to inspection by or under the authority of a Government department.