



CHAPTER 55

An Act to amend the Industrial Establishments Act

[Assented to, the 20th of April, 1934]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. The title of the Industrial Establishments Act (Re-R. S., c. 182, revised Statutes, 1925, chapter 182) is amended by adding ^{title am.} thereto, after the word: "**INDUSTRIAL**", in the second line thereof, the words: "**AND COMMERCIAL**".

2. Section 1 of the said act is amended by adding ^{Id., s. 1, am.} thereto, after the word: "*Industrial*", in the first line thereof, the words: "*and Commercial*".

3. Section 2 of the said act, as amended by the act 21 ^{Id., s. 2, am.} George V, chapter 19, section 27, is again amended:

a. By striking out the words: "or "establishment" ", in the first and second lines of paragraph 3 thereof;

b. By adding thereto, after paragraph 3 thereof, the following paragraph:

"3*a.* The words "commercial establishment" mean any ^{Commer-}place where merchandise is sold or offered for sale; they ^{cial estab-}do not include, however, hotels and restaurants nor the ^{lishment} shop where only members of the same family work;"

4. Section 3 of the said act is amended by adding there- ^{R. S., c. 182,} to, after the word: "dependencies", in the fifth line of the ^{s. 3, am.} first paragraph thereof, the words: ", as well as commercial establishments".

R. S., c. 182, **5.** The title of Division III of the said act is amended by Div. III, replacing the word: "FACTORIES", in the first line thereof, by title am. the words: "INDUSTRIAL AND COMMERCIAL ESTABLISHMENTS".

Id., s. 4, am. **6.** Section 4 of the said act is amended by adding thereto, after the word: "industrial", in the first line of the first paragraph thereof, the words: "and commercial".

Id., s. 5, am. **7.** Section 5 of the said act is amended by adding thereto, after the word: "industrial", in the fourth line of the first paragraph thereof, the words: "and commercial".

Id., s. 6, am. **8.** Section 6 of the said act is amended by adding thereto, after subsection 2 thereof, the following subsection:

Prohibition of employ- "2a. The Lieutenant-Governor in Council may also ment of cer- prohibit entirely the employment of women and girls, as tain persons. well as of boys under eighteen years of age, in certain industrial establishments or parts thereof, which he may deem dangerous or harmful to their health."

R. S., c. 182, **9.** Section 8 of the said act is replaced by the following:

s. 8, re- "8. It is forbidden for any employer in any industrial placed. or commercial establishment, for any person carrying on Employment of children. or any industry, trade or business, for any owner, tenant or manager of a theatre, moving-picture hall, club, amusement hall, arena, hotel or restaurant, for any telegraph company employing messengers, or in the case of printers or agents who distribute advertisements or hand-bills, and for owners of department stores who employ boys or girls as messengers, to employ any boy or girl less than fourteen years of age. Furthermore, this prohibition is to be maintained up to sixteen years of age, for those who are unable to read and write fluently and easily.

Application restricted. This section shall not apply to the head of the family who employs his wife or his children in his industry or business; nor shall it apply to persons employing domestic or farm servants."

R. S., c. 182, **10.** Section 15 of the said act, as amended by the act 20 ss. 15, 16, George V, chapter 80, section 1, and sections 16 and 17 17, replaced. of the said act, are replaced by the following sections:

Working hours. "15. Except in the cases mentioned in section 17, no boy of less than eighteen years of age, and no girl or woman, shall be employed in any of the industrial establishments mentioned in section 3 for more than ten hours in any one day or for more than fifty-five hours in any one week.

One hour shall be allowed at noon each day for meals, if Meal hours. the inspector so directs, but such hour shall not be counted as part of the working hours hereinabove mentioned.

The day of ten hours mentioned in this section shall not When work commence before six o'clock in the morning nor end after to begin and six o'clock at night. end.

16. Except in the cases mentioned in section 17 and Working during the two weeks preceding New Year's Day, no boy hours in under eighteen years of age, no girl and no woman may certain work for more than sixty hours a week, in any commer- cities, etc. cial establishment in a city or town of over ten thousand souls.

Such working hours must be apportioned between seven Apportion- o'clock in the morning and eleven o'clock in the evening. ment of hours.

On the day before Christmas, the day before New Year's Restriction. Day, and the day before Easter Sunday, the working day shall not extend beyond ten o'clock in the evening.

17. The inspector, for sufficient reasons given to him, Extension of and in order to make up unavoidably lost time or to satisfy working the exigencies of industry or commerce, may, for a period hours in of not more than six weeks, extend the time of employment certain case. of boys less than eighteen years of age, girls and women, to twelve hours in a day, or sixty-five hours in a week, provided that the day shall not commence before six o'clock in the morning nor end after nine o'clock in the evening."

11. Section 18 of the said act is amended:

a. By adding thereto, after the word: "any", in the first line of the first paragraph thereof, the words: "industrial or commercial";

b. By adding thereto, after the words: "abode of the", in the first line of sub-paragraph *a* of paragraph 3 thereof, the word: "men,";

c. By adding thereto, after the word: "such", in the first line of sub-paragraph *b* of the said paragraph 3 thereof, the word: "men,".

R. S., c. 182,
s. 18, am.

12. Section 20 of the said act is amended by adding Id., s. 20, thereto, after the word: "industrial", in the second line of am. subsection 1 thereof, the words: "or commercial".

13. The title of Division VIII of the said act is amended, Id., Div. by adding thereto, after the word: "INDUSTRIAL", the words: VIII, title "AND COMMERCIAL". am.

R. S., c. 182,
s. 21, am.

14. Section 21 of the said act is amended:

a. By adding thereto, after the word: "industrial", in the first line of the second paragraph thereof, the words: "and commercial";

b. By adding thereto, after the word: "industrial", in the sixth line of the third paragraph thereof, the words: "and commercial".

Id., s. 25,
am.

15. Section 25 of the said act is amended:

a. By adding thereto, after the word: "the", in the second line of subsection 1 thereof, the words: "industrial and commercial";

b. By adding thereto, after the word: "industrial", in the third line of subsection 4 thereof, the words: "and commercial";

c. By adding thereto, after the word: "industrial", in the fourth line of subsection 6 thereof, the words: "or commercial";

d. By adding thereto, after the word: "industrial", in the third line of subsection 7 thereof, the words: "and commercial".

Id., s. 28, re-
placed.

16. Section 28 of the said act is replaced by the following:

Penalty for
certain
infraction.

"28. Whoever keeps an industrial or commercial establishment contrary to the provisions of this act or of the regulations shall be liable to a fine of not less than ten dollars nor more than two hundred dollars, and costs, and to imprisonment for not more than twelve months in default of payment of such fine and costs."

R. S., c. 182,
s. 29, am.

17. Section 29 of the said act is amended by adding thereto, after the word: "industrial", in the second line thereof, the words: "or commercial".

Id., s. 34,
replaced.

18. Section 34 of the said act is replaced by the following:

Penalty for
false entry,
etc.

"34. Every person who wilfully makes a false entry in any register, notice, certificate or document required by this act, or who makes or signs any false declaration, or who makes use of such false entry or declaration knowing it to be false, shall be liable to a fine of not less than twenty dollars nor more than one hundred dollars, and costs, and to imprisonment for not more than six months in default of payment of such fine and costs."

19. Section 35 of the said act is replaced by the following: R. S., c. 182, s. 35, replaced.

“35. Every employer who refuses to keep a register of the persons employed in his establishment in accordance with section 18, or to enter their hours of work therein, shall be liable to a fine of not less than ten dollars nor more than thirty dollars, and costs, and to imprisonment for not more than three months in default of payment of such fine and costs.” Penalty for refusing to keep certain register.

20. Section 36 of the said act is replaced by the following: R. S., c. 182, s. 36, replaced.

“36. If no penalty be prescribed for a contravention of the provisions of this act or of the regulations, rules or orders made thereunder by the Lieutenant-Governor in Council, or by the inspector, the employer who is guilty of such contravention shall be liable, upon summary conviction thereof, to a fine of not less than ten dollars nor more than one hundred dollars and costs, and to imprisonment for not more than three months in default of payment.” Penalty where no particular penalty prescribed.

21. Section 44 of the said act is amended: R. S., c. 182, s. 44, am.

a. By adding thereto, after the word: “industrial”, in the second line of sub-paragraph 1 of the first paragraph thereof, the words: “and commercial”;

b. By striking out sub-paragraph 5 of the said first paragraph thereof.

22. This act shall come into force on the day of its sanction. Coming into force.

