

## INDUSTRIAL ARBITRATION (AMENDMENT) ACT.

### Act No. 2, 1961.

An Act relating to the furnishing by employers to employees of certain particulars in relation to wages; for this purpose to amend the Industrial Arbitration Act, 1940-1959; and for purposes connected therewith. [Assented to, 10th March, 1961.] Elizabeth II,  
No. 2, 1961

**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 "Industrial Arbitration (Amendment) Act, 1961". Short title  
and citation.

(2) The Industrial Arbitration Act, 1940, as amended by subsequent Acts and by this Act, may be cited as the Industrial Arbitration Act, 1940-1961.

2. (1) The Industrial Arbitration Act, 1940-1959, is amended by omitting section 95A and by inserting in lieu thereof the following section :— Amendment  
of Act  
No. 2, 1940.  
Subst.  
sec. 95A.

95A. (1) On the payment by an employer of any wages to an employee covered by an award or industrial agreement, whether or not such payment is required by the award or agreement to be made, the employer shall furnish Particulars  
of wages to  
be furnished  
to  
employees.

**Industrial Arbitration (Amendment) Act.****No. 2, 1961**  

---

furnish to the employee either by noting on the pay envelope of the employee or by way of a statement in writing handed to the employee at the time when the payment is made such particulars as may be prescribed as regards—

- (a) the date of payment;
- (b) the classification of the employee under the award or agreement;
- (c) the period in respect of which the payment is made;
- (d) times worked or work done by the employee;
- (e) matters in respect of which the payment is made;
- (f) deductions made;
- (g) the amount paid;
- (h) how the amount paid is made up.

(2) Where the registrar is satisfied that arrangements not complying with subsection one of this section made or proposed to be made for furnishing the employees of an employer or any section or class of those employees with particulars of their employment or wages as regards all or any of the matters referred to in paragraphs (a) to (h), inclusive, of that subsection are :—

- (a) sufficient to meet the reasonable requirements of those employees or of that section or class of those employees, as the case may be, or
- (b) acceptable to the industrial union or industrial unions representing the majority of those employees or of that section or class of those employees, as the case may be,

the registrar may, if he deems it to be in the best interests of the employees concerned so to do, by certificate under his hand grant to that employer exemption from the requirements of the said subsection in respect of the employees of that employer or in respect of that section or class of those employees, as the case may require.

Any

**Liquefied Petroleum Gas Act.**

**7**

Any such exemption may be absolute or be granted **No. 2, 1961** subject to conditions specified therein, and may at any time be revoked by the registrar by notice in writing to the person to whom it was granted.

(3) An employer who fails to comply with the requirements of this section or, where an exemption under this section is in force in respect of an employer, with the conditions of such exemption, shall be liable to a penalty not exceeding fifty pounds.

In any proceedings for the recovery of such penalty a certificate purporting to be signed by the registrar and to set forth particulars of an exemption or notice stated in such certificate to have been granted or given under this section shall be prima facie evidence of the matter contained in such certificate without proof of the signature or official character of the person appearing to have signed the same.

(2) The Industrial Arbitration (Amendment) Act, 1951, is amended by omitting paragraph (b) of section seven.

Amendment  
of Act No.  
10, 1951.  
Sec. 7.  
(Consequen-  
tial.)