

INDUSTRIAL ARBITRATION (FURTHER AMENDMENT) ACT.

Act No. 39, 1918

George V, No. 39. An Act to further amend the law for the regulation of the conditions of industries and industrial arbitration; to provide for the appointment of additional commissioners to the Board of Trade to represent rural industries; to amend the Industrial Arbitration Act, 1912, the Industrial Arbitration (Amendment) Act, 1916, and the Industrial Arbitration (Amendment) Act, 1918; and for purposes consequent thereon or incidental thereto. [Assented to, 12th December, 1918.]

BE it enacted by the King'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.

1. This Act may be cited as the "Industrial Arbitration (Further Amendment) Act, 1918," and shall be construed with the Industrial Arbitration Act, 1912, hereinafter referred to as the Principal Act, the Industrial Arbitration (Amendment) Act, 1916, and the Industrial Arbitration (Amendment) Act, 1918.

Amendment
of s. 8 of
Principal
Act

2. Section eight of the Principal Act as amended by section three of the Industrial Arbitration (Amendment) Act, 1918, is amended by the insertion of the following new subsection next after subsection five:—

Change of
name or
amalgama-
tion of
unions.

(5A) When any trade union registered as an industrial union has changed its name, or when two or more trade unions, all of which are registered as industrial unions, have amalgamated, the registrar may, upon application in the prescribed manner by any industrial union or industrial unions, and upon the production of the prescribed particulars, record any such change of name or amalgamation

amalgamation in the register of industrial unions. Any such record shall be deemed to be a re-registration of the applicant union or unions in such changed name or as so amalgamated as the case may be: Provided that any such change of name or amalgamation shall not affect any rights or liabilities of any such union or unions: Provided also that the registrar may at his discretion, upon any such application, require the applicant union or unions to follow the procedure hereinbefore set out in respect of applications for the registration of industrial unions.

**George V,
No. 39.**

3. Section 13c of the Principal Act, inserted by section four of the Industrial Arbitration (Amendment) Act, 1918, is amended by inserting between the words "with" and "assessors" the words "or without."

Amendment
of s. 13c of
Principal
Act.

4. (a) Section twenty-four, subsection one, paragraph (b) of the Principal Act, as amended by the Industrial Arbitration (Amendment) Act, 1918, is amended by omitting the word "eighteen" and inserting in lieu thereof "nineteen."

Amendment
of s. 24 (1) of
Principal Act.

(b) Section twenty-four, subsection one, of the Principal Act is amended by adding the following new paragraph immediately after paragraph (g):—

(u) declaring what deduction may be made from the wages of employees for board or residence or board and residence, and for any customary privileges or payments in kind conceded to such employees.

5. Section forty-nine, subsection one, of the Principal Act is amended by omitting the words "and without any deduction," and adding at the end of the subsection the words "without any deduction except such as may be authorised by any award or industrial agreement."

Amendment
of s. 49 (1) of
Principal Act.

6. Section fifty of the Principal Act is amended by omitting the words "the complainant" in subsection two thereof and inserting in their place the words "an employee."

Amendment
of s. 50 of
Principal
Act.

7. Section seventy-five of the Principal Act, inserted by section twenty-one of the Industrial Arbitration (Amendment) Act, 1918, is amended as follows:—

Amendment
of s. 75 of
Principal
Act.

(i) By omitting the word "and" in the last line of subsection one and inserting at the end of the

the

George V,
No. 39.

Commis-
sioners to
represent
rural indus-
tries.

In case of
illness, &c.,
of president.

Commis-
sioners
representing
rural indus-
tries to
receive fees,
&c., only.

the subsection the words "and one or more additional commissioners appointed to represent rural industries."

- (ii) By adding after subsection one the following new subsection:—

(1A) Any additional commissioner appointed to represent rural industries shall sit with the Board of Trade when it is considering any of the matters referred to in section seventy-nine of this Act and when any other matters directly affecting rural industries are being dealt with, the consideration of which the president is of opinion renders his presence desirable, and on no other occasion.

- (iii) By adding at the end of subsection four the following words:—"and on such occasions five members, including the president, shall form a quorum"; and

- (iv) By the addition of the following subsections:—

(5) When the Board of Trade is exercising the powers and functions conferred upon it by this Act other than those specified in sections seventy-nine and eighty, it may sit in two divisions, and on such occasions three members, of whom the president or deputy-president shall be one, shall form a quorum.

(6) The Governor may appoint any judge to act as president during the illness or absence from duty of the president. Any judge so appointed shall, during the term of his appointment, have all the powers and perform all the duties of the president.

8. Section seventy-six of the Principal Act, as inserted by section twenty-one of the Industrial Arbitration (Amendment) Act, 1918, is amended by adding at the end thereof the words "Provided that any additional commissioner appointed to represent rural industries shall not be paid a salary, but shall receive such fees and allowances as may be prescribed."