

1989 No. 392

FACTORIES

Factories (Hours of Employment) (Revocation and Amendment) Order (Northern Ireland) 1989

Made 5th October 1989

Coming into operation 1st December 1989

Whereas the Department of Economic Development (“the Department”) considers the provision contained in this Order to be appropriate in consequence of Article 12(1) to (3) of the Sex Discrimination (Northern Ireland) Order 1988(a) (“the 1988 Order”);

Now, therefore, the Department in exercise of the powers conferred on it by Article 12(5) of the 1988 Order and of every other power enabling it in that behalf, hereby makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Factories (Hours of Employment) (Revocation and Amendment) Order (Northern Ireland) 1989, and shall come into operation on 1st December 1989.

(2) In this Order “the 1965 Act” means the Factories Act (Northern Ireland) 1965(b).

Revocations and amendments

2. Insofar as they are still in force the following Regulations are hereby revoked:

- Factories (Manufacture of Bread, Biscuits and Flour Confectionery — Overtime) Regulations (Northern Ireland) 1939(c);
- Factories (Laundries — Overtime) Regulations (Northern Ireland) 1939(d).

(a) S.I. 1988/1303 (N.I. 13)

(b) 1965 c. 20 (N.I.)

(c) S.R. & O. (N.I.) 1939
No. 163 (p. 204)

(d) S.R. & O. (N.I.) 1939
No. 165 (p. 207)

These Regulations were made in pursuance of the powers conferred by section 79 of the Factories Act (Northern Ireland) 1938 [2 Geo. 6 c. 23] and have effect as if made under section 89 of the 1965 Act, by virtue of paragraph 2 of Schedule 5 to the 1965 Act. Section 89 was amended by the Schedule to the 1988 Order.

3. The following Order is amended to the extent specified in the Schedule:

- Shift System in Factories and Workshops (Consultation of Workpeople) Order (Northern Ireland) 1936(a).

4. The following Regulations are amended to the extent specified in the Schedule:

- Factories (Overtime — Separation of Different Parts or Sets) Regulations (Northern Ireland) 1939(b);
- Factories (Intervals for Women and Young Persons) Regulations (Northern Ireland) 1939(c);
- Factories (Saturday Exception) Regulations (Northern Ireland) 1940(d);
- Factories (Holidays — Different Days for Different Sets) Regulations (Northern Ireland) 1947(e);
- Factories (Fruit and Vegetable Preserving — Hours of Women and Young Persons) Regulations (Northern Ireland) 1946(f);
- Factories (Milk and Cheese Factories — Hours of Women and Young Persons) Regulations (Northern Ireland) 1949(g);
- Factories (Separation for Certain Purposes) Regulations (Northern Ireland) 1940(h).

Sealed with the Official Seal of the Department of Economic Development on 5th October 1989.

(L.S.)

Suzanna Cooper

Assistant Secretary

<p>(a) S.R. & O. (N.I.) 1936 No. 167 (p. 147)</p>	}	<p>This Order was made in pursuance of sub-section (2) of section 1 of the Employment of Women and Young Persons Act (Northern Ireland) 1936, Geo. 5 and 1 Edw. 8 c. 28 and has effect as if made under section 97 of the Factories Act (Northern Ireland) 1965 by virtue of paragraph 2 of Schedule 5 to the 1965 Act. Section 97 was amended by the Schedule to the 1988 Order.</p>
<p>(b) S.R. & O. (N.I.) 1939 No. 72 (p. 208)</p>	}	<p>These Regulations were made in pursuance of the powers conferred by section 79(8) of the Factories Act (Northern Ireland) 1938 and have effect as if made under section 89(8) of the 1965 Act by virtue of paragraph 2 of Schedule 5 to the 1965 Act. Section 89 was amended by the Schedule to the 1988 Order.</p>
<p>(c) S.R. & O. (N.I.) 1939 No. 71 (p. 218)</p>	}	<p>These Regulations were made in pursuance of the powers conferred by sections 89, 94, 95, 98, 99 and 157(8) respectively of the Factories Act (Northern Ireland) 1938 and have effect as if made under sections 101, 106, 107, 110, 111 and 175(8) respectively of the 1965 Act by virtue of paragraph 2 of Schedule 5 to the 1965 Act. Sections 101, 106, 107, 110, 111 were amended by the Schedule to the 1988 Order.</p>
<p>(d) S.R. & O. (N.I.) 1940 No. 20 (p. 103)</p>		
<p>(e) S.R. & O. (N.I.) 1947 No. 121 (p. 136)</p>		
<p>(f) S.R. & O. (N.I.) 1946 No. 124 (p. 247)</p>		
<p>(g) S.R. & O. (N.I.) 1949 No. 169 (p. 177)</p>		
<p>(h) S.R. & O. (N.I.) 1940 No. 10 (p. 105)</p>		

Column 1 <i>Statutory Provision Amended</i>	Column 2 <i>Reference</i>	Column 3 <i>Extent of Amendment</i>
Shift System in Factories and Workshops (Consultation of Workpeople) Order (Northern Ireland) 1936	S.R. & O. (N.I.) 1936 No. 167 (p. 147).	Preamble and words of enactment: omit the words "women or". Schedule: Prescribed form of certificate of result of ballot: omit the words "women and" and omit the sidenote marked "†".
Factories (Overtime — Separation of Different Parts or Sets) Regulations (Northern Ireland) 1939	S.R. & O. (N.I.) 1939 No. 72 (p. 208).	regulation 1: omit the words "woman or". regulation 2: omit the words "woman or". Schedule: omit the words "woman or", wherever they occur.
Factories (Intervals for Women and Young Persons) Regulations (Northern Ireland) 1939	S.R. & O. (N.I.) 1939 No. 71 (p. 218).	regulation 1: omit the words "women and". regulation 2: omit the words "women and", wherever they occur.
Factories (Saturday Exception) Regulations (Northern Ireland) 1940	S.R. & O. (N.I.) 1940 No. 20 (p. 103).	regulation 1: omit the words "women and". regulation 2: omit the words "women and", wherever they occur.
Factories (Holidays — Different Days for Different Sets) Regulations (Northern Ireland) 1947	S.R. & O. (N.I.) 1947 No. 121 (p. 136).	Heading to regulation 1: omit the words "women and". regulation 1: omit the words "women and", wherever they occur. regulation 2: omit the words "woman or", wherever they occur. Heading to regulation 3: omit the words "women and".
Factories (Fruit and Vegetable Preserving — Hours of Women and Young Persons) Regulations (Northern Ireland) 1946	S.R. & O. (N.I.) 1946 No. 124 (p. 247).	Preamble and words of enactment: delete the words "women and". regulation 1: omit the words "woman or"; in paragraph (a) omit the words following the word "fifty-four" to the end of the paragraph; in paragraphs (b), (c), (d) and

Factories (Milk and Cheese Factories—Hours of Women and Young Persons) Regulations (Northern Ireland) 1949	S.R. & O. (N.I.) 1949 No. 169 (p. 177).	<p>(e) omit the words “woman or”, wherever they occur.</p> <p>regulation 2: omit the words “women and”, “woman or” and the words following “morning” in the second place where it occurs to the semi-colon, and the words “women or”.</p> <p>Omit the whole of regulations 3, 4 and 6.</p> <p>regulation 7: omit the words “woman and” and the words “women and”.</p> <p>regulation 3: omit the words “women and”.</p> <p>regulation 4: omit the words “women and”, wherever they occur.</p> <p>regulation 5: omit the words “women and”.</p> <p>regulation 6: omit the words “woman or”, wherever they occur.</p> <p>regulation 7: omit the words “woman or”, wherever they occur; in sub-paragraph (b) of paragraph (1) omit the words following the word “year”; in sub-paragraph (f) of paragraph (1) omit the words “woman and” and “women and”, wherever they occur; in paragraph (2) omit the words “women and”.</p> <p>regulation 8: omit the words “women and”, wherever they occur.</p>
Factories (Separation for Certain Purposes) Regulations (Northern Ireland) 1940	S.R. & O. (N.I.) 1940 No. 10 (p. 105).	<p>regulation 1: omit the words “women and” and the words “women or for all young persons or for all women or”.</p> <p>regulation 4: omit the words “women and” and the words from “woman” to “or”.</p> <p>regulation 6: omit the words “women and”.</p>

EXPLANATORY NOTE

(This note is not part of the Order.)

This Order revokes various instruments and amends others, which were made under the Factories Act (Northern Ireland) 1938 and other legislation but have effect as if made under the Factories Act (Northern Ireland) 1965. The revocations and amendments are made in consequence of the removal by the Sex Discrimination (Northern Ireland) Order 1988 of certain restrictions on the working hours and conditions of women in factories.