

BREAD INDUSTRY, MANUFACTURE AND DELIVERY (AMENDMENT) ACT.

Act No. 8, 1958.

Elizabeth II, An Act to make further provision with respect to the bread industry and the manufacture and delivery of bread; for this purpose to amend the Bread Industry Act, 1946, the Bread Manufacture and Delivery Act, 1950, the Factories and Shops Act, 1912, and certain other Acts in certain respects; and for purposes connected therewith. [Assented to, 11th April, 1958.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

**Short title
and
citation.**

1. (1) This Act may be cited as the "Bread Industry, Manufacture and Delivery (Amendment) Act, 1958".
- (2) The Bread Industry Act, 1946, as amended by this Act, may be cited as the Bread Industry Act, 1946-1958.
- (3) The Bread Manufacture and Delivery Act, 1950, as amended by subsequent Acts and by this Act, may be cited as the Bread Manufacture and Delivery Act, 1950-1958.
- (4) The Factories and Shops Act, 1912, as amended by subsequent Acts and by this Act, may be cited as the Factories and Shops Act, 1912-1958.

2.

2. The Bread Industry Act, 1946, is amended—

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Amend-
ment of
Act No. 40,
1946.

(a) by omitting from section two the word Sec. 2. “SCHEDULE” and by inserting in lieu thereof the (Division into word “SCHEDULES”;

(b) by inserting in section three immediately before Sec. 3. the definition of “Bread” the following new (Definitions.) definition :—

“Award” means an award as defined in section five of the Industrial Arbitration Act, 1940, as amended by subsequent Acts, or an industrial agreement as so defined.

(c) (i) by omitting from section five the words “the Sec. 5. Schedule” and by inserting in lieu thereof the (Commenc-
ing times
of employees
engaged in
making or
baking
bread.) words “the First Schedule”;

(ii) by inserting in the same section next after the word “shall” the words “in any case where section 6A of this Act does not apply”;

(iii) by inserting at the end of the same section the words “and in any case where section 6A of this Act applies be the time or times specified in such Schedule as varied in accordance with the said section in respect of such day”;

(d) by omitting from section six the words “fixed by Sec. 6. the Schedule to this Act as a time for commencing (Manufac-
ture of
work for employees engaged in the making or bread at
baking of bread shall be guilty of an offence against certain
this Part of this Act” and by inserting in lieu thereof (pro-
hibited.) the words—

(a) in any case where section 6A of this Act does not apply, fixed by the First Schedule to this Act, and

(b)

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(b) in any case where section 6A of this Act applies, fixed by the First Schedule to this Act as varied in accordance with the said section,

as a time for commencing work for employees engaged in the making or baking of bread shall be guilty of an offence against this Act;

New sec. 6A.

(e) by inserting next after section six the following new section :—

**Variation
of commen-
cing times.**

6A. (1) This section applies where the times for commencing work specified in the First Schedule to this Act are varied by the Minister as hereinafter provided.

(2) Upon the application of a bread manufacturer the Minister may in respect of any or all bakehouses of such bread manufacturer vary the times for commencing work specified in the First Schedule to this Act.

Any such variation may be made unconditionally or subject to such conditions as the Minister may determine.

Any such variation shall remain in force until revoked by the Minister or notice of the desire of the bread manufacturer to observe in respect of the bakehouses to which the variation applies the commencing times specified in the First Schedule to this Act has been given in writing to the Under Secretary of the Department of Labour and Industry.

During the period within which any such variation is in force the Minister may, by notice in writing served on the bread manufacturer in respect of whom such variation applies, alter or rescind any condition to which such variation is subject or impose additional conditions.

(3)

(3) Where the Minister varies the times for No. 8, 1958, commencing work specified in the First Schedule to this Act such variation shall be as follows, that is to say :—

- (a) the figures, symbols and letters "3.30 a.m." shall be substituted for the figures, symbols and letters "4.30 a.m." wherever occurring in the said Schedule;
- (b) the figures, symbols and letters "4.30 a.m." shall be substituted for the figures, symbols and letters "5.30 a.m." wherever occurring in the said Schedule;
- (c) the figure, symbols and letters "2 a.m." shall be substituted for the figure, symbols and letters "4 a.m." wherever occurring in the said Schedule.

(4) (a) The conditions subject to which any variation under this section may be made may include conditions—

- (i) that a bread manufacturer shall pay to his employees engaged in the making or baking of bread in the bakehouse in respect of which such variation applies or to such class or classes of such employees as the Minister may specify such rate or rates of wages (hereinafter referred to as an additional rate or rates of wages) as the Minister may specify, such rate or rates being additional to the price or rate fixed by an award for the making or baking of bread by such employees or by such class or classes of employees, as the case may be;
- (ii) that a bread manufacturer shall exhibit and keep exhibited in the bakehouse in respect of which such variation applies at all times during

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— during which such variation is in force such particulars as to such variation and the conditions to which such variation is subject and in such manner as the Minister may specify.

(b) Where any variation under this section is subject to a condition of the nature referred to in subparagraph (i) of paragraph (a) of this subsection—

- (i) the receipt by employees, pursuant to such condition, of an additional rate or rates of wages or their entitlement to such additional rate or rates of wages shall not be taken into account by the Industrial Commission of New South Wales, or by a Conciliation Committee or Apprenticeship Council established under the Industrial Arbitration Act, 1940, as amended by subsequent Acts, in the fixation of the lowest prices for work done by, or the lowest rates of wage payable to, any employees;
- (ii) such additional rate or rates of wages shall for the purposes of section ninety-two of the said Act, as so amended, be deemed to be a price or rate fixed for the work done by such employees by the award for the time being applicable to their employment, and the provisions of the said Act, as so amended, relating to the recovery of wages by employees shall apply to and in respect of the recovery by such employees of wages at such additional rate or rates of wages;
- (iii) such additional rate or rates of wages shall not, unless the Minister in imposing or varying such condition otherwise directs, be regarded for any purpose of the Annual Holidays

Holidays Act, 1944, or the Long Service No. 8, 1958. Leave Act, 1955, or in the computation of overtime or of any other penalty rate fixed by an award, as part of the ordinary pay of such employees.

(5) A bread manufacturer who fails to comply with the terms of any condition to which any variation under this section in respect of such bread manufacturer is subject shall be guilty of an offence against this Act.

(6) In any proceedings under this Act, or the Industrial Arbitration Act, 1940, as amended by subsequent Acts, a statement purporting to be signed by the Under Secretary of the Department of Labour and Industry that at any date or during any period specified in the statement a variation under this section was or was not in force in relation to a bakehouse specified in such statement and as to the conditions to which such variation was subject or as to the alteration or rescission of any such condition or as to other particulars of the said variation shall be *prima facie* evidence of the matters contained in such statement without proof of the signature or official character of the person by whom the statement purports to have been signed.

(7) A notice of the revocation of any variation under this section or of the rescission or alteration of a condition of such variation or of the imposition of additional conditions may without prejudice to any other mode of service permitted by law be served on a bread manufacturer by posting such notice to him at the address of the bakehouse in respect of which such variation applies and such notice shall be deemed to have been served on the bread manufacturer at the time when it would have been delivered at such address in the ordinary course of post.

(f)

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**Sec. 7.
(Exemption.)**

- (f) (i) by inserting in section seven after the word "circumstances" the words "or in order to meet the exigencies of the trade carried on in a particular bakehouse";
- (ii) by omitting from the same section the words "and six of this Act" and by inserting in lieu thereof the words "six and 6A of this Act and any conditions to which any variation under section 6A of this Act is subject";

**Sec. 8.
(Delivery
of bread
during cer-
tain hours
pro-
hibited.)**

- (g) (i) by omitting from subsection one of section eight the words "by vehicle or other receptacle, any bread to a purchaser before the time" and by inserting in lieu thereof the words—
 - "(a) by vehicle or other receptacle, any bread to a purchaser; or
 - (b) any bread to a bread vendor,
before the time";
- (ii) by omitting from the same subsection the word "work" wherever occurring and by inserting in lieu thereof the words "the delivery of bread";
- (iii) by omitting from the same subsection the words "this Part of";
- (iv) by inserting at the end of the same subsection the following new paragraph :—

In this section "bread vendor" means a person, not being a bread reseller, to whom a bread manufacturer, bread distributor or employee of a bread manufacturer or bread distributor delivers bread for the purpose of or with a view to its delivery by that person to a purchaser.

(v)

(v) by omitting subsection two of the same section **No. 8, 1958.**
and by inserting in lieu thereof the following subsection :—

(2) This section shall not apply outside the County of Cumberland or the County of Northumberland to or in respect of the delivery of bread to a purchaser or a bread vendor on the premises of the bread manufacturer or bread distributor.

The Minister may in the case of emergency or unforeseen circumstances or in order to meet the exigencies of the trade carried on in a particular bakehouse, exempt a bread manufacturer, bread distributor or an employee of a bread manufacturer or bread distributor from the operation of all or any of the provisions of this section for such period and subject to such conditions as the Minister may determine.

(h) by omitting section nine;

Sec. 9.
(Penalty.)

(i) (i) by omitting from subsection one of section ten **Sec. 10.**
the words "authorised in that behalf by the (Inspection.)
Minister";

(ii) by omitting from paragraph (a) of the same subsection the words "at all reasonable hours" and by inserting in lieu thereof the words "at any time";

(iii) by inserting next after the same subsection the following new subsection :—

(1A) The Minister may, from time to time, by notice in writing require a bread manufacturer to make such provision to enable an inspector or inspectors to enter and inspect all parts of such premises of the bread manufacturer at such time or times, or at all times during such period, as the Minister may in such notice specify.

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specify. If a bread manufacturer required to make provision as aforesaid fails to comply with the requirements of such notice or if an inspector is unable in accordance with the provision required to be made by a bread manufacturer as aforesaid to enter and inspect the premises referred to in the notice or any part of such premises, the bread manufacturer shall be guilty of an offence against this Act.

New secs.
10A, 10B, 10C
and 10D.

Entry
under
special
warrant.

(j) by inserting next after section ten the following new sections :—

10A. Any justice of the peace upon complaint made on oath by an inspector that the inspector—

- (a) has reasonable cause to believe that premises referred to in the complaint are premises of a bread manufacturer; and
- (b) has been unable to enter such premises, or such part thereof as is specified in such complaint in accordance with the provision required by a notice under subsection (1A) of section ten of this Act in respect of such premises, or by the means required to be furnished under paragraph (a) of subsection two of the said section; and
- (c) has reasonable cause to suspect that an offence against this Act is being committed in such premises, or in such part thereof so specified, as the case may be,

may, by special warrant under his hand authorise an inspector to enter and inspect such premises or such part thereof so specified. An inspector so authorised may at any time within twenty-four hours of the issue of such special warrant, if accompanied by a member of the police force, enter with such force and with such assistance as he may deem necessary the premises or part thereof specified in such warrant.

Every special warrant shall be in the form contained in the Second Schedule to this Act or to the like effect.

10B.

10B. (1) No person shall in any premises carry No. 8, 1958, on the business of manufacturing, preparing or baking bread for sale, or in carrying on any business manufacture, prepare or bake in any premises bread houses. ^{Access to} ~~any~~ ^{bake-} for consumption or use in the course of that business—

- (a) unless there are direct means of communication by way of ingress and egress complying with subsection two of this section, between his bakehouse and a public street;
- (b) if there are any means of ingress to or egress from his bakehouse otherwise than to or from a public street.

(2) The means of communication between the bakehouse of any person and a public street, referred to in paragraph (a) of subsection one of this section, shall—

- (a) be solely occupied by and be under the sole control of that person; and
- (b) be such as to afford convenient and lawful access by inspectors to the whole of the bakehouse from the public street.

(3) A person shall in respect of each day upon which he carries on a business or manufactures, prepares or bakes bread contrary to the provisions of subsection one of this section be guilty of an offence against this Act.

(4) (a) A bread manufacturer, and every person in charge or apparently in charge of the manufacture, preparation or baking of bread in a bakehouse of a bread manufacturer, shall, whenever required verbally or in writing by the Minister or by an inspector to give particulars of the means of communication with the bakehouse of such bread manufacturer

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manufacturer give to the Minister or to such inspector, as the case may be, such full and truthful particulars of such means of communication as would enable an inspector to find such means of communication and enter the bakehouse thereby.

Such particulars shall—

- (i) be furnished within such time as the Minister or inspector may specify, or if the Minister or inspector does not specify any time be furnished forthwith;
- (ii) if the Minister or inspector so requires be furnished in writing and be accompanied by a plan of the premises showing such means of communication.

(b) Where any person fails in accordance with the requirements of paragraph (a) of this subsection to give the particulars referred to in that paragraph in relation to the means of communication with a bakehouse of a bread manufacturer—

- (i) such person shall be guilty of an offence against this Act;
- (ii) all premises and all parts of premises adjacent to the bakehouse and used or apparently used for or in connection with the manufacture, preparation or baking of bread in the bakehouse or the distribution or sale of bread so manufactured, prepared or baked shall for the purposes of the exercise by any person of any power conferred on him by section ten or 10A of this Act be deemed to be part of the bakehouse and to be in the sole occupation and under the sole control of the bread manufacturer.

(5) Where a bread manufacturer has No. 8, 1958. furnished particulars referred to in paragraph (a) of subsection four of this section such bread manufacturer shall not at any time thereafter make any alteration in the means of communication with the bakehouse of such bread manufacturer unless he has given the Minister seven days' notice of his intention to make such alteration and particulars thereof. A bread manufacturer who fails to comply with the provisions of this subsection shall be guilty of an offence against this Act.

(6) In this section—

(a) the “bakehouse” of a bread manufacturer means—

(i) where the whole of any premises is occupied or used by the bread manufacturer for or in connection with the manufacture, preparation or baking of bread or the distribution or sale of bread manufactured, prepared or baked on the premises, those premises;

(ii) where only a part or parts of any premises is or are so occupied or used by the bread manufacturer, that part or those parts of the premises, as the case may be;

(b) “public street” means street, road, lane, thoroughfare or footpath open to and used by the public.

10c. Any person who commits an offence against **Penalty**. this Act shall be liable upon summary conviction for a first offence to a penalty not exceeding fifty pounds and for a second offence to a penalty of not less than twenty-five pounds and not exceeding one hundred pounds, and for a third or subsequent offence to a penalty

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penalty of not less than fifty pounds and not exceeding two hundred pounds. Such person shall be liable upon such conviction to the penalty hereinbefore provided for a second, third or subsequent offence, as the case may be, where he is proved to have committed the previous offence or offences either before or after the commencement of the Bread Industry, Manufacture and Delivery (Amendment) Act, 1958, and whether or not the information alleges or makes mention of such previous offence or offences.

Service of
notice, re-
quirement
or summons.
cf. Act No.
39, 1912,
sec. 55.

10D. Any notice or requirement authorised by this Act or the regulations thereunder to be given or made, if in writing, and any summons to be served in respect of any offence against this Act or the regulations thereunder, shall where no other express provision is made and without prejudice to any other mode of service permitted by law be deemed to be duly served upon a bread manufacturer if such notice, requirement or summons be affixed to the door or some other conspicuous part of the premises of such manufacturer.

The
Schedule.

- (k) (i) by inserting before the word "SCHEDULE" in the heading to the Schedule the words "THE FIRST";
- (ii) by inserting next after the said Schedule the following new Schedule :—

THE SECOND SCHEDULE.

BREAD INDUSTRY ACT, 1946, AS AMENDED.

*Special Warrant to Enter Premises of a Bread
Manufacturer.*

WHEREAS it appears to me, , a justice of the peace in and for the State of New South Wales, by the complaint on oath by A.B. that A.B., an inspector under the Bread Industry Act, 1946, as amended,—

(a) has reasonable cause to believe that premises referred to in the complaint are premises of a bread manufacturer; and

(b)

(b) has been unable to enter such premises, or ~~No. 8, 1958.~~ such part thereof as is specified in such complaint in accordance with the provision required by a notice under subsection (1A) of section ten of the Bread Industry Act, 1946, as amended, in respect of such premises, or by the means required to be furnished under paragraph (a) of subsection two of the said section; and

(c) has reasonable cause to suspect that an offence against the Bread Industry Act, 1946, as amended, is being committed in such premises, or in such part thereof so specified, as the case may be,

I do hereby authorise the said inspector, if accompanied by a member of the police force, to enter and inspect premises (or such part thereof as may be specified herein) situate at _____, with such force and with such assistance as he may deem necessary at any time within twenty-four hours of the issue hereof.

Given under my hand and seal at _____ in the State of New South Wales, this day of _____, in the year of Our Lord one thousand nine hundred and _____, at _____ o'clock in the { forenoon. } afternoon.

A Justice of the Peace.

3. (1) The Bread Manufacture and Delivery Act, 1950-
1953, is amended—

Amend-
ment of
Act No. 17,
1950.

(a) (i) by inserting at the end of subsection one of section four the words:—

Sec. 4.

(Bread
manufac-
turers to
deliver
bread to
premises
within
three miles
of bake-
house, &c.)

In this subsection “bread” means—

(a) bread made and baked on premises in relation to which the bread manufacturer, to whom any such requirement as is mentioned in the foregoing provisions of this subsection is made, is the holder of a license; or

(b)

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- (b) where that bread manufacturer is the holder of a permit granted by the Minister under this subsection (which permit the Minister is hereby authorised to grant) and the terms and conditions, if any, of the permit are duly complied with, bread so made and baked or bread not so made and baked.

Any permit granted under this subsection may be—

- (a) granted for such period as the Minister may determine ;
- (b) revoked at any time by the Minister ;
- (c) granted subject to such terms and conditions as the Minister may determine.
- (ii) by omitting from paragraph (b) of subsection two of the same section the word “work” wherever occurring and by inserting in lieu thereof the words “the delivery of bread” ;

Sec. 5.
(The Minister may require delivery of bread.)

New sec. 8A.

Bread to bear manufacturer's mark in certain cases.

- (b) by omitting from paragraph (b) of subsection four of section five the word “work” wherever occurring and by inserting in lieu thereof the words “the delivery of bread” ;
- (c) by inserting next after section eight the following new section :—

8A. (1) No person shall, after the expiration of six months from the date on which the assent of Her Majesty to the Bread Industry, Manufacture and Delivery (Amendment) Act, 1958, is signified, by means of any vehicle carry bread for sale by retail or for delivery pursuant to sale by retail unless the

the mark of the manufacturer of the bread has in No. 8, 1958. the manner prescribed by subsection two of this section been applied to each loaf of the bread and the mark is clearly legible.

Nothing in the foregoing provisions of this subsection applies to—

- (a) the carriage by means of a vehicle of any bread of a bread manufacturer on any day if on that day no bread of any other bread manufacturer is carried by means of that vehicle whether for sale by retail or delivery pursuant to sale by retail or otherwise; or
- (b) the carriage of any bread in accordance with the terms and conditions of any authority granted by the Minister under this subsection (which authority the Minister is hereby authorised to grant).

Any authority granted under paragraph (b) of this subsection may be—

- (i) granted for such period as the Minister may determine;
- (ii) revoked at any time by the Minister;
- (iii) granted subject to such terms and conditions as the Minister may determine.

(2) The mark of a bread manufacturer shall be applied to bread—

- (a) by means of an impression or embossing made on the bread during baking by the surface of the tin or other utensil in which the bread is baked;
- (b) by firmly affixing to the bread a label bearing the mark; or
- (c) in such other manner as may be prescribed.

(3)

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(3) Any bread manufacturer in whose bakehouse there is found—

- (a) any tin or other utensil capable of impressing or embossing upon bread the mark of any other bread manufacturer;
- (b) any thing intended or apparently intended to be used for the purpose of impressing or embossing upon bread the mark of any other bread manufacturer; or
- (c) any label bearing the mark of any other bread manufacturer,

shall be guilty of an offence against this Part of this Act unless he proves that the tin, utensil, thing or label was in the bakehouse without his knowledge or consent.

(4) For the purposes of this section the Under Secretary shall, upon application made to him for the purpose by a bread manufacturer, assign to the bread manufacturer a distinguishing word or other mark.

(5) In this section—

“bakehouse”, in relation to the bread manufacturer in respect of whom the word is used, means a bakehouse in relation to which or any part of which he is the holder of a license under Division 2 of this Part.

“bread”—

- (a) in relation to the bread manufacturer in respect of whom the word is used, means bread made and baked in his bakehouse;

(b)

(b) does not include bread rolls not No. 8, 1958.
exceeding six ounces in weight.

“mark”, in relation to the bread manufacturer in respect of whom the word is used, means the distinguishing word or other mark assigned to him under subsection four of this section.

(d) by omitting from subparagraph (ii) of paragraph (c) Sec. 9A. of subsection four of section 9A the word “work” (Bread manufacturers wherever occurring and by inserting in lieu thereof manufacturers’ licenses.) the words “the delivery of bread”;

(e) (i) by omitting from paragraph (e) of subsection Sec. 10. one of section ten the word “and” where lastly (Inspection.) occurring;

(ii) by inserting at the end of the same subsection the following new paragraphs :—

(g) to require the production of and to examine tins, utensils and other things used or intended or apparently intended to be used in baking; and

(h) to seize and take any tin, utensil, thing or label found on the premises where he has reasonable cause to believe that the finding renders the bread manufacturer guilty of an offence under subsection three of section 8A of this Act.

(f) (i) by omitting from paragraph (b) of subsection Sec. 13. five of section thirteen the word “or” where (Proceedings.) lastly occurring;

(ii) by inserting at the end of paragraph (c) of the same subsection the word “or”;

(iii)

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—

(iii) by inserting next after the same paragraph the following new paragraph :—

(d) that any word or mark is, or that any word or mark is not, for the purposes of section 8A of this Act the mark of the bread manufacturer named in the statement, ;

Sec. 17.
(Bread to
be made
in loaves
of certain
weight.)

(g) (i) by inserting next after subsection one of section seventeen the following new subsection :—

(1A) Notwithstanding anything contained in subsection one of this section the Governor may make regulations authorising, subject to such conditions, if any, as may be prescribed, bread made or baked for trade or sale within the State to be made into loaves of such denominations or sizes, in addition to those specified in subsection one of this section, as may be specified in the regulations.

The conditions permitted to be prescribed by this subsection may include conditions—

(a) as to type or variety of the bread ;
 (b) requiring the affixing, by label or otherwise, to the loaves of bread, or the impressing or embossing on the loaves of bread during baking by means of the surface of the tin or other utensil in which the loaves are baked, of such particulars as to type, variety, denomination or size as may be prescribed and regulating the manner of that affixing, impressing or embossing.

(ii) by inserting in paragraph (a) of subsection two of the same section after the words “subsection one” the words “, or prescribed under subsection (1A),”;

(iii)

(iii) by inserting next after the same paragraph the No. 8, 1958. following new paragraph :—

(ai) bread of any denomination or size prescribed under subsection (1A) of this section without complying with the conditions, if any, prescribed under that subsection in relation to the making or baking of bread of that denomination or size; or;

(iv) by inserting in paragraph (a) of subsection three of the same section after the words “subsection one” the words “, or prescribed under subsection (1A),”;

(v) by inserting next after the same paragraph the following new paragraph :—

(ai) bread of any denomination or size prescribed under subsection (1A) of this section where the conditions, if any, prescribed under that subsection in relation to the making or baking of bread of that denomination or size have not been complied with; or;

(h) by inserting next after section twenty the following New sec. 21. new section :—

21. (1) The Governor may make regulations, not inconsistent with this Part of this Act, prescribing all matters which by this Part of this Act are required or permitted to be prescribed or which are necessary or convenient to be prescribed for carrying out or giving effect to this Part of this Act.

(2) All regulations made under this Part of this Act shall—

(a) be published in the Gazette;

(b)

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- (b) take effect from the date of publication or from a later date to be specified in the regulations; and
- (c) be laid before both Houses of Parliament within fourteen sitting days after the publication thereof if Parliament is in session, and if not, then within fourteen sitting days after the commencement of the next session.

If either House of Parliament passes a resolution of which notice has been given at any time within fifteen sitting days after the regulations have been laid before such House disallowing any regulation or part thereof, such regulation or part shall thereupon cease to have effect.

(2) The amendments made by paragraphs (e) and (f) of subsection one of this section shall commence upon the expiration of six months from the date on which the assent of Her Majesty to this Act is signified.

Amend-
ment of Act
No. 39, 1912.

4. The Factories and Shops Act, 1912, as amended by subsequent Acts, is amended—

Sec. 121.
(Delivery
of bread
during
certain
hours
prohibited.)

Sec. 123.
(Powers of
inspec-
tor.)

(a) by omitting from subsection one of section one hundred and twenty-one the word "work" wherever occurring and by inserting in lieu thereof the words "the delivery of bread";

(b) by inserting at the end of section one hundred and twenty-three the following new subsection :—

(6) This section shall not apply within the County of Cumberland or County of Northumberland or any district to which the Bread Industry Act, 1946, as amended by subsequent Acts, applies, to or in respect of any premises wherein the trade or calling of a baker is being carried on.