

district on or before the first day of February and on the first day of August in each year" are hereby revoked; and after the words "and the name of any person ceasing to be employed should be immediately struck out" there shall be inserted the words "but this shall be without prejudice to the obligation of an occupier or contractor under Section 114 (1) (c) of the Act to send to the district council during the month of February and the month of August in each year a list showing all the outworkers employed by him during the preceding six months."

2.—This Order may be cited as the Factories (Home Work Order Variation) Order (Northern Ireland), 1939, and shall come into force on the 1st July, 1939.

Sealed with the Official Seal of the Ministry of Labour for Northern Ireland this 10th day of May, 1939, in the presence of

(L.S.)

*R. R. Bowman,*

Assistant Secretary.

Stormont, Belfast.

### **Inquiries: Conduct of.**

RULES, DATED 10TH DAY OF MAY, 1939, MADE BY THE MINISTRY UNDER THE SECOND SCHEDULE TO THE FACTORIES ACT (NORTHERN IRELAND), 1938.

1939. No. 64.

1.—The Ministry of Labour for Northern Ireland (in these Rules referred to as "the Ministry"), in pursuance of the powers conferred on it by Paragraph 5 (d) of the Second Schedule to the Factories Act (Northern Ireland), 1938, and of all other powers enabling it in that behalf, hereby makes the following rules as to the conduct and costs of inquiries held under Sections 77 (2) or 79 (5), or under the provisions of the Second Schedule to the Act, and as to the remuneration of the person or persons holding any such inquiry.

(1) The inquiry shall be opened at such time and place as may be fixed by the person appointed by the Ministry to hold the inquiry, or, in the event of more than one person being so appointed, by the person presiding over the inquiry (in these rules referred to as "the Commissioner"). Not less than three weeks' notice of the time and place so fixed shall be given by the Commissioner or on his behalf in such manner as the Commissioner thinks fit

for the purpose of notifying persons affected, and shall be sent by post by the Commissioner or on his behalf to all persons whose objections or representations have been referred by the Ministry to the Commissioner:

Provided that the non-receipt of any such notice shall not invalidate the proceedings or render necessary an adjournment of the inquiry.

(2) The Commissioner may adjourn the proceedings from time to time as he thinks fit, and may hold adjourned sittings at any place which he thinks necessary for the convenience of persons who appear to him to be affected.

(3) The Commissioner may give such directions as he thinks necessary as to the order in which objections or representations shall be considered, and as to the order in which persons appearing at the inquiry shall be heard.

(4) If any objections or representations made by more than one person appearing before the Commissioner appear to the Commissioner to be the same in substance, he may select any person whom he considers representative of the largest number of the objectors or of the persons making such representations to state such objections or representations and to call evidence (if required):

Provided that any other person making the same objections or representations may be heard subsequently by consent of the Commissioner.

(5) The Commissioner may stop any statement which appears to him to be irrelevant to the matter under consideration, or to involve unnecessary repetition of arguments already fully stated.

(6) Subject to the provisions of the Second Schedule to the Act, and to these rules, the proceedings shall be conducted in such manner as the Commissioner may direct.

(7) The remuneration of any person holding the inquiry shall be such sum as may be fixed by the Ministry with the approval of the Ministry of Finance.

(8) The cost of the inquiry and of proceedings preliminary and incidental thereto, including the remuneration of the person or persons holding the inquiry, shall be payable in such manner as the Commissioner may direct.

2.—These Rules may be cited as the Factories (Conduct of Inquiries) Rules (Northern Ireland), 1939.

**3.**—The Ministry hereby revokes the rules made by the Secretary of State on the 5th February, 1903(a), under Section 81 of the Factory and Workshop Act, 1901(b), for the conduct of inquiries with regard to draft regulations for dangerous trades, and the rules made by the Secretary of State on the 16th July, 1917(c), under Section 7 (6) of the Police, Factories, etc. (Miscellaneous Provisions) Act, 1916(d), as to the time and manner of making objections to Orders proposed under Section 7 (1) of that Act and as to the selection of, and the procedure before, a referee, and the cost of the proceedings before a referee, so far as those Rules relate to Northern Ireland.

Sealed with the Official Seal of the Ministry of Labour for Northern Ireland this 10th day of May, 1939, in the presence of

(L.S.)  
Stormont, Belfast.

*R. R. Bowman,*  
Assistant Secretary.

### **Inquiries (Modification and Adaptations).**

ORDER, DATED 10TH DAY OF MAY, 1939, MADE BY THE  
MINISTRY OF LABOUR UNDER SECTIONS 77 AND 79 OF THE  
FACTORIES ACT (NORTHERN IRELAND), 1938.

1939. No. 63.

**1.**—In pursuance of the powers conferred upon it by sub-section (2) of Section 77 and sub-section (5) of Section 79 of the Factories Act (Northern Ireland), 1938, and all other powers enabling it in that behalf the Ministry of Labour for Northern Ireland hereby prescribes that Paragraph 5 of the Second Schedule to that Act shall apply with the following modification and adaptations to inquiries held under the said sub-sections:—

The said paragraph shall have effect as if the words “ as to any draft regulations ” and (in sub-paragraph (b) ) the words “ any objector and ” and the words “ by the draft regulations ” were omitted therefrom and as if (in sub-paragraph (b) ) there were added after the word “ public ” the words “ unless the Ministry determines otherwise.”

**2.**—This Order may be cited as the Factories (Inquiries—Modification and Adaptations) Order (Northern Ireland), 1939.

Sealed with the Official Seal of the Ministry of Labour for Northern Ireland this 10th day of May, 1939, in the presence of

(L.S.)  
Stormont, Belfast.

*R. R. Bowman,*  
Assistant Secretary.

(a) S.R. & O. Rev., 1904, IV, Factory and Workshop, p. 58 (1903, No. 84).  
(b) 1 Edw. 7, c. 12. (c) S.R. & O. 1917 (No. 742), p. 359  
(d) 6 & 7 Geo. 5, c. 31.