



Factories Act 1937

1937 CHAPTER 67 1 Edw 8 and 1 Geo 6

PART VII

SPECIAL APPLICATIONS AND EXTENSIONS.

Institutions.

104 Institutions.

- (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, then, nevertheless, the provisions of this Act shall, subject as hereinafter in this section provided, apply to those premises.
- (2) If in any such institution to which this Act applies the persons having the control of the institution (hereinafter referred to as the managers) satisfy the Secretary of State 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 such work as aforesaid is carried on in good faith for the purposes of the support, education, training, or reformation of persons engaged in it, the Secretary of State 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 Secretary of State a scheme for the regulation of the hours of employment, intervals for meals, and holidays of the inmates, and if the Secretary of State is satisfied that the provisions of the scheme are not less favourable to the inmates than the corresponding provisions of this Act, the Secretary of State may approve the scheme, and upon the scheme being so approved 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 examining surgeon for the institution:

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- (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) in the case of premises forming part of an institution carried on for reformatory purposes, if the managers of the institution give notice to the chief inspector to that effect, 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 such person as aforesaid :

Provided that the Secretary of State, on being 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 any such institution, may suspend the operation of this paragraph as respects that 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 Secretary of State 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 shall, if they fail to do so, be guilty of an offence and liable to a fine not exceeding five pounds.
- (3) This Act shall not except in so far as the Secretary of State 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.