

## BREAD INDUSTRY (AMENDMENT) ACT.

### Act No. 56, 1964.

An Act to make further provisions in respect of the Elizabeth II,  
No. 56, 1964 times for the baking and delivery of bread; for this purpose to amend the Bread Industry Act, 1946-1958; and for purposes connected therewith. [Assented to, 16th December, 1964.]

**B**E 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:—

1. (1) This Act may be cited as the "Bread Industry Short title  
and citation. (Amendment) Act, 1964".

(2) The Bread Industry Act, 1946, as amended by subsequent Acts and by this Act, may be cited as the Bread Industry Act, 1946-1964.

2. The Bread Industry Act, 1946-1958, is amended—  
 (a) by omitting from the definition of "Inspector" in Amendment  
of Act No.  
40, 1946. section three the words "Factories and Shops Act, Sec. 3. 1912, as amended by subsequent Acts" and by (Definitions.) inserting in lieu thereof the words "Factories, Shops and Industries Act, 1962, or any Act amending or replacing that Act";

(b)

**No. 56, 1964**Sec. 4.

(Application of Act.)

Sec. 5.  
(Commenc-  
ing times of  
employees  
engaged in  
making or  
baking  
bread.)Sec. 6.  
(Manufac-  
ture of  
bread at  
certain  
times pro-  
hibited.)Sec. 6A.  
(Variation  
of com-  
mencing  
times.)

(b) by omitting from section four the words "other than Part IV";

(c) by inserting in section five after the words "said section" the words ", or in Schedule 1A to this Act, as the case may require,";

(d) by inserting in paragraph (b) of section six after the words "said section" the words ", or by Schedule 1A to this Act, as the case may require,";

(e) (i) by omitting subsection three of section 6A and by inserting in lieu thereof the following sub-section :—

(3) (a) The Minister, whenever after the commencement of the Bread Industry (Amendment) Act, 1964, he varies the times for commencing work specified in the First Schedule to this Act, shall by the terms of such variation state either—

(i) that the variation is in accordance with paragraph (b) of this subsection, or

(ii) that the variation is in accordance with paragraph (c) of this subsection.

(b) Where the variation was made before such commencement or is stated to be in accordance with this paragraph, such variation shall be as follows, that is to say :—

(i) 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;

(ii)

(ii) the figures, symbols and letters "4.30 No. 56, 1964 a.m." shall be substituted for the figures, symbols and letters "5.30 a.m." wherever occurring in the said Schedule;

(iii) 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.

(c) Where the variation is stated to be in accordance with this paragraph, such variation shall consist in the substitution for the times for commencing work specified in the said Schedule of those specified in Schedule 1A to this Act.

(ii) by inserting next after subparagraph (i) of paragraph (a) of subsection four of the same section the following new subparagraph :—

(ia) that a bread manufacturer shall in respect of his employees so engaged in such bakehouse, or in respect of such class or classes of those employees as the Minister may specify, observe such of the terms of an award as the Minister may specify. Such a condition may be imposed whether or not the award would but for the operation of this section be binding on the bread manufacturer in respect of any such employee;

(iii) by inserting at the end of the same paragraph the following proviso :—

Provided that nothing in subparagraph (ia) of this paragraph shall affect the obligation of a bread manufacturer to observe the terms of an award whether such terms are the subject of a condition under the said subparagraph or not;

(iv)

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- (iv) by inserting in paragraph (b) of the same subsection after the symbols and numeral "(i)" where firstly occurring the word, symbols, numeral and letter "or (ia)";
- (v) by inserting in subparagraph (i) of the same paragraph after the words "rate or rates of wages" where firstly occurring the words "or of any other amounts";
- (vi) by inserting in the same subparagraph after the words "rate or rates of wages" where secondly occurring the words "or other amounts";
- (vii) by omitting from the same subparagraph the word "lowest" wherever occurring;
- (viii) by omitting subparagraph (ii) of the same paragraph and by inserting in lieu thereof the following subparagraph :—
  - (ii) in respect of any employee, the condition, in so far as it relates to such additional rate or rates of wages or other amounts, shall if or to the extent to which it is not a term of the award applicable to his employment by virtue of the said Act, as so amended, be deemed, for the purposes of section ninety-two of the said Act, as so amended, to be a term of the last mentioned award;
- (ix) by inserting in subparagraph (iii) of the same paragraph after the figures "1955," the words "or any Act amending or replacing the said Acts";
- (x) by inserting at the end of subsection five of the same section the words " : Provided that where any such failure to comply is also a contravention of or failure to observe an award, proceedings in respect of the subject matter

matter of such offence may be taken either No. 56, 1964 under this Act or under the Industrial Arbitration Act, 1940, as amended by subsequent Acts, but the offender shall not be liable to a penalty under both this Act and the said Act, as so amended, in respect thereof.”;

(f) by inserting at the end of section seven the following new subsection :—

Sec. 7.  
(Exemption.)

(2) Where but for the operation of this subsection there would be more than three successive days on which the making or baking of bread by bread manufacturers and employees for trade or sale would be contrary to any of the provisions of this Act, the Minister may exempt bread manufacturers and employees from such provisions to the extent necessary to enable such making or baking to be carried out on any one of those days as specified in the exemption, subject to such conditions as the Minister may determine.

(g) by omitting from paragraph (c) of the proviso to Sec. 8. subsection one of section eight the words “or by Statute”;

Sec. 8.  
(Delivery  
of bread  
during cer-  
tain hours  
prohibited.)

(h) (i) by omitting from subsection three of section eleven the words “police or”;

Sec. 11.  
(Proceed-  
ings.)

(ii) by omitting from subsection four of the same section the words “police or”;

(i) by inserting next after the First Schedule the following new Schedule :—

New  
Schedule 1A.

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**SCHEDULE 1A.**  
**ALTERNATIVE HOURS FOR BAKING.**

Sec. 6A.

Type of Week.	Times for commencing work.						SCHEDULE
	Sunday.	Monday.	Tuesday.	Wednesday.	Thursday.	Friday.	
1. Ordinary week ..	....	2 a.m.	3.30 a.m.	3.30 a.m. and midnight.	3.30 a.m.	Carry on from Thursday night.	....
2. In which <i>Monday</i> is a holiday.	....	....	2 a.m.	3.30 a.m.	3.30 a.m. and midnight.	Carry on from Thursday night.	....
3. The week previous to this <i>Monday</i> holiday.	....	2 a.m.	3.30 a.m.	3.30 a.m.	3.30 a.m. and midnight.	2 a.m. and 10 p.m.	Carry on from Friday night.
4. In which <i>Tuesday</i> is a single holiday.	Midnight	Carry on from Sunday night.	....	2 a.m.	3.30 a.m. and midnight.	Carry on from Thursday night.	....
5. In which <i>Wednesday</i> is a single holiday.	....	2 a.m. and midnight.	Carry on from Monday night.	....	2 a.m. and midnight.	Carry on from Thursday night.	....
6. In which <i>Thursday</i> is a single holiday.	....	2 a.m.	3.30 a.m. and midnight.	Carry on from Tuesday night.	Midnight	Carry on from Thursday night.	....

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**SCHEDULE 1A—continued.**  
**ALTERNATIVE HOURS FOR BAKING—continued.**

Type of Week.	Times for commencing work.					
	Sunday.	Monday.	Tuesday.	Wednesday.	Thursday.	Friday.
7. In which <i>Friday</i> is a single holiday and is not followed by a Monday holiday.	....	2 a.m.	3.30 a.m.	3.30 a.m. and midnight.	Carry on from Wednesday night.	Midnight
8. In which <i>Good Friday</i> occurs.	....	2 a.m.	3.30 a.m.	3.30 a.m. and midnight.	Carry on from Wednesday night.	10 p.m.
9. Which follows <i>Easter week-end.</i>	....	....	2 a.m.	3.30 a.m.	3.30 a.m. and midnight.	Carry on from Thursday night.
10. In which <i>Saturday</i> is a public holiday.	....	2 a.m.	3.30 a.m.	3.30 a.m. and midnight.	3.30 a.m. and midnight.	Carry on from Thursday night.
11. In which <i>Monday and Tuesday</i> are Holidays.	....	....	....	2 a.m.	3.30 a.m. and midnight.	Carry on from Thursday night.
12. The week previous to that outlined in 11.	....	2 a.m.	3.30 a.m.	3.30 a.m.	3.30 a.m. 2 a.m. and 10 p.m.	Carry on from Friday night.

**SCHEDULE**

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**SCHEDULE 1A—continued.**  
**ALTERNATIVE HOURS FOR BAKING—continued.**

Type of Week.	Times for commencing work.					
	Sunday.	Monday.	Tuesday.	Wednesday.	Thursday.	Friday.
13. In which <i>Tuesday and Wednesday</i> are holidays.	10 p.m. Carry on from Sunday night.	....	....	2 a.m. and midnight.	Carry on from Thursday night.	....
14. In which <i>Wednesday and Thursday</i> are holidays.	....	2 a.m. and 10 p.m. Carry on from Monday night.	....	Midnight	Carry on from Thursday night.	....
15. In which <i>Thursday and Friday</i> are holidays.	....	2 a.m.	3.30 a.m. and 10 p.m. Carry on from Tuesday night.	....	Midnight	Carry on from Friday night.
16. In which <i>Friday and Saturday</i> are holidays.	....	2 a.m.	3.30 a.m.	Carry on from Wednesday night.	....	....
17. Week in which <i>Saturday and the Monday in the following week</i> are holidays.	....	2 a.m.	3.30 a.m.	3.30 a.m. and 10 p.m.	3.30 a.m. Carry on from Thursday night.	....

**CROWN**