



Factories Act 1961

1961 CHAPTER 34 9 and 10 Eliz 2

PART XII

OFFENCES, PENALTIES AND LEGAL PROCEEDINGS

166 Special provisions as to evidence.

- (1) If a person is found in a factory at any time at which work is going on or the machinery is in motion, except during the intervals for meals or rest, he shall, until the contrary is proved, be deemed for the purposes of this Act to have been then employed in the factory, unless the factory is one in which the only persons employed are members of the same family dwelling there.
- (2) Where in any proceedings under this Act with respect to a young person it appears to the court that that young person is apparently of or below the age alleged by the informant, or, in Scotland, by the prosecutor, it shall lie on the accused to prove that the young person is not of or below that age.
- [^{F1}(3) Where any entry is required by this Act or by any order or regulations made thereunder to be made in the general register or in any other register or record, the entry made by the occupier of a factory or on his behalf shall, as against him, be admissible as evidence of the facts therein stated, and the fact that any entry so required with respect to the observance of any provision of this Act or of any order or regulation made thereunder has not been made, shall be admissible as evidence that that provision has not been observed.]

Textual Amendments

F1 S. 166(3) repealed by S.I. 1974/1941, reg. 7, Sch. 1 except for the purposes of s. 135

Changes to legislation:

There are currently no known outstanding effects for the Factories Act 1961, Section 166.