



**THE FACTORIES AND COMMERCIAL PREMISES
REGULATIONS 1981**

DAVID BEATTIE, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 30th day of November 1981

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 71 of the Factories and Commercial Premises Act 1981, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Factories and Commercial Premises Regulations 1981.

(2) These regulations shall come into force on the 1st day of February 1982.

2. Interpretation—In these regulations “the Act” means the Factories and Commercial Premises Act 1981.

3. Forms—(1) In this regulation a reference to a form by designation shall be read as a reference to the form bearing that designation set out in the First Schedule to these regulations.

(2) A warrant under section 5 (3) of the Act shall be in form LAB.F.1.

(3) The certificate of appointment of an Inspector under section 8 (1) of the Act shall be in form LAB.F.2.

(4) The certificate of appointment of a Trainee Inspector of Factories under section 8 (1) of the Act shall be in form LAB.F.3.

(5) An application under section 10 (1) of the Act shall be—

(a) In form LAB.F.4 where the factory concerned is not registered at the time the application is made;

(b) In form LAB.F.5 in every other case.

(6) A certificate of registration under section 10 (3) of the Act shall be in form LAB.F.6.

- (7) A record under section 15 (1) of the Act shall be in form LAB.F.7.
 (8) A requisition under section 55 (1) of the Act shall be in form LAB.F.8.
 (9) A notice of appeal under section 59 (1) of the Act shall be in form LAB.F.9.
 (10) A notice under section 59 (2) of the Act shall be in form LAB.F.10

4. Factory registration fees—The fees payable for the registration of factories shall be those specified in the Second Schedule to these regulations.

5. Revocations—The Orders in Council specified in the Third Schedule to these regulations are hereby revoked.

SCHEDULES

FIRST SCHEDULE

Reg. 3

PRESCRIBED FORMS

LAB.F.1.

WARRANT TO ENTER DWELLINGHOUSE

Section 5 (3), Factories and Commercial Premises Act 1981

To [*Full name*], Inspector of Factories:

I AM satisfied, on an application in writing made on oath, that there is reasonable ground for believing that there is an undertaking reasonably practicable access to which can only be gained through part of the private dwellinghouse hereafter described, and hereby authorise you at any time or times within one month from the date of this warrant to enter that dwellinghouse.

DESCRIPTION OF DWELLINGHOUSE

[*Here describe the dwellinghouse concerned*]

Dated at this day of 19.....

.....
 District Court Judge
 (*or Justice of the Peace*).

LAB.F.2.

CERTIFICATE OF APPOINTMENT AS INSPECTOR OF FACTORIES

Section 8 (1), Factories and Commercial Premises Act 1981

Pursuant to section 34 (2) of the State Services Act 1962, I hereby certify that [Full name] was, pursuant to section 4 of the Factories and Commercial Premises Act 1981, appointed to be an Inspector of Factories from and including the day of 19.....

.....
Secretary of Labour.

Signature of appointee



LAB.F.3

CERTIFICATE OF APPOINTMENT AS TRAINEE INSPECTOR OF FACTORIES

Section 8 (1), Factories and Commercial Premises Act 1981

Pursuant to section 34 (2) of the State Services Act 1962, I hereby certify that [Full name] was, pursuant to section 4 of the Factories and Commercial Premises Act 1981, appointed to be a Trainee Inspector of Factories from and including the day of 19.....

.....
Secretary of Labour.

Signature of appointee



LAB.F.4

APPLICATION FOR REGISTRATION OF UNREGISTERED FACTORY
Section 10 (1), Factories and Commercial Premises Act 1981

Trade name of factory:

Occupier's full name:

Site address of factory:

P.O. Box No.: Telephone No.:

Address of company's registered office (if applicable):

Nature of work (main product or activity) to be carried on in factory:

Number of persons to be engaged or employed in factory—

Working occupiers		Employees	
Male	Female	Male	Female

Total:

Date: Signature of occupier:

NOTE: THIS APPLICATION IS TO BE ACCOMPANIED BY:

- (1) A sketch plan of the factory, drawn to scale, and including elevations and details of sanitary, washing, meal-room, clothing accommodation, other amenities.
- (2) The prescribed fee.

APPLICATION FOR RE-REGISTRATION OF REGISTERED FACTORY

Section 10 (1), Factories and Commercial Premises Act 1981

Name of occupier ...

Code

Trade name of factory ...

Postal address ...

Main product or activity ...

Site address of factory ...

Number of persons working in factory as at 1 February 19..... (include clerical staff):	_____	
	Male	Female
Working occupiers	_____	_____
Employees	_____	_____
Total working occupiers and employees	... _____	_____

Amount of fee enclosed \$ _____

The particulars entered on this card are correct:

.....
Signature of Occupier.

LAB.F.6

CERTIFICATE OF REGISTRATION AND RECEIPT

Section 10 (3), Factories and Commercial Premises Act 1981

Name of occupier ...

Code

Trade name of factory ...

Postal address

Main product or activity ...

Site address of factory ...

ITEM	AMT
Factory Registration Fee	
Training Levies	
TOTAL...S	

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THIS IS TO CERTIFY THAT:

The premises occupied by the above-named have been registered as a factory for the year ending 31 January 19...

....., Inspector of Factories,

Department of Labour,

NOT VALID UNTIL STAMPED

LAB.F.8

REQUISITION

Section 55 (1), Factories and Commercial Premises Act 1981

TO: [*Occupier of undertaking*]
 [*Full address*]

I, [*Full name and address of Inspector*], an Inspector of Factories appointed under the Factories and Commercial Premises Act 1981 and acting pursuant to Part V of that Act, **HEREBY REQUIRE** you on or before the day of 19..... to do the following things at your premises at [*Address of premises concerned*]:

Dated at this day of 19.....

Signed:
 Inspector of Factories

Note: If you consider this requisition to be unreasonable you may appeal to a District Court Judge within 14 days of service of the requisition (see section 59 of the Factories and Commercial Premises Act 1981). If any of the above requisitions cannot be complied with without alteration to a building you do not own, you may serve a copy on the owner within 14 days of service on you, and thus become entitled to a contribution from the owner. (See section 60 of that Act).



LAB.F.9

NOTICE OF APPEAL FROM REQUISITION OF INSPECTOR OF FACTORIES

Section 59 (1), Factories and Commercial Premises Act 1981

In the matter of Part V of the Factories and Commercial Premises Act 1981; and of a requisition by, of, an Inspector under that Act, dated

NOTICE is hereby given that I (we),, the occupier(s) upon whom the requisition has been served, consider the requisition to be unreasonable, and desire to appeal against it. The grounds of the appeal are set forth in the attached memorandum marked "A". A true copy of the requisition is also attached hereto, marked "B".

Dated at, this day of 19.....

To the Registrar of the District Court,, and to, an Inspector under the Factories and Commercial Premises Act 1981.

.....
Occupier(s) of undertaking.



LAB.F.10

NOTICE BY REGISTRAR OF COURT OF TIME FOR HEARING OF APPEAL FROM REQUISITION OF INSPECTOR OF FACTORIES

Section 59 (2), Factories and Commercial Premises Act 1981

In the matter of Part V of the Factories and Commercial Premises Act 1981, and of an appeal from a requisition by, an Inspector under that Act, dated

THIS is to notify you that the above-mentioned appeal has been set down for hearing at the District Courthouse at on the day of at the hour of

Dated this day of 19.....

.....
Registrar of the District Court.

To the Appellant,, of, and to, an Inspector under the Factories and Commercial Premises Act 1981.

SECOND SCHEDULE

Reg. 4

FEEES FOR REGISTRATION OF FACTORIES

Number of persons employed or engaged in factory:	Fee \$
Fewer than 21 	16
More than 20 and fewer than 51 	39
More than 50 and fewer than 251 	76
More than 250 	150



Reg. 5

THIRD SCHEDULE
ORDERS IN COUNCIL REVOKED

Title	Serial Number
The Factories Consolidating Regulations 1937	1937/192
The Factories Act 1946, Modification Order 1948	1948/72
The Factories Inspectors' Examination Regulations 1949	1949/53
The Factories Consolidating Regulations 1937, Amend- ment No. 2	1954/1
The Shops and Offices Regulations 1956	1956/31
The Factories Consolidating Regulations 1937, Amend- ment No. 4	1973/10
The Factories Consolidating Regulations 1937, Amend- ment No. 5	1975/65
The Factories Consolidating Regulations 1937, Amend- ment No. 9	1981/231

P. G. MILLEN,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, made under the Factories and Commercial Premises Act 1981 and coming into force on its commencement on 1 February 1982, replace the Factories Consolidating Regulations 1937. A number of other regulations which were made under the Factories Act 1946 or the Shops and Offices Act 1955 and which are spent are revoked.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 3 December 1981.

These regulations are administered in the Department of Labour.