

INDUSTRIAL ARBITRATION (AMENDMENT) ACT.

Act No. 11, 1955.

Elizabeth II, No. 11, 1955. An Act to make further provision relating to the constitution of the Industrial Commission of New South Wales; to enable non-practising barristers and solicitors to be appointed as members of the said Commission; to authorise the inclusion of provisions relating to retiring allowances in certain awards and industrial agreements; to validate certain matters; for these purposes to amend the Industrial Arbitration Act, 1940-1954; and for purposes connected therewith. [Assented to, 12th April, 1955.]

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 "Industrial Arbitration (Amendment) Act, 1955."

(2)

(2) The Industrial Arbitration Act, 1940, as No 11, 1955.
amended by subsequent Acts and by this Act, may be
cited as the Industrial Arbitration Act, 1940-1955.

2. (1) The Industrial Arbitration Act, 1940-1954, is amended— Amendment
of Act No.
2, 1940.

- (a) by omitting from subsection one of section four- Sec. 14.
teen the word “six” and by inserting in lieu (Industrial
Commission.)
thereof the word “twelve”;
- (b) by omitting from subsection two of the same
section the word “practising” wherever occur-
ring;
- (c) by omitting from subsection four of the same
section the words “some person qualified to be
appointed a member to act temporarily as an
additional member of the commission, and such
additional member” and by inserting in lieu
thereof the words “such number of persons not
exceeding three as he thinks fit to act
temporarily as additional members of the com-
mission.

Any person appointed as an additional mem-
ber shall be a person who is qualified to be
appointed as a member.

An additional member”.

(2) The amendments effected by subsection one of Savings.
this section shall not affect the continuity of office as
President, member and additional member of the Indus-
trial Commission of New South Wales of any person
who held office as President, member and additional mem-
ber respectively of the Industrial Commission of New
South Wales immediately before the commencement of
this Act.

3.

Industrial Arbitration (Amendment) Act.

No. 11, 1955.

Provisions
re retiring
allowances
in certain
awards.

3. (1) This section shall be read and construed with the Industrial Arbitration Act, 1940-1955.

(2) The provisions of the awards and agreements referred to in the Schedule to this Act relating to the payment of retiring allowances shall be deemed to have been validly inserted in such awards and agreements.

(3) An award or agreement made after the commencement of this Act in respect of employees of the Council of the City of Sydney, the Sydney County Council or the Electricity Commission of New South Wales may make provision for and with respect to—

- (a) the payment of retiring allowances, on the termination of their employment, to those employees of the Council of the City of Sydney, the Sydney County Council or the Electricity Commission of New South Wales who or whose personal representatives would have been entitled to the payment of retiring allowances under and in accordance with the provisions of the awards and agreements referred to in the Schedule to this Act had such provisions not been replaced or varied by an award or agreement made after the commencement of this Act; and
- (b) the payment of a retiring allowance to the personal representative of any employee referred to in paragraph (a) of this subsection where the employment of such employee is terminated by reason of his death.

(4) Any retiring allowance payable under an award or agreement on the termination of the employment of an employee and not paid may, without prejudice to any other mode of recovery thereof, be recovered by the employee or his personal representative, as the case may require, as unpaid wages due and payable under the award or agreement.

THE

**Irrigation, Water and Rivers and Foreshores Improvement
(Amendment) Act.**

61

THE SCHEDULE.

No. 11, 1955.

THE Municipal Council of Sydney (General-Conditions) Award published on the 31st day of October, 1930.

The Sydney County Council (General Conditions) Award published on the 23rd day of September, 1949.

All awards made before the commencement of this Act and varying either of the abovenamed awards.

The Industrial Agreement number 1673 between the Electricity Commission of New South Wales and the Federated Municipal and Shire Council Employees' Union of Australia, New South Wales Division, and others, filed with the Industrial Registrar on the 24th day of June, 1953.

The Industrial Agreement number 1697 between the Electricity Commission of New South Wales and the Federated Municipal and Shire Council Employees' Union of Australia, New South Wales Division, and others, filed with the Industrial Registrar on the 17th day of December, 1953.
