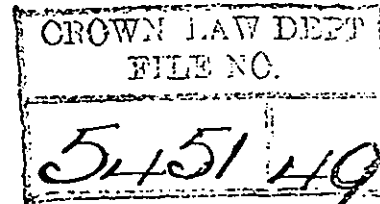




F & S 479/49
P.H.D. 618/48

SOLICITOR GENERAL.



I forward herewith papers relating to the extension of the Shops and Factories Act to the Wittenoom Gorge Works.

I would be extremely grateful if you could advise as to whether or no the Shops and Factories Act could legally be applied to the Wittenoom Gorge Asbestos Works. I am forwarding this matter direct to you as I understand that Mr. Warman discussed the proclamation with you some time ago.

CR/EC.
8th December, 1949.

C. A. Hew
SECRETARY FOR LABOUR.

SECRETARY FOR LABOUR:

The term "factory" in the Factories and Shops Act, s. 4 does not include "any mine or colliery, or any place in which machinery is used about a mine or colliery".

2. I am informed by the Asst. Under Secretary of the Mines Department that the works at Wittenoom Gorge of Australian Blue Asbestos Limited consist of works for the mining of asbestos ore. Considerable tunnelling and blasting have been carried out, the ore is brought out in trucks, crushed and asbestos fibre is recovered. All employees are subject to our mining laws and pay into the Mine Workers' Relief Fund. The ground held is held under the provisions of our Mining Act for the purpose of mining for blue asbestos.

3. In these circumstances there can be little doubt but that the works at Wittenoom Gorge constitute a "mine" and therefore the works are excluded from the definition of the word "factory" within the meaning of the Factories and Shops Act.

8th December, 1949.
SHG/ML.

S. A. 7000