

THE

House of Assembly Debates

(OFFICIAL REPORT).

SESSION 1946—1948

HOUSE OF ASSEMBLY

Tuesday, 29th April, 1947.

Pursuant to adjournment, the House of Assembly met at 12 o'clock noon to-day.

Present:

His Honour Mr. G. B. EVELYN, (*Speaker*), His Honour Mr. J. E. T. BRANCKER, (*Deputy Speaker*), Mr. J. T. C. RAMSAY, (*Chairman of Committees*), Dr. J. A. Le V. WILSON, Messrs. L. E. SMITH, F. L. WALCOTT, M. E. COX, D. A. FOSTER, R. G. MAPP, H. W. SPRINGER, M.A., G. H. ADAMS, B.A., H. D. BLACKMAN, D. D. GARNER, C. E. TALMA, J. A. HAYNES, B.A., H. A. DOWDING, V. C. GALE, and E. L. WARD.

After prayers, Mr. S. A. WALCOTT enters the House and takes his seat.

MINUTES.

The Minutes of the meeting which was held on the 22nd April, 1947, having been circulated are substantive post. and

DOCUMENTS.

Mr. SPEAKER: I have the honour to inform the House that I have received Statements of Revenue and Expenditure from the Commissioners of Highways of the parishes of St. Joseph and St. Thomas for the half year ended on the 31st March, 1947.

NOTICES.

Notices are given as follows:—

Mr. GARNER: To enquire of the Senior Member of the Executive Committee present at the next meeting of the House:—

1. Is the Government aware that agricultural workers employed at the Government Industrial School are being remunerated at lower rates than those which Government has published as the fixed rates for the year 1947?

2. If the answer to the above is in the affirmative, will the Government please state why?

Mr. MAPP: To enquire of the Senior Member of the Executive Committee present in the House at its next meeting:

1. Were there any applications for the training courses in administration in the United Kingdom for the Colonial Civil Service as advertised recently?

2. If there were, have any applicants been recommended for such courses?

3. If no applicant has been recommended will Government say why?

Mr. F. L. WALCOTT: To enquire of the Senior Member of the Executive Committee present in the House at the next meeting:

(1) Is it a fact that the Assistant Colonial Secretary acted as Labour Commissioner along with his substantive post? and

(2) The Colonial Postmaster acted as Assistant Colonial Secretary?

Mr. FOSTER: To enquire of the Senior Member of the Executive Committee present in the House at its next meeting:

1. Will Government consider the advisability of establishing branches of the Savings Bank at all Country Post Offices?

Mr. GARNER: To enquire of the Senior Member of the Executive Committee present in the House at its next meeting:

Will the Government make enquiry into the status and activities of the Company called The British Guiana and Barbados House Building Scheme Company which has an office at No. 47, Swan Street, Bridgetown, with a view to ascertaining whether this Company is in any way connected with a Company of somewhat similar name which was recently banned in Trinidad?

EXCUSE FOR ABSENT MEMBER.

Mr. GALE offers an excuse for the absence of the senior member for the City (Mr. MOTTLEY).

LEAVE OF ABSENCE ASKED FOR.

Mr. DOWDING asks for three months' leave of absence from his duties as a member of the House from the 14th May, 1947.

Mr. SPEAKER suggests to the honourable member to wait until the next meeting of the House to ask for the leave and he accepts the suggestion.

Mr. WILKINSON enters the House and takes his seat.

SELECT COMMITTEES DISCHARGED.

Mr. SPEAKER: Before proceeding to call the Orders of the day I discharge the following Select Committees:—

The Committee appointed to consider and report on the Bill to make provision for the registration and supervision of factories and for the safety and well-being of workers employed therein.

The Committee appointed to enquire into and investigate Head XXXII, Department of Highways and Transport, in the Estimates.

The Committee appointed to draft a Reply to His Excellency's Message No. 17/1947 relating to the recruitment of workers to the United States of America.

COMMITTEE OF SUPPLY

Mr. SPEAKER: The first Order is to resume Committee of Supply to consider the grant of sums of money for the service of the Government.

Mr. SPEAKER leaves the Chair and the House goes into Committee of Supply, Mr. RAMSAY being in the Chair.

COST OF LIVING ALLOWANCE TO OFFICIAL REPORTERS.

Mr. ADAMS: Mr. Chairman,—The Resolution with which I shall now deal is for the sum of £380 to pay from the 1st of April, 1946, to the 31st March, 1948, a cost of living allowance for the Official Reporter of the Legislative Council and the two Official Reporters of the House of Assembly at the rates set out in the schedule hereto. This is merely carrying out the wish of the House in an Address to the Governor requesting him to send down a Resolution to provide a cost of living allowance from the 1st April, 1946, to the 31st March, 1948, for the Official Reporters; it is merely adding them to the list of those who have been given a cost of living allowance at the accepted rates of 40 per cent. on the first £100 of salary, 30% on the second £100 of salary, 25% on the third £100 of salary, 20% on the fourth £100 of salary, 15% on the fifth £100 of salary and 10% on the sixth £100 of salary. I do not know whether any honourable member will raise the point but it has been raised outside by one or two members of the Civil Service and I wish to anticipate any possible criticism of what seems a departure from the giving of this cost of living allowance to only full-time officers. The House of Assembly is a law unto itself, so to speak; the House may say, as regards its officers, that it is going to give them what it likes and although the principle of giving a cost of living allowance may have applied to people who come under the Clerical Service Act, when it comes to the Clerks, the Marshal, and the Official Reporters of this House, we can say, whether they be whole time or part time officers, that we feel they are entitled to a cost of living allowance. The officers and servants of this Assembly are not in the same category as ordinary members of the Civil Service and that is the complete answer to those who say that we are giving a cost of living allowance to part time officers of the Assembly and that members of the Civil Service in a similar position are excluded. Our officers and servants are just not members of the Civil Service. With that explanation I beg to move that this Resolution do now pass.

Mr. BLACKMAN: I beg to second that.

Mr. CRAWFORD enters the House and takes his seat.

Mr. F. L. WALCOTT: Mr. Chairman,—Before this Committee passes this Resolution I would like to make some observations on this Department of the

House. I say, at the beginning, that I am in favour of this Resolution because it seeks to give financial assistance to one of the most painstaking and hard-working Departments of this House; but I feel that what has been an antiquated tradition should not, in all of its stages, guide us in modern times. I am convinced, Mr. Chairman, that this Committee will be well advised, if at some future date it takes into consideration the fact that the work of the House of Assembly has become so great that it is necessary that more attention must be paid to the Official Reporters of this House. I am sure that you will agree with me that it is a physical impossibility for these two Reporters to do the transcription and all the work that is necessary so that we can have the reports of the debates given to us in time and I would suggest that we set up a reportorial office with a proper staff to deal with the debates of this House. May be, we should appoint another Reporter and clerks to that office to do some of the work that would have to be done normally, so that at the end of a debate a member of the House may be able later the same afternoon to go through a speech which he made that day. I do not feel that I am asking this House to do something that is revolutionary but I do feel that as this is one of the most important Departments in the administration of this colony we should try to make it as efficient as we possibly can and I would suggest to the House that at an early date, it gives consideration to the establishment of a reportorial office with the appropriate staff, so that we can be in a similar position as the House of Commons where the members can read their Hansard in a very short time after debates have taken place. My last point is that I feel the time has come when we should adopt the principle of equal pay for equal work done. There is nothing against the Senior Reporter of this House but every honourable member knows that the Reporter who takes the debates on resumption after luncheon has no less inferior task than that of the Reporter who takes the debates up to the time of the luncheon interval. Unless we establish a reportorial office with a staff and give the Senior Reporter the responsibility of looking after that staff, I feel that as things are, we should adopt the principle by which each Reporter should receive the same emoluments.

Mr. TALMA: I shall not attempt to speak as lengthily as the last speaker spoke, admirable as some of his suggestions may be, but my feeling is that increased salaries should be paid to the Official Reporters; their work has increased and their salaries should be increased. The first step should be to see that the holders of the substantial posts receive a higher basic salary and after that has been done and we see that the two of them cannot cope with the amount of work involved, then the suggestion of the honourable member as regards the establishment of a reportorial office with an appropriate staff will be in place. At the present time I am not satisfied that the two holders of the posts cannot cope with the amount of work involved but they must be paid for the extra work and extra time and extra energy which they have to put forward to perform their duties.

The question that this Resolution do now pass is put and resolved in the affirmative without division.

On the motion of Mr. ADAMS, seconded by Mr. BLACKMAN, the Chairman reports the passing of one Resolution and the postponement of one in Committee of Supply and asks leave to sit again.

The House resumes and on the motions of Mr. ADAMS, seconded by Mr. BLACKMAN in each case, the Resolution which is passed in Committee is read a first and a second time and agreed to.

THE FACTORIES BILL.

Mr. SPEAKER: The next Order stands in the name of the honourable senior member for St. Joseph,—Second reading of a Bill to make provision for the registration and supervision of factories and for the safety and well being of workers employed therein.

Mr. ADAMS: Mr. Speaker,—I beg to move that it be an instruction to the Committee, when the House is in Committee on this Bill, to consider Order No. 15—the Report of the Select Committee which was appointed to consider and report on this Bill.

Mr. BLACKMAN: I beg to second that.

The question that it be an instruction to the Committee, when the House is in Committee, to consider the Report of the Select Committee appointed to consider and report on this Bill is put and resolved in the affirmative without division.

On the motion of Mr. ADAMS, seconded by Mr. BLACKMAN, Mr. SPEAKER leaves the Chair and the House goes into Committee on the Bill, Mr. RAMSAY being in the Chair.

Mr. ADAMS: Mr. Chairman,—I hope the Committee will pardon me if I recapitulate what I said in the House in moving the second reading of this Bill. This Bill provides for a variety of things. Honourable Members will see from the Objects and Reasons that it provides, along with the Shops Bill, for prevention, as distinct from cure, of all foreseeable, potential, industrial disorders and also for such amenities as workers in industries and factories and shops should reasonably demand; that is to say, it provides for the fencing of dangerous machinery and, as is stated in (c) and (d) of the Objects and Reasons, the securing of satisfactory means of escape from factories in case of fire and the securing against the likelihood of boilers in factories exploding through their being in a defective condition; it provides for certain amenities for workers in the sense of regulating, as is stated in (f) of the Objects and Reasons, the periods of employment in factories of women and young persons. It provides, in short, against danger and for reasonable standards of comfort for workers employed in factories just as we made provision for workers employed in shops. This Bill was sent to a Select Committee and that Committee, by a majority made a few recommendations as regards the meaning of the definition clause and other clauses in which the word "manager" is used. I did not find it possible to agree with the majority of that Committee and I think that the Bill should stand as it is because, in my opinion, the fears of the majority of the Select Committee were due largely to a consideration of the manager of a sugar factory. I appreciate their sympathy with and their consideration for a man who might find himself in the position of being willing to see that dangerous machinery is fenced, but he might be employed by a factory owner who does not want to spend more than \$10 a year, let us say, when he should be spending \$10,000 and it seems, at first sight, that it is rather hard on the manager of a sugar factory, if he is willing to provide safety devices, to be made by this Act possibly liable to a fine for failing to do something which he would quite willingly do but his employer refuses to spend the money to carry out the provisions of the Act. On the other hand I would like to point out to honourable members of the Select Committee who disagree with me and to other members of this Committee that there would hardly be a prosecution under this Act, unless either the Labour Commis-

sioner or the Attorney General or both were first asked for their opinion. If, for instance, dangerous machinery was unfenced, I take it that the Labour Commissioner would have a report made to him by people working in the factory or by one of the inspectors provided for in the Act, to the effect that in such and such a factory there is dangerous machinery which was not fenced; the Labour Commissioner would, through his inspectors, then make enquiry and he would speedily discover whether the owner was careless or obstinate in not providing a fence for that machinery or he would discover whether the owner was very careful but the factory manager was slothful and negligent and did not see that the fenced machinery was always in good condition. Having made that discovery the Labour Commissioner would select whom he would prosecute. I cannot conceive of a prosecution being brought without the matter being first brought to the notice of the Labour Commissioner and, through him, to the Attorney General; so that while I appreciate the fears of the majority of the Select Committee who submitted this Report I hope they will see it is unlikely that the manager of a sugar factory will suffer, through a prosecution, for something that he is not responsible for. It has been suggested that a manager is in a difficult position; that if he were to tell on his employer he would lose his job. I entirely agree. But when the Labour Commissioner or Inspector under this Act makes enquiry he would have a chance of asking the owner of the factory why the machinery was not fenced; he might hear from the owner "I have given strict instructions that it should be fenced; if it is not fenced my manager is negligent and I will see about it," or he might hear from the owner "This is stupidity. The Government wants me to spend too much money and I am not spending it at all." The Labour Commissioner would then know who is to be prosecuted and, therefore, I suggest to leave the Bill as it stands. If in going through the Bill we delete the word "manager" in some clauses we are going to have some difficulty in getting an effective working of this Act. I want to use a last argument which, perhaps, might find favour with honourable members and it is this. This Bill has been in the course of birth for six years—now getting on to seven. It has been vetted by the Attorney General; it has been sent to the Colonial Office and the legal advisers to the Colonial Office have gone through it. Jamaica has sent and asked us for copies of this Bill and Trinidad has done the same. For the last six or seven years every possible thing that could be done, so far as this Bill is concerned, has been done. Questions have been asked in the House of Commons as to when it is going to be in operation and the Secretary of State for the Colonies has given replies to the questions; so that I am asking honourable members—if even they think that the best of us can make mistakes—to see that a Bill which has been under consideration for six years and on which the legal advisers to the Colonial Office have expressed their opinion, must be workable if it is passed as the Government sends it down. That is not to say that honourable members should merely record their votes in this matter. The Government appreciates any criticisms honourable members may make and I do suggest to them to make those criticisms but also to realize that there is hardly any snag that has not been dealt with by some legal official or by the Labour Commissioner of this island or by a conference of the Labour Commission-

ers of these islands and also by the Colonial office. I, therefore, ask honourable members to go carefully through the different clauses of the Bill, ask questions or make any criticisms they may wish to make but to bear in mind, in making those criticisms, that this is not a haphazard Bill. A great deal of attention has been given to it but there may be explanations, not on the face of the Bill, which I will endeavour to give honourable members who ask questions. It is so important a Bill that I am sure there is not one of us who would do anything to hold up the passing of the necessary price of legislation. We all agree to this question of safety for workers employed in factories and shops and let me remind honourable members that the definition of "factory" does not merely apply to sugar factories but to any place in which steam, electric, water or other mechanical power is used to aid in the production of any effort of the human mind. I put it as broadly as that. A factory means any business, any place in which something other than mere handmade tools or the use of the hands is employed. The definition is so comprehensive that we all agree that for the general safety of the workers it is essential to have this Bill passed as soon as possible. I hope, as I said, that the Committee will pardon me for making these remarks that are really more appropriate on the second reading of the Bill.

Clause 1 is read and Mr. Adams is granted leave to amend it by adding the figures 1947 at the end.

The Clause, as amended, is agreed to.

Clause 2. In this Act unless the context otherwise requires:—

"the Board" means the Factory Board established in accordance with the provisions of section three of this Act;

"boiler certificate" means a certificate in the prescribed form as to the fitness of a boiler, issued by an engineer licensed by the Board under the provision of section twenty two of this Act;

"factory" means any premises wherein or within the close curtilage or precincts of which steam, electric, water or other mechanical power is used in aid of any industrial or manufacturing process carried on therein for gain and includes any yard or dry dock (including the precincts thereof) in which ships or vessels are constructed, reconstructed, repaired, refitted, finished or broken up;

"Inspector" means an inspector appointed by the Governor under the provisions of this Act;

"machinery" means all machines and parts of machines used in a factory and includes—

- (a) stationary or portable boilers in a factory;
- (b) steam or other engines in a factory;
- (c) all apparatus or appliances for generating, developing, receiving or transforming, or for measuring or testing the volume, voltage, pressure or frequency of, or for distributing or applying, any mechanical, electric or natural power to any industrial or manufacturing process in a factory;
- (d) furnaces and fuel or storage tanks situate within, opening into or attached to the structure of, or directly connected with, any factory;

- (e) vats, tanks, cooling or drying devices used for the storage of, or otherwise in connection with, the product of any mechanical process, and situate within or attached to the premises within which such process is carried on;

"manager" means any person appointed as the representative of the owner in respect of any factory;

"owner" means any person who is the immediate proprietor or lessee or occupier of any factory;

"prescribed" means prescribed by Regulations under this Act.

Mr. ADAMS: I beg to move that that be Clause 2 of the Bill.

Mr. BLACKMAN: I beg to second that.

Mr. WILKINSON: In accordance with the recommendation of the Select Committee I beg, Sir, to move the deletion of all the words after the word "manager" occurring in line 42 of this Clause in order to insert therefor the following words:—"means any person having direct charge of the working of any factory"; also the addition, after the word "factory" occurring in line 45, of the following words:—"or the attorney or other representative of such person having control of any factory." I have listened very carefully to the remarks of the senior member for St. Joseph and he knows, as well as I do, that everyone in this House is anxious to get this Bill through; but the Select Committee, with the exception of the honourable senior member for St. Joseph, which discussed this Bill thoroughly at two meetings came to the decision that it would be wiser if the definition of "manager" is what is recommended in their Report, that is, that "manager" should mean any person having direct charge of the working of any factory. The manager may not be present and is not present at all times in the factory and some other person—either the chief overseer or the second overseer—may be in charge of the factory and I think that the definition should mean that person who is found in charge of the factory. As I say, we all have the same object in view, that is, to devise the right means of working this Bill and I beg to move those amendments to this Clause.

Mr. DOWDING: I beg to second the motion of the junior member for St. James. In doing so I would like to say that although this Bill, as the senior member for St. Joseph said, may not have been prepared haphazardly I am wondering if there is anyone who knows the difference between a manager and an owner. I see no reason why this Bill should not be worded in such a manner that the onus will fall on the person who is in charge of the factory and I also see no reason why it should be left to the Labour Commissioner or anybody else to decide on whom that onus should fall. I myself definitely feel that this Bill should state on whom the onus should fall.

Mr. SMITH: The junior member for St. George is wondering to know if any of us understand the difference between an owner and a manager—

Mr. DOWDING: On a point of explanation. I was not referring to any particular person. I was referring to the haphazard manner on the part of the people who have gone into this Bill.

Mr. SMITH: I still know the meaning of manager and owner. I also know that there are some owners who do not even see their factories and the managers are there all day and all night. If there is anything going wrong, it is the manager who has to see that it is put right. In dealing with dangerous machinery you will never be able to get at the owner and I do not see why we should try to save

the manager from the performance of his duties. It is the duty of the manager to see that things go right and he would be only too glad to have everything going as it should.

Mr. F. L. WALCOTT: To those of us who know managers and owners in Barbados it is crystal clear where the responsibility lies, when it comes to dealing with these factories. I have dealt with a lot of owners and managers in this island and there is no doubt at all in my mind about the duties of a manager of a factory and those of an overseer. The overseer's functions are purely routine; he does not in any way take on any responsibility at all for major things in a factory; it is the manager's responsibility to see after major things and when the junior member for St. George in his usual sarcastic style wonders if any person knows the difference between a manager and an owner we would like to tell him that there must be some central authority on which blame can be laid and the manager is the man who is on the spot and who knows more about the factory than the owner. The owner has money in the business but so far as the working of it is concerned he knows little or nothing about it. It would be ludicrous to say that a manager should not be responsible for these things; if he is not going to be responsible he should not be the manager. He is paid as such for his responsibility and I feel that this definition as it stands can work no hardship on a manager.

Dr. CUMMINS enters the House and takes his seat.

Mr. SPRINGER: I can see that this Committee can spend a whole hour debating something which does not arise at this stage. We have not yet reached the stage where this argument applies. The only point that should be debated is whether or not the members of the Committee agree to the definition proposed by the Select Committee of the word "manager". In so far as any arguments made may go, I do not think that that definition would be unacceptable to any of the protagonists and I believe the junior member for St. George, judging by his remarks, would be perfectly prepared to accept that definition of "manager" and the honourable members who have spoken from this side of the House or agreed to it in Select Committee are still of that mind. The argument arises when we come to the particular clauses in which the word "manager" is included and where the Select Committee suggests it should be left out and I suggest that honourable members should deal with each one of those on its merits when they come to it. The Select Committee has not recommended the deletion of the word "manager" in every case. I agree that no manager is likely to be victimized but it is suggested that if you remove "manager", there may be victimization. You remove the possibility of victimization and that argument appealed to me as a member of the Select Committee. I ask honourable members to get away from that, for the sake of efficiency, until we get to it and where it is exchanging the word "servant" for persons having direct charge of the work. It seems to me that is what we really mean by "manager."

Mr. TALMA: If I understand correctly, the amended definition of "manager" and the one set out in the Bill are one and the same thing. If the junior member for St. James had said "anyone who is in indirect charge" then he might have made the point he has in mind. The person who has direct charge of the working of a factory is the manager and the person in indirect charge would be the person to whom the manager delegates his responsibility.

Mr. S. A. WALCOTT: Why the Select Committee wants the definition of "manager" changed in some clauses of the Bill is because it makes a manager responsible for things that we know he, as a servant, should not be responsible for. In other words, he may have an owner and if that owner refuses to do anything the manager could be prosecuted. We are not exempting him from responsibility but he is only a manager. We are leaving the word "manager" in the different clauses of the Bill but we are just changing the definition of "manager."

Mr. ADAMS: I am so anxious to get this Factories Bill through that I have refreshed my memory from one of these files before me. I discover that a Bill dealing with this subject matter actually came before the House in 1939 and that too was sent to the Secretary of State for the Colonies. This Bill has been before the House quite eight years now and I am so anxious to get it through that I am perfectly willing to give way to something that is more or less innocuous. With the greatest respect to honourable members I will say that even lawyers, as soon as they change one sentence in the draft of legislation, are confronted with difficulty. One of the most difficult things on earth is the drafting of legislation and as soon as you change a comma you make trouble in connection with the particular legislation or some other Act on the Statute Book. If you leave the definition as it stands—"manager" means any person appointed as the representative of the owner in respect of any factory—it covers the attorney, the factory manager or anybody temporarily appointed for the day or week or month to run the factory. I hope this argument will appeal to honourable members. The learned Attorney General has spent time on this. The Report has been put in his hands and he has made a minute in which he states that he is inclined to think that some of the amendments suggested by the Select Committee do not matter. Some he has amended but in this specific instance he is in favour of the Bill as it has been drafted all these years. As a matter of fact, near the end of 1942 this Bill, as it has now come to this Committee, was drafted by him and sent to the Labour Commissioner for criticisms and suggestions and after the Labour Commissioner had looked at it or made suggestions, it came before the House. I appeal to honourable members to see that the dangers they foresee have been thought of and resolved as being more imaginary than real. If honourable members like, they can postpone this clause until we have gone through the Bill and seen when a manager is going to be burnt and when not and then come back to the definition but I do suggest that when we shall have gone through the Bill we will see that this broad definition covers an attorney as well as what is vulgarly known as a manager. A manager is a person who looks after, let us say, the running of an Ice Factory, not necessarily only a sugar factory. Any person who is running a business for the owner is a manager and if the owner is not running the business himself there should be somebody to hit at. Some honourable members seem to think that when you use the word "manager" you mean only a sugar factory manager when really and truly the definition means something more than that; it means a sugar factory manager but it also means somebody standing in the shoes of an owner of any business.

Mr. WARD: I think the suggestion made by the honourable member who has just spoken is a pretty reasonable one. I feel that what we should

do is to go through the Bill and then come back to this definition clause. Sir, most of us know that the manager in charge of a sugar factory is only an individual who carries out instructions from the owner or some particular Board. He can make recommendations but he himself has no authority or power whatsoever to put into force any particular provision in this Act; so, therefore, I feel it would be penalizing a manager of a sugar factory in some instances. All our sugar factories are controlled by Boards, so I feel that we should be very cautious in passing legislation which will do managers harm. I, therefore, agree that we should go on with the other clauses of the Bill and then we will be able to exactly decide on the definition of "manager."

Mr. DOWDING: I thoroughly agree with the senior member for St. Lucy. A requisition might be made under clause 13 of this Act for a supply of fans and can you, Sir, imagine any manager supplying fans? He cannot do it; he has no authority to do it. When it comes to the owner, he must have an Attorney who can be got at. I feel that this clause should be postponed. Furthermore, this Bill is a very serious Bill and I would caution honourable members to consider it carefully. I see nothing whatever in the Bill to cover Government factories. In these days of nationalization I think it is necessary that there should be something in this Bill to cover Government factories. Again, there is nothing in the Bill to show how it is going to be carried out. In England there are qualified people who know something about this business but I doubt very much that there are people in this island who are capable of looking after the carrying out of the provisions of this Act. As happened in British Guiana, there were people there who were put to do work of this nature and they did not even know which side of the belt to put the cord.

Mr. ADAMS: I have never met a brilliant Guianese barring the senior member for St. John (Smiles) from whom we can get nothing; so I see nothing in the last point made by the junior member for St. George. We, on the other hand, have to go and teach British Guiana to run what would be a magnificent colony if we were left to run it. (Laughter). The first point which the honourable member is making is exactly my point. Let the definition of "manager" stay as it is. Lord Lascelles or the Earl of Harewood, as I believe he calls himself, is the owner of the Belle estate but he is in England and has an Attorney here. That Attorney is "manager" under this clause because he is the representative of the owner. You cannot serve anything on Lord Lascelles—he is not in Barbados—but you can serve it on his "manager" who happens to be his Attorney. If honourable members would only get rid of the feeling that "manager" means only a sugar factory manager or plantation manager when it means anybody standing the shoes of the owner! "Manager" means attorney under this clause—anybody appointed as the representative of the owner.

Mr. DOWDING: How the Honourable G. D. L. Pile could be the manager of the Belle factory I fail to see because he is the attorney of the Earl of Harewood! He certainly is not the manager of the Belle estate.

The question that the words proposed to be deleted stand part of this clause is put and resolved in the affirmative, the division being as follows:—

Ayes: DR. WILSON, MESSRS. SMITH, F. L. WALCOTT, COX, FOSTER, MAPP, DR. CUMMINS, MESSRS. ADAMS, BLACKMAN, and MR. SPEAKER.—10.

Noes: MESSRS. GARNER, TALMA, HAYNES, DOWDING, GALE, S. A. WALCOTT, WILKINSON, and WARD—8.

Mr. ADAMS: I would suggest to honourable members, in view of that vote, not to interfere with the definition of "owner". The majority of the Select Committee wanted to put an attorney in the definition of "owner" but I repeat that what we have just passed will include an attorney. "A person appointed as the representative of the owner" will include an attorney and, therefore, it is not necessary to interfere with the definition of "owner".

The question that Clause 2 stand part of the Bill is put and resolved in the affirmative without division.

Clause 3. (1) There is hereby established a Factory Board consisting of the Chief Medical Officer, the Colonial Engineer and the Labour Commissioner.

(2) The supervision of all factories and of all machinery in this Island shall be exercised by the Board, and every member of the Board for the purpose of the execution of this Act shall have all the powers, privileges and protection hereinafter conferred upon an Inspector.

(3) The Governor may from time to time appoint Inspectors to assist in giving effect to the provisions of this Act. Such Inspectors shall be remunerated out of funds to be provided by the Legislature.

(4) The duties of the Secretary of the Board shall be performed by a member of the staff of the Labour Department.

Mr. ADAMS: Mr. Chairman,—I want to ask leave of the Committee to delete sub-clause 3 of this Clause. The learned Attorney General who, I repeat, has had a lot to do with the drafting of this Bill, has pointed that sub-clause 3 comes more appropriately under Clause 10 and I agree with him. I ask permission to delete sub-clause 3.

There being no objection, the honourable member is granted the leave asked for and sub-clause 3 is deleted.

Mr. ADAMS: I beg to move that Clause 3, as amended, stand part the Bill.

Mr. BLACKMAN: I beg to second that.

Mr. F. L. WALCOTT: Mr. Chairman,—Sub-clause 1 of this Clause states:—"There is hereby established a Factory Board consisting of the Chief Medical Officer, the Colonial Engineer, and the Labour Commissioner." I have no objection to these three persons who will constitute this Board but I feel that to bring factories, as we know them in Barbados, into line with what they should be, the Government Electric Inspector should be included on this Board. And for obvious reasons. Many people can die in a factory as the result of a short circuit and I feel that to have the Government Electric Inspector with his knowledge of electricity on this Board is a matter of extreme importance. I doubt whether any honourable member can show any justification for his not being a member of the Board but I would like to show sufficient reasons why he should be. If you go through the Bill you will see that it provides for a lot of electrical appliances and you should have the Government Electric Inspector going in to see that a building is properly wired for the protection of people working in it. I beg to move that the word "and" occurring in line 3 of sub-clause 1 of Clause 3 be deleted and that the words "and the Electric Inspector" be added at the end of the same sub-clause.

Mr. COX: I beg to second that.

Mr. S. A. WALCOTT: I think that is unnecessary. No electric current can be supplied to a factory unless the Electric Inspector has first inspected the wiring.

Mr. F. L. WALCOTT: I agree that the Electric Inspector has to pass the wiring before current can be supplied but I feel that his knowledge of elec-

tricity should make him a fit and proper person to be a member of this Board.

Mr. ADAMS: I see the point of the Senior Member for St. James and while the Electric Inspector is expected to inspect every single electrical apparatus in this island he inspects none; he leaves the inspection to his subordinates whereas if he is put on this Board his duties would be of a somewhat different nature. As sub-clause 2 of this Clause says, he would have all the powers, privileges and protection conferred upon an Inspector under this Act. I would say this: it is easier to expect the Electric Inspector to give his personal attention to the two theatres and the 24 factories than to expect him to go and inspect everybody's installation in this island, which is the duty of the Electric Inspector and his staff. If honourable members add the Electric Inspector to the Board, you are, so to speak, telling him "We expect you to do more, as far as factories are concerned, than merely sitting in your office as you do now and sending persons to see it done;" therefore, if honourable members are in favour of the amendment I have no objection.

Mr. DOWDING: This time I am in agreement with the senior member for St. Joseph but I feel further that this Board should be more highly qualified. I do not know how to bring it about but I would like to draw it to his attention. The Electric Inspector, as far as I know, does not get around to all the factories—I can vouch for one—and I feel that he should be the electrical engineer on this Board because the factories will shortly be more or less electrified right through and there should also be some person with technical knowledge when it comes to the appointment of the Inspectors under this Act. I feel that this Board should be of the highest efficiency possible.

Mr. ADAMS: There is a great deal of common-sense in what the honourable member has said and I am hoping that when the Inspectors are being appointed under Clause 10 we will really do our utmost to get the best possible experts who have no reasons to favour any particular factory; but I do not see how we can get over it, except by making sure that the Inspector who goes out to inspect has no particular interest in a factory or store or dry dock so that we might get a less biased report than if he were the consulting engineer of the particular factory. I shall bear that in mind and draw it to the notice of the Government because, as I say, I think the honourable member's point a very good one.

The question that Clause 3, as amended, stand part of the Bill is put and resolved in the affirmative without division.

Clause 4. (1) There is hereby established a Factory Appeal Board (hereinafter referred to as the "Appeal Board") for the purpose of hearing and determining appeals from the decision of the Board in accordance with the provisions of this Act.

(2) The Governor shall appoint five persons to be members of the Appeal Board and shall appoint one of such persons to be the Chairman of the Appeal Board.

(3) The Governor shall fill any vacancy on the Appeal Board caused by the death, resignation, illness, absence from the island or inability to act of any member thereof, within thirty days of the occurrence of such vacancy, and may at any time revoke the appointment of any member of the Appeal Board.

(4) Notwithstanding any temporary vacancy or vacancies, the Appeal Board shall be deemed to be fully constituted for the purposes of this Act.

(5) Three members of the Appeal Board shall form a quorum for the transaction of business.

(6) The Appeal Board may, from time to time with the approval of the Governor-in-Executive Committee, make rules for the transaction of its business, and in particular for determining the procedure to be followed upon the hearing of any appeal by the Appeal Board and the times at which, and the manner in which, any such appeal shall be heard and determined.

Mr. ADAMS: I beg to move that that be Clause 4 of the Bill.

Mr. BLACKMAN: I beg to second that.

Mr. F. L. WALCOTT: Mr. Chairman,—I would like, in troublous and very realistic times like these, this Clause to say what it means. Sub-clause 2 states: "The Governor shall appoint five persons to be members of the Appeal Board and shall appoint one of such persons to be the Chairman of the Appeal Board." Now I would like to say that an Appeal Board should be set up. To-day I believe that Trade Union organizations are an established fact and you have to face them and the employers of labour too. As this sub-clause reads, the Governor can appoint as members of this Appeal Board people other than representatives of Trade Unions and of the employers, and, therefore, I am suggesting that it would not be superfluous to state in this clause 4 that the employers' representatives and the Trade Union's representatives should be members of this Appeal Board. If you have people employed I fail to see how you can set up an Appeal Board without having on that Board persons representing the employers as well as persons representing the workers. I do not know how the senior member for St. Joseph feels about my suggestion but in my opinion it should be stated in this Bill. From a *sotto voce* remark, the senior member for St. Joseph is saying that he feels that the Government will take notice of my suggestion, so with that assurance I am leaving the matter to the Government's discretion. I hope that the Appeal Board will not have to sit too often but it still strikes me that the suggestion I have put forward is a necessary inclusion.

Mr. ADAMS: Mr. Chairman,—I shall endeavour to keep within the Rules and not make use of the Governor's name for the purpose of influencing the debate. If I were not sure that this will work well and if I were not sure that the Head of the Administration will take the advice of the Executive Committee in the matter I would agree that the honourable member's suggestion be stated specifically in this Bill but I have actually been authorized to state that as far as any appointment which the Legislature may confer on the Head of the Administration is concerned, the Executive is going to be guided by the members of the Executive Committee. I am weighing my words and I hope they will be made as public as possible. So honourable members need have no fear. As long as I have anything to do with the government, honourable members can rest assured that the constitutional practice that has grown up in Great Britain will be observed in this island. If the Governor is to appoint anybody to a Board or Boards he is going to act on the advice of his Executive Committee and that means the four members of the House of Assembly who are members of the Executive Committee. Honourable members need have no fear whatever about any of these clauses giving the Governor power to appoint anybody to Boards.

The question that Clause 4 stand part of the Bill is put and resolved in the affirmative without division.

Clause 5. (1) Except as hereinafter provided no factory shall be operated unless the same is duly registered under a valid certificate of registration in pursuance of the provisions of this Act.

(2) Notwithstanding the provisions of sub-section (1) of this section a period of grace of fourteen days after the date of the coming into force of this Act shall be allowed in respect of every factory which is in operation at such date, and if within such period of fourteen days an application for the registration of such factory shall have been made in accordance with the provisions of this Act, no offence against this Act shall be deemed to have been committed during such period in respect of such factory.

(3) Save in cases where the Board otherwise directs, nothing in this section shall be construed as requiring a factory which is in operation to cease to operate during the period which an application for the registration thereof is under consideration.

(4) If any factory other than a factory duly registered under a valid certificate of registration or otherwise authorised to be operated under the provisions of this Act shall be operated at any time subsequent to the coming into force of this Act, the owner and the manager of such factory shall each be guilty of an offence, and shall each be liable to a penalty not exceeding five pounds for every day upon which such offence continues.

Mr. ADAMS: I beg to move that that be Clause 5 of the Bill. I am aware that the junior member for St. James will be moving his amendments that the words "and the manager" occurring in line 5 of sub-clause 4 be deleted and the word "each" occurring in two places in line 6 of the same sub-clause be also deleted but inasmuch as the definition clause has been passed and the manager is now in the shoes of the owner I should like to change the wording to "the owner or the manager" because the owner may be out of the island and may be represented here only by an attorney. To serve a summons on the owner in such a case you may have to serve it on his attorney and if only the owner is mentioned in this clause you may not be able to prosecute anybody.

Mr. WILKINSON: I would prefer that the word "manager" be taken out entirely. Would the senior member for St. Joseph accept this amendment: "the owner or in his absence the manager"? Mr. Chairman, I beg to move that the further consideration of this clause be postponed.

Mr. DOWDING: I beg to second that and I regret that the senior member for St. George is not in his seat because this point was threshed out pretty thoroughly by the Select Committee.

Mr. ADAMS: All the recommendation of the majority of the Select Committee pointed to was a change in the meaning of the word "manager." Since then, this Committee has passed the definition of "manager" as the government sent it down and, naturally, the subsequent amendment recommended by the Select Committee will fall to the ground. I am looking at the matter from the point of view of procedure. Take the Earl of Harewood who is an absentee proprietor. Clause 34 states:—All fines and penalties under this Act shall be recovered summarily before a Police Magistrate on the complaint of an Inspector." Are you going to serve a summons on an absentee proprietor? You can serve the summons on his attorney or manager or any other person appointed as his representative.

Mr. DOWDING: Mr. Chairman,—I fail to see how a manager can be an attorney.

Mr. ADAMS: Does the honourable member know that this House can do anything on earth, except to create a man a woman or a woman a man?

Mr. TALMA: The stage to which this House has got—

THE CHAIRMAN: The question before the Committee is the postponement of Clause 5 and the honourable member must speak on the postponement.

Mr. TALMA: Other honourable members must also try to do so.

Mr. MAPP: I may say this. I agree with the senior member for St. Joseph that in considering this Bill honourable members have too much in mind sugar factories and in changing.—

THE CHAIRMAN: The question before the Committee is the postponement of this Clause and the honourable member should speak on that.

Mr. MAPP: I am endeavouring to show why the Clause should not be postponed. If, as it has been agreed, the manager is a person representing the owner I do not see why we should leave this sub-clause 4 worded in an ambiguous manner by stating "the owner and the manager." I beg to move the deletion of the word "and" occurring in line 5 of sub-clause 4 of this clause in order to insert the word "or" therefor and, further, that the word "each" occurring in two places in line 6 of the same sub-clause be deleted.

Mr. COX: I beg to second that.

THE CHAIRMAN: According to the Rules of the House, a motion for postponement takes precedence to any other. The question is that the further consideration of Clause 5 be postponed. Honourable members in favour will please say "Aye"; those against will please say "No." I think the "Ayes" have it.

A division is taken as follows:—

Ayes: MESSRS. TALMA, HAYNES, DOWDING, GALE, S. A. WALCOTT and WILKINSON—6.

Noes: Dr. WILSON, Messrs. SMITH, F. L. WALCOTT, COX, FOSTER, MAPP, Dr. CUMMINS, Messrs. ADAMS, BLACKMAN, WARD, and Mr. SPEAKER.—11

THE CHAIRMAN: The question has been resolved in the negative, six honourable members voting "Aye" and eleven voting "No." The question now is that the words proposed to be deleted stand part of sub-clause 4 of Clause 5. Honourable members in favour will please say "Aye"; those against will please say "No." I think the "Noes" have it.

The question that the word "or" proposed by the junior member for St. Thomas be inserted in the blank created in line 5 of sub-clause 4 of Clause 5 is put and resolved in the affirmative without division.

The question that Clause 5, as amended, stand part of the Bill is put and resolved in the affirmative without division.

Clause 6 is read and agreed to.

Clause 7. (1) Every application for registration shall be made in writing to the Board by or on behalf of the owner or manager, and shall be in the prescribed form.

(2) In the case of application for original registration the applicant if required by the Board so to do shall deliver to the Board a sketch plan of the intended factory to the satisfaction of the Board.

Mr. ADAMS: Mr. Chairman,—I ask leave to delete the words "or manager" in line 3 of sub-clause 1 of this Clause as suggested by the Select Committee.

Mr. DOWDING: What happens if the owner is out of the island?

Mr. ADAMS: The application can be made on his behalf by his representative.

There being no objection, the Committee granted the honourable senior member for St. Joseph leave to delete the words "or manager."

Mr. WARD: Sub-clause 2 of this clause states:—"In the case of application for original registration the applicant if required by the Board so to do shall deliver to the Board a sketch plan of the intended fac-

tory to the satisfaction of the Board." Does this apply to factories that are already in existence?

Mr. ADAMS: I must admit, Mr. Chairman, that this is the first time the point which the senior member for St. Lucy raises has occurred to me or any other member of the Select Committee. I think what has happened is this. This Bill was drafted with the Jamaica Act before us and the Jamaica Act is somewhat different from ours; it speaks of existing factories and intended factories and makes provision for existing factories and new factories; the particular section refers to existing factories—factories in operation on the date of the coming into force of the law—and new factories—factories which come into operation afterwards and I rather fancy that this sub-section was copied from the Jamaica Act. If honourable members like they can delete the words "intended." (Voices: That makes it worse). If the Board thinks it is going to be hard on an existing factory, they may say "We know the factory and do not need a sketch plan." but if the Board want to call for a sketch plan showing where it is proposed to place this or that wire, then they will be at liberty to do so.

Mr. WARD: You may be putting that existing factory in a funny position. What I feel about the matter is this. If a new factory is about to be erected, a plan will be drawn for it and that plan will be submitted to the Board but I think it will be very hard on factories that are already in existence to ask them to produce plans. As this sub-clause stands, each factory at present in this island will have to produce a plan and a new plan is going to cost a considerable amount of money. I feel that we should either delete this clause or postpone the further consideration of it. If the senior member for St. Joseph can draft an amendment which will affect only new factories—factories about to be erected—as far as the production of plans is concerned, naturally I will agree to it because in order to erect a new factory you must have a plan and that plan can be submitted to the Board.

Mr. GALE: This sub-clause says "original registration" and if it were passed it will mean that everybody will have to put in a sketch plan.

Mr. ADAMS: If required to do so.

Mr. TALMA: I am really attempting to complete what other honourable members have attempted to do. In view of what has transpired I would suggest that the word "intended" be deleted and the word "new" substituted therefore. It will then be patent that this clause is intended to apply to new factories and not the ones already in existence.

Mr. ADAMS: That is not good enough because you would have to state in the definition clause what is a new factory. I am going to suggest an alternative and leave it to the honourable members to decide. If they feel that the Board should have power to call for plans of any factory in existence or to be erected, we can put it this way: "In the case of application for original registration of a factory erected after the coming into operation of this Act the applicant if required by the Board so to do shall deliver to the Board a sketch plan of the intended factory to the satisfaction of the Board." Leave it to the discretion of the Board to say whether they want plans or not for existing factories but for factories which are erected after the coming into operation of this Act, make it compulsory. Do away with the existing factories and deal with those that are erected after the coming into operation of this Act.

Mr. WARD: I beg to move that the words "of a factory erected after the coming into operation of this Act" be inserted after the word "registration" in lines 1 and 2 of sub-clause 2 of Clause 7.

Mr. GALE: I beg to second that.

Mr. TALMA: The word "new" would have identically the same meaning as the suggestion put forward by the senior member for St. Joseph but it is simply that certain honourable members should not get the credit for doing certain things.

The question that the words proposed by the senior member for St. Lucy be inserted in sub-clause 2 of Clause 7 is put and resolved in the affirmative without division.

The question that Clause 7, as amended, start part of the Bill is put and resolved in the affirmative without division.

At this stage, 2 p.m., Mr. SPEAKER resumes the Chair and adjourns the House until 2.45 p.m. in accordance with Rule 40 (a).

REPLIES LAID

On re-assembling,

Mr. CRAWFORD: Mr. Speaker,—I beg to lay on the Table of the House the replies to questions No. 37 standing in the name of the honourable junior member for St. Lucy.

Mr. SPRINGER: I beg to lay the replies to questions No. 3 standing in the name of the honourable junior member for St. Philip.

Mr. ADAMS: I beg to lay the replies to question No. 27 standing in the name of the honourable senior member for St. Andrew.

SUSPENSION OF RULE 61 (A)

Mr. ADAMS: I ask leave to move for the suspension of Rule 61 (A) in order to resume Government Business.

There being no objection, the honourable member was granted leave to make the motion.

Mr. ADAMS: I beg to move that Rule 61 (A) be now suspended in order to resume Government Business.

Mr. BLACKMAN seconded the motion which was agreed to.

Mr. SPEAKER: When the adjournment took place, the House was in Committee on the Bill to make provision for the registration and supervision of factories and for the safety and well being of workers employed therein.

THE FACTORIES BILL

Mr. SPEAKER left the Chair and the House resumed Committee on the Bill, Mr. RAMSAY being in the Chair.

Mr. CHAIRMAN: When the House was in Committee on this Bill before the adjournment, we had passed Clause 7.

Clause 8 was read as follows:—

8. (1) Upon receipt of an application under this section, the Board shall cause the factory, to which the application relates, to be inspected. If the Board, upon inspection, considers either—

- (a) that any part of the ways, works, machinery, or plant, used in such factory is in such a condition, or is so constructed, or is so placed, that it cannot be used without imminent risk of bodily injury to any person; or
- (b) that any process or work is carried on, or that anything is or has been done in such factory, in such a manner as to cause imminent risk of bodily injury to any person,

it may refuse registration until such steps have been taken as are, in its opinion, necessary to remove the

danger complained of. If the Board does not consider that any of the above-mentioned objections exist, then upon payment of the prescribed fees it shall cause the factory to be registered and a certificate of registration in the prescribed form to be issued to the occupier thereof.

(2) Any person who is aggrieved by the refusal of the Board to grant a certificate of registration in accordance with the provisions of this section, may, within fourteen days of such refusal, appeal to the Appeal Board as provided for by any rules made under the provisions of sub-section (7) of section four of this Act.

(3) On the hearing of any such appeal, the Appeal Board, unless it considers that any of the objections mentioned in subsection (1) of this section exist in respect of the factory in question, shall direct the Board to cause the factory to be registered, and the Board shall thereupon cause the factory to be registered forthwith.

Mr. ADAMS: I beg to move that Clause 8 stand part of the Bill.

Mr. BLACKMAN: I beg to second that.

Mr. WILKINSON: I beg to move that this Clause be amended by inserting the word "immediately" after the word "shall" occurring in line 2 of Sub-clause (1). I hope that the honourable senior member for St. Joseph will accept that amendment.

Mr. ADAMS: I accept that amendment and there are one or two others which I would like the Committee to accept.

Mr. SPRINGER: I beg to move that Sub-clause (1) of this Clause be further amended as follows: By deleting word "this" occurring in the line 1 and inserting after the word "section" the words "seven" of this Act"; by deleting all the words from "may" down to "of" occurring in lines 16, 17 and 18 and inserting in place thereof the words "shall within seven days of such inspection give notice in writing of such requirements as it may deem necessary and shall refuse registration until its requirements have been fulfilled". That is an improvement upon the proposal of the Select Committee, but it does not alter the effect of the proposal contained in their Report. Then by inserting the word "forthwith" after the word "registered" occurring in line 21; and finally in the last line Sub-clause (2) there is a typographical error, the figure (7) appearing instead of the figure (6). I beg to move that the figure (7) be deleted in order to insert the figure (6) in place thereof.

Mr. ADAMS: I accept those amendments.

The question that Clause 8 as amended stand part of the Bill was put and resolved in the affirmative without division.

Clause 8 as amended was passed.

Clause 9 was read and passed.

Clause 10 was read as follows:—

10. An Inspector shall for the purpose of the execution of this Act, have power to do all or any of the following things, that is to say:—

- (a) to enter, inspect and examine at all reasonable times, by day and night, a factory and every part thereof, when he has reasonable cause to believe that any person is employed therein, and to enter by day any place in which he has reasonable cause to believe to be a factory;
- (b) to take with him a member of the Police Force if he has reasonable cause to apprehend any serious obstruction in the execution of his duty;

(c) to require the production of the certificate of registration or any book, notice, record, list or other document which the owner or manager of the factory is by this Act or any Regulations made thereunder required to keep or exhibit therein, and to inspect, examine and copy the same;

(d) to examine either alone or in the presence of any other person as he thinks fit with respect to matters under this Act every person whom he finds in a factory or whom he has reasonable cause to believe to be or to have been within the preceding two months employed in a factory and require such persons to make and sign a declaration of the matters respecting which he is so examined; so however that no person shall be required under this provision to answer any question tending to incriminate himself and

(e) to exercise such other powers as may be necessary for carrying this Act into force.

Mr. ADAMS: Inasmuch as I have already mentioned that Sub-clause 3 of Clause 3 was to be omitted because it comes better under this Clause, I ask leave to insert the words appearing as Sub-clause 3 of Clause 3 in the Bill as printed, as Sub-clause 1 of Clause 10.

There being no objection, leave was granted the honourable member.

Sub-Clause 3 of Clause 3 reads as follows:—

(3) The Governor may from time to time appoint Inspectors to assist in giving effect to the provisions of this Act. Such Inspectors shall be remunerated out of funds to be provided by the Legislature.

Mr. ADAMS: I beg to move that Sub-clause 3 of Clause 3 be Sub-Clause 1 of Clause 10.

Dr. CUMMINS: I beg to second that.

The question that Clause 10 as amended stand part of the Bill was put and resolved in the affirmative without division.

Clause 10 as amended was passed.

Clauses 11 to 13 inclusive of the Bill were read and passed.

Clause 14 was read as follows:—

14. (1) Every factory shall be kept in a cleanly state, and free from any effluvia arising from any drain, sanitary convenience, or nuisance.

(2) Sufficient and suitable sanitary conveniences shall be provided for all persons employed in every factory, and where members of both sexes are employed, not being members of the same family, the accommodation shall be entirely separate for each sex, so as to ensure privacy.

(3) (a) A factory shall not, while work is being carried on, be so overcrowded as to cause risk of injury to the health of the persons employed therein.

(b) Without prejudice to the generality of the foregoing provision, a factory shall be deemed to be so overcrowded as aforesaid, if the number of persons employed at a time in any work room is such that the amount of cubic space allowed for every person employed in the room is less than the amount specified by the Board from time to time in a Notice served by them on the owner or manager of such factory.

(c) Cubic space shall not be deemed to be allowed for any person unless it is kept clear from all materials, goods or tools other than those actually used or required by the person for whom the space is to be allowed.

(4) (a) Every factory shall be ventilated in such manner as to provide a sufficient supply of fresh air, and to carry off and render harmless, as far as practicable, all gases, fumes, dust, and other impurities arising in the course of the work carried on in the factory.

(b) Without prejudice to the generality of the foregoing paragraph, the Board may, by requisition to the owner or manager of a factory, require him to supply fans or other efficient appliances to carry off and render harmless all such gases, fumes, dust and other impurities.

(5) Effective provision shall be made for securing and maintaining sufficient and suitable lighting, whether natural or artificial, in every part of a factory in which persons are working or passing.

(6) A sufficient supply of pure drinking-water shall be provided for the free use of the persons employed in every factory.

(7) There shall be provided and maintained in every factory for the use of persons employed therein such facilities for washing as the Board may consider suitable.

Mr. ADAMS: I beg to move that Clause 14 stand part of the Bill. I am aware that the Select Committee have suggested that the words "or manager" occurring in Sub-clause 4 (b) in line 4 should be deleted, but for the reasons which I have already given, I suggest that as the definition of "manager" has not been altered there will not be any point in altering that Sub-clause now.

Mr. BLACKMAN: I beg to second that.

The question that Clause 14 stand part of the Bill was put and resolved in the affirmative without division.

Clause 14 was passed.

Clauses 15 and 16 were read and passed.

Clause 17 was read as follows:—

17. In every factory employing ten or more persons on any one day there shall be provided and maintained so as to be readily accessible a first aid box or cupboard of the prescribed standard, under the charge of a responsible person.

Mr. ADAMS: I beg to move that Clause 17 stand part of the Bill.

Mr. BLACKMAN: I beg to second that.

Mr. BRANCKER: I am worried as to who is a responsible person so far as this Clause is concerned. I would prefer that there should be a certificated nurse or somebody like that: When it comes to the question of administering first aid treatment in a factory what do we intend when we say that a first aid box or cupboard is to be placed under the charge of a responsible person? I think that that person should have some knowledge of this matter of first aid treatment. There are those who may be eminent in the field of engineering but there should be some qualified person for this post.

Mr. WARD: I, too, would like some information on this matter. In this colony we are not practical where first aid treatment in factories is concerned. (A MEMBER: Shame!) You may employ somebody on the staff for administering this treatment. I would like to get some information about this first aid box. Is it just a matter of the application of iodine or something like that? I think that having a responsible person to administer first aid treatment is a different matter altogether.

Mr. ADAMS: If we are careful householders, we will have first aid boxes in our own homes, but we do not say that we should employ a registered nurse to administer first aid treatment. I am sorry that I have not got a copy of the Ministry of Labour and National Service Welfare pamphlet issued by His Majesty's stationery office showing what is done in factories and the minimum requirements in Great Britain. If you go down Broad Street, any druggist will tell you what you should have in a first aid box. The manager, overseer or somebody else has to know where the first aid box is kept and it is to be easily accessible. Somebody sweeping in the yard, perhaps, may have to know where the first aid box is kept. I assure honourable members that there are standard requirements in factories in Great Britain and they are kept down to minimum necessities. There is nothing elaborate required and the poorest factory can afford ordinary first aid requirements.

The question that Clause 17 stand part of the Bill was put and resolved in the affirmative without division.

Clause 17 was passed.

Clause 18 was read as follows:—

18. (1) In every factory in which work is carried on by more than three persons upon a floor situate above the ground floor:—

(a) Efficient means of escape in case of fire shall be provided for every workroom situate on any such first-mentioned floor.

(b) Every door, whether internal or external, shall be constructed so as to open outwards.

(c) At all times while persons are actually working in a room every door of the room, or of any passage or staircase leading to the room, serving as a means of entrance or exit for the room, shall not be locked or fastened in such manner that they cannot be easily and immediately opened from the inside.

(d) The provisions of paragraphs (b) and (c) of this subsection shall apply also to the outer or entrance door by which the persons employed in the factory usually enter or leave, whether such door belongs to the factory or not.

(e) Staircases and steps leading from one floor to another, or to the ground, shall be provided with substantial handrails, and shall also if the Board by requisition to the owner or manager so directs, be provided with slats or some other sufficient appliance to prevent slipping.

(2) The plan and system of fire-escape may be prescribed by regulations; and, in so far as no provision is so made, the Board, if not satisfied with the plan or system adopted, may by requisition to the owner or manager direct that another specified plan or system shall be provided.

Mr. ADAMS: I beg to move that Clause 18 stand part of the Bill. The same remarks which I made as regards Clause 14 apply as regards this Clause. It is no longer necessary to delete the words "or manager" occurring in line 4 of Sub-clause (1) (e).

Mr. BLACKMAN: I beg to second that.

The question that Clause 18 stand part of the Bill was put and resolved in the affirmative without division.

Clause 18 was passed.

Clause 19 was read and passed.

Clause 20 was read as follows:—

20. (1) No owner or manager of a factory shall allow any boiler to be used for generating steam for the purpose of driving machinery, unless he can pro-

duce in respect of such boiler a valid boiler certificate.

(2) On or before the first day of January in each year it shall be the duty of the owner or manager of every factory in which any boiler is used for generating steam for the purpose of driving machinery to send or cause to be sent to the Board a copy of the boiler certificate issued in respect of such boiler.

Provided that if subsequently to that date in any year any new factory is opened in which any boiler is to be used as aforesaid or any new boiler is erected in any factory for use as aforesaid, it shall be the duty of the owner or manager of such factory to forward or cause to be forwarded forthwith to the Board a copy of the boiler certificate issued in respect of such boiler.

Mr. ADAMS: I beg to move that Clause 20 stand part of the Bill. The same remarks apply here as with regard to Clause 14. It is not now necessary to delete the words "or manager" occurring in lines 2 and 11 of Sub-clause 2.

Mr. BLACKMAN: I beg to second that.

Mr. WARD: I would like to get some information as regards this Clause. It is stated in Sub-clause 2 that any boiler which is used for generating steam should be inspected. I would like to know what method is going to be used for inspecting the boiler. It is a very difficult matter to inspect boilers of the type which we use out here. You may have to remove all the brick work from around the boiler so as to inspect it.

Mr. DOWDING: If it is necessary to strip the boilers of the brick work so as to inspect them, and all of them are stripped at the same time, it will be difficult to get the crop reaped.

Mr. ADAMS: As far back as October, 1943, this point was thoroughly threshed out as a result of some observations made by Mr. Joe Connell because, like the honourable senior member for St. Lucy, some factory-owners asked what was intended to be done in connection with this boiler inspection. Mr. Connell made a report and some criticisms were dealt with by the Labour Commissioner and by the Executive Committee, and if they satisfied Mr. Clifford Thorne they will satisfy anybody on earth. They seemed to have satisfied him and it is as a result of that investigation that this Bill has been left as it is at present. I realise with my little lay knowledge or lack of knowledge that the amount of inspection may be small or extensive. I would suggest that just as was done in 1942 or 1943 when a number of factory-owners were approached and had representatives to discuss this Bill—as a matter of fact I intended that if and when this Bill comes into operation, the factory owners would again be approached and asked if they are of the same opinion as that which they expressed three or four years ago. I am sorry that I cannot find the information at the moment but as far as my recollection goes, about twenty-two or twenty-four factory-owners were represented and suggestions and criticisms were made as a result of which the Bill was drafted as it is at present. I would like to remind honourable members that these questions of boilers, boiler certificates and factory inspection were dealt with as a separate Bill which reached this House in 1944. A Bill was drafted purely for boiler inspection; I forget if it was given its second reading but nothing effective came out of it. I wish to assure the honourable senior member for St. Lucy that although I cannot tell with exact detail whether it is proposed that boilers should be stripped down to the earth or not, it was a result of the recommendations of the factory-owners that the Government

used this draft and sent it down to the Legislature. I was trying to find the exact portion of the file dealing with that matter; I have not yet found it and as soon as I find it I will inform honourable members.

Mr. WARD: Although Mr. Connell may have given his opinion, he may not be an inspector who might give another opinion. He might say that certain recommendations should be carried out before he can inspect a boiler. From my experience, it is necessarily to strip a boiler from the outside so as to inspect it. It would be quite easy under other conditions. I would like to know what system will be used for testing the security of a boiler.

Mr. ADAMS: Perhaps if I read out to the honourable member how it is proposed that the certificate should read, he may be able to tell the Committee whether that is sufficient or not. It is proposed to set out the following: Name of factory; name of manager; type of boiler; maker's name; approximate horse power; condition of boiler safety valve; condition of boiler stop valve; condition of boiler fusible plug; condition of boiler feed pump or injector and then the certificate follows: "I being a duly qualified engineer licensed under the provisions of the Factory Act, certify that on the.....day of 19....., I, personally, inspected the above boiler and found it as above stated. The boiler in my opinion is safe with ordinary care for a working pressure of.....pounds per square inch for a period of.....months from this date. The pressure at which the safety valve is set to blow off.....pounds per square inch, must not on any account be exceeded" and then the signature follows. That is the form of certificate. Those honourable members who know factories and boilers at first hand will be able to tell whether that certificate is sufficiently full or not.

Mr. DOWDING: I have approached local engineers on this point and they seem to think that the only way in which they can give a certificate for a boiler is if it is completely stripped. That is why I raised the point about the inspectors. It might be due to a lack of knowledge of the subject. There are certain tests which can be made from the inside without having to strip the boiler. I believe that in England boilers are tested more from inside than from outside. You can make all the necessary tests from inside and there would not be any necessity for stripping the boiler. I feel that there should be inserted in this Bill a Clause stating that it will be necessary to strip a boiler every five years or something like that. This matter needs much consideration by this Committee; it would be a serious matter if every factory in this island had to strip its boiler in the same year. I do not think that they would be able to get back to work in time. It is the opinion of the engineers and other people that it will be necessary to strip a boiler before it can be inspected and it is for us to say what is necessary to be done. I think that a Clause should be inserted in the Bill setting out what should be done.

Mr. WARD: In certain instances I think that it is necessary to strip boilers after a period of five years. In England they see whether it is necessary to strip boilers so as to inspect them or not. It is a serious matter if you have to strip boilers all the same year. I do not think that this Committee knows the expense of putting up a boiler. I think that we should have a definite system by which we should test these boilers. It is a very easy matter to test them from inside but not from outside and there should be some time limit in respect of the

"skinning" of boilers as it is called. When you remove bricks from a boiler you have to re-condition at least one-half of the number of the bricks, and a boiler takes over 20,000 bricks. A brick cost 17 cents and then there is the cost of the labour for putting the bricks together. The industry carries all that expense and therefore these matters have to be gone into very carefully. I think that this stripping is done in the case of boilers which are working day in and day out. They are external boilers. The type of boiler which we use in this colony is a much different type of boiler. If they stripped a boiler belonging to the Waterworks Department the Government and the honourable senior member for St. Joseph would know what it will cost to repair it. I repeat that the industry bears all these expenses. If all the factories have to strip their boilers at the same time, that would be a strain on them. I think that we should postpone the further consideration of this Clause and get some more information in connection with this matter.

Mr. HAYNES: Like the honourable senior member for St. Lucy I think that this Clause is a bit doubtful. I think that we should postpone the further consideration of it so that something tangible can be done in the matter because it is a really serious matter and it is rather complicated. Some boilers are of the type where the brick work is only used to keep in the hot air on them. If you want to inspect that boiler, you would have to examine the tubes which are the vital part of the boiler. You may not have to remove the brick work because that is purely an enclosure. I myself think that this Clause wants some more consideration. I am quite willing to support the motion for the postponement of this Clause.

At this point, it now being 3.30 p.m. Mr. SPEAKER resumed the Chair and stated that it was now time for the consideration of Private Members' Business.

SUSPENSION OF RULE 61 (B)

Mr. ADAMS: I ask leave to move for the suspension of Rule 61 (b) in order to continue Government Business. I hope that I am in order to say this; that the point at which we stopped should be answered by the Government, and if honourable members are satisfied with the Government's answer it would be a very good thing to try and finish the consideration of this Bill this afternoon.

There being no objection, the honourable member was granted leave to make the motion.

Mr. ADAMS: I beg to move that Rule 61 (b) be now suspended in order to continue Government Business.

Mr. BLACKMAN seconded the motion which was agreed to.

Mr. SPEAKER: When Government Business was last being considered, the House was in Committee on the Factories Bill.

THE FACTORIES BILL.

Mr. SPEAKER left the Chair, and the House resumed Committee on the Bill, Mr. RAMSAY being in the Chair.

Mr. CHAIRMAN: When we were last in Committee on this Bill, the honourable senior member for St. Andrew was speaking on Clause 20.

Mr. HAYNES: I was saying, Mr. Chairman, that I would like to have the further consideration of this Clause postponed until we can get some further information as to the nature of the test of

these boilers. I was under the impression that the honourable senior member for St. Lucy had made a motion for the postponement of the Clause; but if the honourable member has not done so, I will make a motion to that effect. I beg to move that the further consideration of this Clause be postponed pending the receipt of further information.

Mr. WARD. I beg to second that. This postponement will only delay the further consideration of the Bill for about a week, and I do not think that that can make any difference because the Bill cannot be brought into operation during this crop season. Undoubtedly most honourable members would like to see the Bill go through because it protects both the industry and the employees. Everybody is anxious to see a Bill of this type passed so that the interests of the labourers can be safeguarded, but we do not want people to go to unnecessary expense in testing boilers without our laying down any regulation or system of testing them. We do not want people to spend more money than it is necessary to spend for this purpose. The boilers in this colony only work for about four months in the year and the life of these boilers is very long. I feel, therefore, that no harm can be done if the Committee waited for a week and in the meantime obtain the advice of the engineers as to the type of test which is to be used. As the honourable junior member for St. George has said, you can test a boiler from the inside. I feel that we should obtain some information from the engineers, know what system of test is going to be employed and let us see what cost the industry will have to meet. That will necessitate three or four factories being joined together. We have to consider also the possibility of the man with a small mill being thrown out of business; we have to consider all these things. We cannot merely consider the passing of the Bill; we also have to consider the people whom we are here to represent, the people who have not got any opportunity of making any statement here; we have to consider what is good for them. I appeal to the honourable senior member for St. Joseph not to press for the passing of this Clause this afternoon but to give us a chance to get some more information at the next meeting of the House. As I have already said, this Bill cannot come into operation for this crop because all the factories will have finished their work within the next three or four weeks. The factories will know if it is necessary to "skin" their boilers and they will be given a period of about ten months before the Bill comes into operation. I think that the further consideration of this Clause should be postponed for a week. We are not trying to hold up the Bill because it safeguards the interest of the employees and those who have something to lose. In my opinion, it is right that we should ask that the further consideration of this Clause be postponed so that we can have some first-hand information as to the system of test which will be used in respect of these boilers because we are now going blank.

Mr. ADAMS: I have a mass of information here which will take half-an-hour to read. I am supplying ammunition for the Opposition now, but no member of the Executive Committee knows anything about a factory. We have to make Regulations and we are not making them without consultation with the factory-owners and the engineers. The Governor-in-Executive Committee has to make Regulations as a result of consultation with the factory-owners and the engineers. There is nothing more that I can

say next Tuesday than what I am saying now. We have a mass of information sent out in a book which the Colonial Office suggests that we should use. We have the Jamaica Act also. In 1944 a meeting was held in this colony at which representatives of twenty-four factories were present and this whole matter was gone into. The factories represented were; Andrews, Broomefield, Haymans, Warrens Pool, Lower Estate, Three Houses, Bruce Vale, Joas River, Guinea, Applewhaites, Haggatts, Spring Hall, Sandy lane, Wakefield, Oldbury, Vauluse, Porters, Colleton, Frere Pilgrim, Halton, Wildey, Warleigh and Hanson. That is as comprehensive a list of factories as you can imagine. The Government will ask: "What were your views on May 26, 1944", When I come back next Tuesday I will say exactly what I am saying now. The Government will take into consideration all the things which obtain in England, and similarly in Jamaica. We do not propose to give our sanction to anything unless it meets with the approval of the vast majority of the factory-owners themselves and the engineers themselves. We cannot let the engineers say something to which the factory-owners are opposed. I repeat that the Government proposes to have a consultation with the factory-owners and the engineers and Regulations are to be based on the advice received from them. We cannot pass any Regulations without doing that. There is no advantage to be gained as a result of the postponement of this Clause.

Mr. S. A. WALCOTT: What I think the honourable senior member for St. Lucy is asking for is practically a guarantee as to what these Regulations will be. The honourable senior member for St. Joseph can approach the engineering firms and ask them as to how they could give a certificate for a boiler, and then to-day week he could tell us whether the engineers will need the stripping of the boilers or not. Let us postpone this Clause until to-day week and get that information, because if we have to strip a boiler every year the industry cannot stand that. I think that the honourable senior member for St. Lucy has made quite a reasonable request.

Mr. WARD: The honourable senior member for St. Joseph has said that no member of the Executive Committee knows anything about a factory or boiler and therefore they have to get their information from the engineering experts. That information cannot be obtained from the factory-owners; we must get information from the engineers as to the kind of boiler test it is proposed to carry out or what system is going to be employed. I do not see that there is any difficulty in getting this information. Perhaps we will be able to get information from more than one engineer. It is of no use getting the factory-owners alone together; we also have to include the small planters who are dying out daily. The small planter may be compelled to close down and the big factory-owner is there to swallow him up! I feel that there is no harm in postponing the further consideration of this Clause for a week. The Bill cannot come into operation for this season. We have no idea of the Regulations; we are only saying that if the boilers are to be inspected, we want to know how that inspection is to be carried out. I think that we are entitled to have that information.

Mr. MAPP: The question which has been raised by the honourable member seems to be quite a reasonable one. However, I am against the postponement

of the Clause for the simple reason that one of the objects for appointing a Select Committee to consider this Bill was that various matters arising out of the Bill should be threshed out by the Select Committee. The members of the Select Committee were mostly owners of factories—

Mr. CHAIRMAN: The Select Committee have already presented their Report and that has been finished; you will have to have another Select Committee appointed.

Mr. MAPP: The honourable senior member for St. Lucy was a member of the Select Committee and I think that the various matters should have been threshed out there and let the Bill go through here. We are now considering matters which have been raised by honourable members who were members of the Select Committee! It was with the object of considering these matters that the Select Committee was appointed.

Mr. F. L. WALCOTT: It seems to me that the honourable senior member for St. Lucy is making a plea for time, and I should like to say that as far as I am concerned, I am interested not only in the people who own the factories but in those people whom the boilers will kill, and they will kill the workers mostly. In view of the fact that this is not one of those bits of legislation which, if it is not passed this afternoon it will make a material difference where the operation of the Act is concerned, and in view of the fact that we are dealing with human beings and it is a matter of an understanding, I do not see that there is any harm in postponing it. Even if we come back next Tuesday and say the same thing it seems to me that that will give more satisfaction to the honourable senior member for St. Lucy rather than give him the opportunity to say that we did not go into the matter. I repeat, I see no harm in having the matter postponed because it does not make any difference to the operation of the Act.

MESSAGE FROM THE OTHER PLACE RETURNING RESOLUTION WITH AN AMENDMENT.

At this point, Mr. SPEAKER resumed the Chair and informed the House that he had received a Message from the Other Place returning the Resolution for £50,160 to meet the cost of subsidising certain commodities with an amendment.

Mr. ADAMS: In accordance with Rule 262, I ask leave of the House to deal with the amendment of the Other Place forthwith.

There being no objection, the honourable member was granted leave.

Mr. ADAMS: I beg to move that the amendment of the Other Place in connection with the Resolution for the sum of £50,160 to meet the cost of subsidising certain commodities be dealt with forthwith under Rule 262.

Mr. BLACKMAN seconded the motion which was agreed to.

Mr. ADAMS: The amendment of the Other Place is the insertion of the words "From the 1st of April, 1947" between the third and fourth lines of the Resolution. When the Resolution was being considered by the Committee the honourable junior member for St. James pointed out that part of the Resolution was by way of meeting a deficit in the last Resolution and was therefore supplementary to the last Resolution rather than providing for future expenditure. As a matter of fact, a commodity is not subsidised until the money is actually paid for the subsidisation, and it turns out that no money will have to

be paid for subsidising any commodity up to the 31st of March which would go into that deficit. Whenever this money is paid, the 31st of March will have already elapsed, and if we put in the words "From the 1st of April, 1947," the Resolution will not be supplementary to the last one but it will cover the cost of subsidization after the 31st of March. This amendment is quite in order; as the Resolution reads now, this £50,160 will be paid for the subsidization of commodities in respect of which the amount of subsidisation has been paid since the 31st of March. I beg to move that the amendment of the Other Place be now read a first time.

Dr. CUMMINS seconded the motion which was agreed to.

On motions of Mr. ADAMS, seconded by Dr. CUMMINS in each case, the amendment was read a second time and agreed to.

THE FACTORIES BILL.

Mr. SPEAKER left the Chair and the House resumed Committee on the Factories Bill, Mr. RAMSAY being in the Chair.

Mr. WARD: In reply to the honourable junior member for St. Thomas, I would like to say that I was appointed as a member of the Select Committee which considers this Bill but I did not attend the meeting: probably if I had attended the meeting I might not have thought of this matter. Even some members who attended the meeting agreed to certain things in Select Committee and changed their minds after they came into the House. Those things happen all the time. I agree with the honourable senior member for St. Peter who says that a boiler may burst and that he is concerned not merely about the factory-owners but the workers as well. I do not know that there is more than one occasion in the history of this island that we have had a boiler burst. I do not think that the postponement of this matter for one week will do any harm; the honourable senior member for St. Joseph can get this information and tell us that the engineers have said that they will be testing the boilers in such and such a way. There is no objection to the Bill from this quarter; I am sure that honourable members of this House who are concerned with factories are definitely in agreement with the passing of this Bill.

Mr. ADAMS: If it were only a matter of a week what would be the object of the postponement? I say again, I assure honourable members that as long as I have anything to do with the Government nothing will be sent here to be pushed down anybody's throat. Nothing affecting any section of the community will be done unless it is brought to the notice of the persons concerned. The Civil Service Association will be consulted in connection with anything affecting the Civil Service; the Teachers' Association in connection with anything affecting the teachers and anything affecting the factories will be brought to the notice of the factory-owners. As far as testing the boilers is concerned, the Government will call in the engineers to give their opinion and they will again consult the factory-owners as to what the engineers suggest. We cannot act on our own ideas; we have to act on the advice of experts, and that advice has to be submitted to the people whose pockets will have to pay as a result of the advice. All that cannot be done in a week. Regulations have to be made by the Governor-in-Executive Committee, the Governor-in-Executive Committee will send a round-robin to all the factories giving the opinion of the engineers which opinion will be passed on for the comment of the

factory-owners. To adjourn this matter for a week can only mean that I will come back and say the same thing as I am saying now; pass the Clause; if the factory-owners are going to express their views before the regulations are passed, that will not take a week or two; that will take some time. Therefore do not let us postpone this Clause when no more information will be given. I repeat that at the meeting at which representatives of twenty-four factories were present, this whole matter was gone into and they had Mr. Joe Connell's opinion. In Jamaica they tried to get everything done where the Factories Bill is concerned and this Government ought to be ashamed to postpone this matter. Questions have been asked in the House of Commons about the Factories Bill, and we are still making paltry objections! If people want anything done, they must help the Government by expressing their views at the proper time. I hope that honourable members will see that I am not trying to ignore their request. I am endeavouring to point out to them that whether this Bill is postponed this afternoon or not, the Government is going to ask the factory-owners for their views before any regulations are made.

Mr. S. A. WALCOTT: What we are asking for is the engineers' opinion, not the opinion of the factory-owners. I do not consider that it would take the Government a week to circularise a few engineers in Barbados and let this House know how they will give a certificate for examining boilers. The regulations are not coming before this House; they will be agreed to by the Governor-in-Executive Committee; so that if we pass this Clause as it is, any regulation can be made. I am only asking the honourable senior member for St. Joseph to circularise about six or eight engineers as to how they will give a boiler certificate.

Mr. ADAMS: When we have circulated the engineers and got their opinion what will happen? The rest of the House will still have to sit down and listen to the factory-owner members express their views. The honourable senior member for St. Andrew will have his view, the honourable senior member for St. James will also have his view, and they will thresh out the matter here and do what they should do among themselves. The honourable senior member for St. James is asking me to see what the engineers propose to do, and the engineers' views will be picked to pieces which would better be done in the Legislative Council Chamber or Queen's Park House where people forgather to discuss these things. What they are aiming at will be done anyhow, and therefore let us pass the Clause. Honourable members can express their views, get together with their engineers and let the members of the Executive Committee know to what conclusion they have come. I do assure honourable members that if the factory-owners and the engineers agree on any matter, none of us as members of the Executive Committee will object to it. We will say "If it is agreeable to the factory-owners, it will be agreeable to us." I say more: what pleases the vast majority of factory-owners and engineers will please us. I cannot speak any more plainly.

The question that the further consideration of Clause 20 be postponed was put and resolved in the affirmative.

A division was taken as follows:—

Ayes: Dr. WILSON, Messrs. F. L. WALCOTT, BLACKMAN, GARNER, TALMA, HAYNES, DOWDING, GALE, S. A. WALCOTT, WILKINSON, WARD and Mr. SPEAKER—12.

Noes: Dr. CUMMINS, Messrs. SMITH, COX, FOSTER, MAPP and ADAMS—6.

Clause 20 was postponed.

Clause 21 was read as follows:—

21. Every boiler certificate shall

(a) be issued in triplicate, the original to be kept at the factory, one copy to be sent to the Board, and the other copy to be retained by the engineer who issued the boiler certificate;

(b) expire on the thirty-first day of December in the year in which it was issued.

Mr. ADAMS: I beg to move that Clause 21 stand part of the Bill.

Mr. BLACKMAN: I beg to second that.

Mr. WILKINSON: I beg to move that this Clause be amended by deleting all the words of paragraph (b) and inserting the following: shall "be valid for a period of twelve months from the date of issue." I think that it would be much easier to have boilers examined in the same month each year. If a boiler was examined in November, it would not be necessary to have it examined again in January.

Mr. S. A. WALCOTT: I beg to second that.

Mr. ADAMS: You may get a boiler inspected in July and it should not be examined again until December of the following year. I accept the amendment of the honourable junior member for St. James.

The question that Clause 21 as amended stand part of the Bill was put and resolved in the affirmative without division.

Clause 21 as amended was passed.

Clauses 22 and 23 were read and passed.

Clause 24 was read as follows.

24. (1) Subject to the provisions of subsection (2) of this section the owner or manager of a factory in which a contravention of any of the provisions of section twenty of this Act occurs shall be liable to a penalty not exceeding twenty pounds in respect of each such contravention.

(2) A Police Magistrate in addition to, or instead of, inflicting any penalty imposed by subsection

(1) of this section may, on the advice of an Inspector specially nominated for the occasion by the Board, order certain means to be adopted by the owner or manager within the time named in the order for the purpose of bringing his factory into conformity with this Act. The Police Magistrate may, in addition, enlarge the time so named, but if, after the expiration of the time so originally named or enlarged by subsequent order, the order is not complied with, the owner or manager shall be liable to a penalty not exceeding one pound for every day on which the non-compliance continues.

Mr. ADAMS: I ask leave to delete the words "by subsequent order" occurring in line 10 of Subclause (2).

There being no objection, the honourable member was granted leave.

Mr. ADAMS: I beg to move that Clause 24 as amended stand part of the Bill.

Mr. BLACKMAN seconded the motion which was agreed to.

Clause 24 as amended was passed.

At this point, on the motion of Mr. ADAMS, seconded by Dr. CUMMINS, the CHAIRMAN reported progress with leave for the Committee to sit again.

Mr. SPEAKER resumed the Chair and reported accordingly.

THE ADJOURNMENT.

Mr. ADAMS: I propose that the Order Paper remain as it is at present. I beg to move that this House do now adjourn to this day week, the 6th day of May, 1947, at twelve o'clock noon.

Dr. CUMMINS seconded the motion which was agreed to.

Mr. SPEAKER accordingly adjourned the House until Tuesday next, the 6th day of May, 1947 at twelve o'clock noon.