

TRADE UNION (AMENDMENT) ACT.

Act No. 23, 1936.

An Act to amend the Trade Union Act, 1881, and certain other Acts in certain respects; to validate certain matters; and for purposes connected therewith. [Assented to, 1st July, 1936.]

Edward VIII,
No. 23, 1936.

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:—

1. (1) This Act may be cited as the “Trade Union (Amendment) Act, 1936.”

Short title,
citation and
commence-
ment.
(2)

Trade Union (Amendment) Act.**No. 23, 1936.**

(2) The Trade Union Act, 1881, as amended by subsequent Acts and by this Act, may be cited as the Trade Union Act, 1881-1936.

(3) This Act shall commence on a day to be appointed by the Governor and notified by proclamation published in the Gazette.

Amendment of
45 Vic. No.
12.

2. (1) The Trade Union Act, 1881, is amended—

Sec. 21.
(Change of
name.)

(a) by omitting from section twenty-one the words “by the consent of not less than two-thirds of the total number of members”;

Sec. 22.
(Amalga-
mation.)

(b) by omitting from section twenty-two the words “by the consent of not less than two-thirds of the members of each or every such trade union”;

New sec.
22A.

(c) by inserting next after section twenty-two the following new section:—

Formalities
for change
of name or
amalgama-
tion.

22A. A trade union shall not change its name, nor shall it become amalgamated together as one union with any other union or unions except upon a vote or resolution of the authority empowered by its rules to alter such rules; and the provisions of the rules of the trade union relating to the procedure and formalities to be adopted and observed in respect of any vote or resolution for the alteration of its rules, shall mutatis mutandis, apply to and in relation to any vote or resolution, for the change of its name, or for its amalgamation together as one union with any other union or unions.

Validations.

(2) Every change of name of a trade union and every amalgamation together of two or more trade unions as one trade union, purporting to have been effected before the commencement of this Act, and which would have been valid and effectual if subsection one of this section had come into force immediately after the commencement of the Trade Union Act, 1881, shall be, and be deemed always to have been, valid and effectual for all purposes whatsoever.

(3) After the commencement of this Act the powers, authorities, duties and functions conferred and imposed upon the Registrar by or under the Trade Union Act, 1881, shall, notwithstanding anything contained in section twenty-six

twenty-six of that Act, be exercised and discharged by the Industrial Registrar appointed under the Industrial Arbitration Act, 1912, as amended by subsequent Acts. **No. 23, 1936.**

The Registrar of Friendly Societies shall, as soon as practicable after the commencement of this Act, deliver all books, registers, documents and papers relating to the exercise and discharge of the powers, authorities, duties and functions theretofore conferred and imposed upon him by or under the Trade Union Act, 1881, to the said Industrial Registrar.
