



ANNO QUINTO

EDWARDI VII REGIS.

A.D. 1905.

No. 887.

An Act to provide for the proper and sufficient Accommodation of Shearers.

[*Assented to, December 9th, 1905.*]

BE it Enacted by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

1. This Act may be cited as the "Shearers Accommodation Act, 1905." Short title.

2. This Act shall not apply to buildings connected with shearing-sheds where less than six shearers are employed, nor to shearers whose residences are in the immediate neighborhood of the shearing-shed in which they are employed, and who sleep at their own homes, nor in cases where the work of shearing is performed solely by members of the family. Exception.

3. In this Act, unless the context otherwise indicates— Definitions.

"Minister" means Minister of Industry for the time being:

"District" means district notified in pursuance of this Act:

"Employer" means master, manager, foreman, overseer, or other person having control of a shearing-shed or engaged in superintendence of any shearer as in this Act defined:

"Inspector" means inspector appointed in pursuance of this Act:

"Shearer" means and includes any person employed in or about a shearing-shed in the shearing of sheep, or in work connected therewith: **4.** The

Shearers Accommodation Act.—1905.

Appointment of districts.

4. The Governor, by notification in the *Gazette*, may appoint districts for the purposes of this Act, and may vary or rescind any such notification and alter the boundaries of any districts.

Appointment of inspectors.

5. The Governor may appoint inspectors, who may be members of the Police Force, under this Act, and define the districts over which they shall exercise supervision.

Each inspector shall be furnished by the Minister with a certificate of his appointment, to be produced by him in pursuance of this Act.

Sufficient accommodation to be provided.

6. It shall be the duty of the inspector to see that proper and sufficient accommodation for the health and comfort of the shearers shall be provided in buildings separate from the shearing-shed, as hereinafter provided.

What is proper and sufficient accommodation.

7. (a) Proper and sufficient accommodation shall, as regards sleeping room, mean not less than two hundred and forty cubic feet of space for each shearer sleeping in any room or apartment (which shall not in any case be the same as that in which meals are provided): Provided that such shall be passed over to the shearers in good order and in clean condition, and shall be maintained by the shearers in like condition, failing which it shall be permissible for the employer to have the same cleaned up from time to time, and deduct the cost of so doing from moneys due to the shearers:

(b) Where the shearers for whom sleeping accommodation is provided include persons of some Asiatic race, a separate room shall be provided for the sleeping accommodation of such persons:

(c) When meals are cooked and served in the same room, provision shall be made for cooking the meals at one end of the room and for serving them at the other: and

(d) Sufficient latrine accommodation shall be provided, situate not less than one hundred feet from the buildings used for sleeping and for serving meals, and so as to exclude any probability of pollution of any water supply.

Inspection of buildings.

8. An inspector shall, once in every twelve months, and every inspector may, whenever he thinks fit, inspect all buildings used for accommodating shearers other than shearing-sheds situate within his district; and every inspector shall, not later than the thirty-first day of March in every year, make a full and detailed report to the Minister of his inspections.

An inspector making any such inspection shall, at the request of any employer, produce the certificate of his appointment and show it to the said employer.

Notice to comply with Act.

9. Where an inspector, after making such inspection, has reason to believe that the requirements of this Act have not been complied with,

Shearers Accommodation Act.—1905.

with, he shall so notify an employer, directing him within three months to comply with such requirements. He shall also in the notice specify in what respects he considers the said requirements have not been complied with.

The notice shall be in writing, and may be served on the employer personally or by being left at his usual or last known place of residence.

10. (1) Where an inspector has reason to believe that an employer served with such notice has neglected to comply with any of the requirements of such notice, the inspector may make complaint to a Justice of the Peace, and such Justice shall thereupon issue a summons requiring the said employer to appear before a Special Magistrate to answer such complaint. Complaint to Justice of failure to comply with Act.

(2) The Special Magistrate may, if satisfied that any of the requirements of such notice have not been complied with, order the said employer to comply with such requirements, and, if thought desirable, may in the order specify what things shall be done by the said employer, and specify the time within which the order shall be carried out, or may dismiss the complaint; and in any case the Court may award costs. Order on such complaint.

(3) If the said employer fails to carry out an order made as aforesaid, he shall, unless he satisfies the Court that he has used all due diligence to carry out the order, be guilty of an offence against this Act, and be liable to a penalty not exceeding Ten Pounds, and for every day during his default to a further penalty not exceeding Two Pounds. Penalty on failure to carry out order.

11. The Minister may, if special and unavoidable circumstances exist to prevent compliance with any of the conditions for proper accommodation required in clause 7, grant an exemption from any or all of such conditions: Provided that such exemption, unless renewed, shall only continue for the year of shearing in respect of which it is granted. Minister may grant exemptions.

12. Any person obstructing an inspector in the exercise of his powers under this Act shall be guilty of an offence against this Act, and be liable to a penalty not exceeding Ten Pounds. Obstruction of inspector.

13. Any information for an offence against this Act, or any complaint under this Act, shall be heard and determined by a Special Magistrate. Hearing of informations.

In the name and on behalf of His Majesty, I hereby assent to this Bill.

GEORGE R. LE HUNTE, Governor.