

INDUSTRIAL ARBITRATION (AMENDMENT) BILL.

SCHEDULE showing the Legislative Assembly's disagreements from; disagreements from and Amendments upon the Legislative Council's Amendments, and Assembly's consequential and further Amendment, referred to in Message of 17 February, 1926.

W. S. MOWLE,

Clerk of the Legislative Assembly.

- Page 3, clause 6. *Omit* new subclauses (2) and (3)
- Page 3, clause 6. *Reinsert* subclause (5) *omit* new subclause to stand as sub-clause (5)
- Page 4, line 4. *Reinsert* subclause (5)
- Page 4, subclause (6 7). *After* "commissioner" *insert* "deputy commissioner"
- Page 4, clause 7, subclause (b). *Reinsert* in lines 29-34 the words—
" (b) not more frequently than once in every six months to determine a
" standard of living and to declare what shall for the purpose of this
" Act and of the Principal Act be the living wages based upon such
" standard for adult male and adult female employees in the State "
- Page 4, lines 34 and 35. *Omit* " or any defined area thereof "
- Page 4. *Omit* lines 36 to 42 inclusive and portion of new paragraph (b), lines 43 to 45 on page 4 and lines 1 to 20 inclusive on page 5.
- Page 5, clause 7, line 21. *Omit* " and shall " *insert* " The Commission may "
- Page 6, clause 8, lines 16 and 17. *Omit* " on the recommendation of the commissioner "
- Page 6, clause 8, subclause (5). *Reinsert* " The Chairman shall be appointed by
" the Minister and shall receive such remuneration as the Minister may
" determine " *omit* " The commissioner may allot a chairman for a
" committee "
- Page 8, clause 9, lines 9-14. *Omit* " If before or after any such order, determination, or award the parties agree to accept the unanimous decision of the
" committee or to accept the decision of the chairman on any question left
" to him by the other members of the commission no appeal shall lie to the
" commission in respect of the decision "
- Page 8, clause 9, lines 17 and 18. *Reinsert* " the opinion of the chairman shall
" prevail " *omit* " as to any question, they may agree to accept the decision
" of the chairman or may require the chairman to refer the question to the
" commission "

- Page 8, clause 9, subclause (7), lines 22-25. *Reinsert* "Where the parties mutually agree to such a course the chairman may send the proceedings to the commission for determination, and in dealing with the proceedings" *omit* "Where any question is referred to the commission under this section"
- Page 9, clause 11, line 1. *Reinsert* "shall" *omit* "may"
- Page 9, clause 11, line 4. *Omit* "if requested by either party"
- Page 9, clause 11, lines 6 and 7. *Reinsert* "if either party so apply"
- Page 9, clause 13, lines 13-15. *Reinsert* "except when it is constituted by the industrial commissioner sitting alone or" *omit* "if the matter is an industrial matter no party shall be represented by counsel or a solicitor except by the consent of the commissioner, and in proceedings"
- Page 9, clause 13, lines 19 and 20. *Reinsert* "the commission or" and "as the case may be"
- Page 10, clause 15, lines 15 and 16. *Reinsert* "Managerial position"
- Page 10, clause 15, subclause (2), lines 19 and 20. *Reinsert* "by omitting subsection seven and" and the words "in lieu" and *omit* the words "at the end"
- Page 10, clause 16. *Reinsert* lines 27-36 *omit* lines 37-43.
- Page 11, clause 16. *Reinsert* lines 1 and 2 and *insert* before the word "fixed" the words "wages so"
- Page 11, clause 16. *Reinsert* line 3.
- Page 11, clause 16, line 11. *Reinsert* "and section 24c"
- Page 12, clause 18. *Reinsert* the clause. *Omit* from lines 14 and 15 and 20 and 21 the words "or shall have applied to be admitted as a member," and after "Act" line 25 *add* "Provided, however, that the Court or Board may exempt the Australasian Conference Association Limited from any award made under this section with respect to any of its employees who are adherents to the denomination of Seventh-day Adventists."
- Page 14, clause 23 2, lines 25 and 26. *Omit* "and after the employer has unreasonably refused leave"
- Page 14, clause 23 2, line 29. *Reinsert* "or" *omit* "in respect of any matter affecting the industry in which he is working or as a member"
- Page 14, clause 23 2, line 37. *After* "and" *omit* "the court may"
- Page 15, clause 23 2, line 2. *Reinsert* "he was not actuated by" *omit* "the employee was dismissed from his employment for some substantial reason other than"
- Page 15, clause 23 2. *After* "charge" in line 5 *omit* new paragraph.
- Page 15, clause 23 2. At end of clause *omit* new paragraph.
- Page 15, clause 24 23. *Omit* paragraph (i) *insert* the following to stand as paragraph (i) :—
- (i) by adding at the end of subsection one the words—
- " Any officer of an industrial union of employees authorised in writing by the president and secretary of such union shall have the right to enter any place or premises or any ship or vessel of any kind whatsoever, wherein members of such union or persons in the same calling as such members are engaged, for the purpose of conversing with or interviewing the employees in such place, premises, ship or vessel :

“ Provided that such officers shall not wilfully hamper or hinder
 “ the employees during their working time and may interview any
 “ employees or converse with them any lunch hour or non-working
 “ time.

“ Every person who hinders or obstructs any such officer in
 “ the exercise of any power conferred by this section, or who refuses
 “ entrance to such officer or unduly delays such officer in entrance
 “ during any time as aforesaid to any such place, premises, ship or
 “ vessel, shall be liable to a penalty not exceeding fifty pounds.”

- Page 15, clause 25 24, line 33. *Reinsert* “ Governor ” *omit* “ Commissioner ”
 Page 16, clause 27 26, line 9. *Reinsert* the words “ four ” and “ eleven ”
 Page 16, clause 27 26, line 11. *After* “ 1922 ” *omit* “ and subsections one and two
 “ of section seventy-nine of the Principal Act as inserted therein by
 “ section eleven of the Industrial Arbitration (Amendment) Act, 1922 ”
 Pages 16 and 17. *Reinsert* clauses 29 and 30, and after “ unions,” clause 30, line
 20, *insert* “ of employees ”
 Page 17. *Reinsert* clause 31.
Reinsert Schedule.
 Schedule, page 18. *Omit* line 50.
 Schedule, page 19. *Omit* lines 21 and 22 *insert* “ The Furnishing Trades Society
 “ of New South Wales ”
 Schedule, page 20. *Omit* line 22 *insert* “ Operative Plasterers’ Federation of
 “ Australia, New South Wales Branch ”
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This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

W. S. MOWLE,

Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 28 October, 1925.*

New South Wales.



ANNO SEXTO DECIMO

GEORGI V REGIS.

Act No. , 1925.

An Act to establish an Industrial Commission to exercise the powers of the Court of Industrial Arbitration and the New South Wales Board of Trade and certain other powers in relation to industrial matters and monopolies ; to provide for Conciliation Committees in industries ; to amend the Industrial Arbitration Act, 1912, and certain other Acts ; and for purposes connected therewith.

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 "Industrial Arbitration (Amendment) Act, 1925." Short title and commencement.

Industrial Arbitration (Amendment).

(2) The Industrial Arbitration Act, 1912, as amended by subsequent Acts, is in this Act referred to as the Principal Act.

(3) This Act shall come into operation on a date to be appointed by the Governor and notified by proclamation published in the Gazette.

2. In this Act, unless the context or subject-matter otherwise requires,—

“ Commission ” means the Industrial Commission of New South Wales established under this Act.

“ Commissioner ” means the Industrial Commissioner appointed under this Act.

“ Committee ” means a conciliation committee established under this Act.

“ Prescribed ” means prescribed by this Act or by regulations made by the Governor under the Principal Act.

3. (1) From and after the commencement of this Act the jurisdiction and powers of the Court of Industrial Arbitration shall be vested in and exercised by the industrial commission established by this Act.

(2) The judge and additional judges of the court holding office at such commencement shall cease to hold office as judge and additional judges of the court.

4. (1) From and after the commencement of this Act the powers and duties conferred upon the New South Wales Board of Trade by the Industrial Arbitration Act, 1912, except section eighty thereof, the Monopolies Act, 1923, or any other Act, shall be exercised by the industrial commission, and the president, deputy-president and commissioners of the said board shall cease to hold office as such.

(2) All records of the board, and all books and papers in the custody of the board, shall be handed over to the industrial registrar.

(3) The powers and duties conferred upon the New South Wales Board of Trade by section eighty of the Principal Act shall be exercised in each industry by the conciliation committee established for such industry, provided that the apprenticeship register referred to in subclause (f) of section eighty shall be continued by the industrial registrar.

5.

Industrial Arbitration (Amendment).

5. All matters pending before the court or the New South Wales Board of Trade at the commencement of this Act shall be heard and determined by the industrial commission: Provided that the industrial commission may refer any such matter to a conciliation committee for hearing and determination.

6. (1) The Governor may appoint an industrial commissioner who shall, when sitting with members or where so authorised by this Act when sitting alone, constitute the Industrial Commission of New South Wales.

(2) Subject to this Act, such an even number of members shall be appointed to sit with the commissioner in any particular matter as the Minister may by writing under his hand determine, one-half to be representative of employers and one-half to be representative of employees nominated for appointment as prescribed.

Deputy or alternate members may be appointed as prescribed to act for and in the absence of a member.

(3) The commissioner shall receive such salary and allowances as the Governor may direct.

Other members of the commission shall be appointed by the Minister by notification published in the Gazette, and shall not receive remuneration by way of salary or fees, but all members may be reimbursed such fares and out-of-pocket expenses, as are approved of by the Minister.

(4) The Governor may appoint a person qualified to be appointed commissioner to be a deputy commissioner for such time as the Governor may fix, and such deputy commissioner shall have and exercise such jurisdiction and powers of the commissioner as may be prescribed and whether or not the commissioner is absent.

(5) The commissioner shall hold office during the pleasure of the Governor.

(6) Upon appointment the commissioner and each member shall take the oath prescribed.

(7) Sittings of the commission shall be convened by the commissioner whenever he thinks fit or at the request of the Minister or a majority of the members.

(8)

Industrial Arbitration (Amendment).

(8) Two-thirds of the members of the commission shall form a quorum.

(9) The commissioner shall not vote unless the voting is equal, but in that case he shall have a casting
5 vote.

(10) The registry of the court shall be the registry of the industrial commission, and the industrial registrar shall have such duties with respect to the commission and the conciliation committees as may be prescribed.

10 **7.** (1) The powers and functions of the commission shall include the following :— Powers and functions of commission.

(a) to inquire into and determine any industrial matter referred to it by the Minister ;

15 (b) not more frequently than once in every six months to determine a standard of living and to declare what shall for the purpose of this Act and of the Principal Act be the living wages based upon such standard for adult male and adult female employees in the State or
20 any defined area thereof.

In declaring such living wages the commission shall make a separate public inquiry into the cost of living of employees engaged in rural occupations mentioned in section 24B
25 of the Principal Act, and shall make a separate declaration as to the living wages to be paid to such employees, and shall declare what deductions may be made from such wages for board or residence, or board and residence, and for any
30 customary privileges or payments in kind conceded to or made to such employees ;

(c) to hear and determine appeals under this Act. On appeals from committees the commission shall include the members, other than the
35 chairman, of the committee appealed from ;

(d) to confer with any persons or industrial unions as to anything affecting the settlement of an industrial matter ;

40 (e) to summon any person before the commission for the purpose of conference or of giving evidence. Such summons shall be signed as prescribed. (2)

Industrial Arbitration (Amendment).

(2) The industrial commissioner may sitting alone exercise the powers and jurisdiction of the court under Part VIIA, and sections eight, nine, ten, 26A, forty-nine, fifty-two, and fifty-five of the Principal Act, and the powers and functions of the New South Wales Board of Trade under the Monopolies Act, 1923.

8. (1) The Minister may, in the manner prescribed, establish conciliation committees for any industry or calling for which a board is constituted, or for any industry or calling for which for the purpose of establishing a committee the commissioner may recommend that a board be constituted.

(2) The commissioner may recommend to the Minister the combination, arrangement or grouping of industries or callings pursuant to section sixteen of the Principal Act for the purpose of establishing committees.

(3) Each committee shall consist of such an equal number of representatives of employers and employees respectively as are determined by the Minister and appointed upon nomination as prescribed, together with a chairman.

(4) Where no employer or no employee in the industry can be found who is willing to act on the committee on behalf of the employers or employees as the case may be, the Minister may appoint any person whom he considers to be acquainted with the working of the industry to represent the employers or employees on the committee.

(5) The chairman shall be appointed by the Minister and shall receive such remuneration as the Minister may determine.

(6) The other members of a committee shall not receive remuneration by way of salaries or fees, but all members may be reimbursed such fares and out-of-pocket expenses as are approved of by the Minister.

(7) A chairman of a committee shall have the powers of a chairman of an industrial board.

(8) Upon appointment each member of a committee shall take the oath prescribed.

(9) The Minister may at any time dissolve a committee, and subject thereto a member of a committee shall

Industrial Arbitration (Amendment).

shall hold office until the expiration of three years from the date of his appointment, unless he sooner resigns his office.

(10) A new committee may be appointed to take
5 the place of a committee that has been dissolved or the members of which have resigned or have ceased to hold office.

(11) Where from any cause a member of a
10 committee ceases to hold office, the Minister may appoint a duly qualified person to his office for the residue of the period for which such member was appointed.

(12) Where a person is appointed to any vacancy
15 on a committee, the committee as newly established may continue the hearing of and may determine any part heard case.

(13) The provisions of sections twenty-two, fifty-
20 six, and sixty-four of the Principal Act shall apply mutatis mutandis to, and in respect of members of a conciliation committee.

(14) The validity of any proceeding or decision
of a committee or of a chairman of a committee shall not be challenged except as provided by this Act.

9. (1) A committee shall have cognisance of and
25 power to inquire into any industrial matter in the industry for which it is established, and in respect thereof, may exercise the powers and jurisdiction of a board, and may make an order or award binding on any or all employers and employees in the industry.

Powers of
conciliation
committees.

30 (2) An award or order of a committee shall be signed by the chairman and forwarded to the registrar who shall forthwith publish the same in the Gazette and notify the parties in the prescribed manner.

(3) An order or award of a committee shall also
35 in all respects operate as an award of a board and may be enforced as such.

(4) A committee may in its discretion determine
40 that an award shall take effect from such day subsequent to the lodging of the application therefor with the industrial registrar as the committee may determine.

(5)

Industrial Arbitration (Amendment).

(5) From any order, determination, or award of a committee or upon any refusal of a committee to make an order or award an appeal shall lie in the prescribed manner, to the commission, on which appeal the commission may make such order or award as in its opinion the committee should have made. The pendency of an appeal shall not suspend the operation of an order or award appealed from unless the commission otherwise directs.

10 (6) At meetings of a committee, the opinion of the majority shall prevail, and where the members present are equally divided in opinion, the opinion of the chairman shall prevail.

15 (7) Where the parties mutually agree to such a course the chairman may send the proceedings to the commission for determination, and in dealing with the proceedings the commission shall include the members of the committee other than the chairman.

20 (8) Sittings of a committee shall be convened by the chairman whenever he thinks fit, or within three days of a request by the Minister, or by two members of the committee.

(9) Subject to the regulations as to matters of procedure, a committee may make rules for the order and conduct of its business and proceedings.

25 **10.** Upon the establishment of a committee, the commission shall not hear or determine any industrial matter or make an award relating to the industry for which the committee has been established, except pursuant to section nine of this Act or unless and until the commission shall have been satisfied that a committee has failed to result in an order or award.

Jurisdiction
of committees
exclusive.

35 **11.** A committee shall upon an application for a new award, or the renewal of an award, and, notwithstanding any previous inquiry under the Principal Act or this Act, review the conditions of the industry or calling, together with the wages payable in such industry or calling if either party so apply.

Power to
review
previous
inquiries.

40 **12.** The Crown may intervene in any proceedings before the commission or a committee or appeal from an award

Crown may
intervene.

Industrial Arbitration (Amendment).

award of a committee and make such representations as it thinks necessary in order to safeguard the public interests.

13. In proceedings before the commission, except ^{Appearance by counsel.} when it is constituted by the industrial commissioner sitting alone, or before a committee, no party shall (except by consent of the commission or the committee, as the case may be, and all the parties) be represented by counsel or a solicitor.

14. No evidence relating to any trade secret or to ^{Tradesecrets.} the profits or financial position of any witness or party shall be disclosed except to the commission or a committee, or published without the consent of the person entitled to the trade secret or of the witness or party as the case may be.

Such evidence shall, if the witness or party so requests, be taken in private.

15. (1) Section five of the Principal Act is amended— ^{Amendment of Act No. 17, 1912, ss. 5, 8.}

(i) by inserting after the definition of "Employee" the following new definition:—

"Employees of the Crown" includes employees of any person or corporation employing persons on behalf of the Government of the State;

(ii) by omitting from the definition of "Employer" the words "the Public Service Act, 1902, and";

(iii) by inserting at the end of the definition of "Industrial matters" the following new paragraphs:—

(f) any shop, factory, craft or industry dispute or any matter which may be a contributory cause of such a dispute;

(g) any claim that the same wage shall be paid to persons of either sex performing the same work or producing the same return of profit or value to their employer. ^{cf. Qld., 7 Geo. V, No. 16, s. 8.}

(iv) by omitting the definitions "Managerial position," "Necessary commodity," and "Schedule."

Industrial Arbitration (Amendment).

(2) Section eight of the Principal Act is amended by omitting subsection seven and by inserting in lieu thereof the following new subsection :—

5 (7) Where the court is satisfied that an industrial union has ceased to exist it may order the removal of its name from the Register of Industrial Unions.

16. (1) Subsection one of section twenty-four of the Principal Act is amended—

Amendment
of Act No. 17,
1912, s. 24.
Powers of
boards.

10 (i) by omitting paragraph (a) and by inserting in lieu thereof the following new paragraph :—

(a) fixing the lowest prices for work done by employees and the lowest rates of salaries or wages to be paid to an employee or to a class of employees other than aged, infirm, or slow workers without any limitation as to the amount at which in any particular case a salary or wage may be fixed.

20 (ii) by omitting from paragraph (b) all the words after the word "fixed";

(iii) by omitting therefrom paragraph (g);

25 (iv) by adding at the end thereof the following words: " Provided that an award affecting employees employed under the Public Service Act, 1902, or any Act amending the same shall, so far as such employees are concerned, be made only for the purposes specified in paragraphs (a), (c), (f), and (h) of this subsection and section 24c: Provided also that
30 nothing contained in this Act shall in any way alter any provisions of the Public Service Acts or of any regulations thereunder—

35 (a) prescribing or authorising the Public Service Board to prescribe the passing of an examination or other test as a necessary condition for promotion of an officer or employee to a higher class, grade, or division; or

(b)

Industrial Arbitration (Amendment).

5 (b) providing that payment of increments of salary to an officer as distinguished from adjustments of the living wage which shall be applied as if incorporated in an award shall be subject to the giving of a certificate by the said board that the conduct of the officer and his discharge of his duties warrant an increase of his salary. In the event
10 of the said board refusing to give such certificate, the officer shall be supplied with a written statement showing the reason why such certificate was refused."

15 (2) Subsection two of section 24A is hereby repealed.

17. Section 24B of the Principal Act is amended by omitting all words after the words "abovementioned purposes" in paragraph (d) and substituting therefor the words "shall be subject to the provisions of this
20 Act: Provided that any award regulating conditions of employment of such employees may be made without the limitation of hours prescribed by the Forty-four Hours Week Act, 1925."

Amendment
of Act No. 17,
1912, s. 24B
(Rural
industries).

25 18. (1) The following new section is inserted after section 24B of the Principal Act:—

Ibid. new sec
24c.

24c. (1) The court or a board shall on an application or reference to it in that behalf prescribe by award—

Absolute
preference to
unionists.

30 (a) that absolute preference of employment shall be given to the members of the industrial union or unions specified in the award;

35 (b) that every person seeking employment in the industry subject to the award shall have first become a member or shall have applied to be admitted as a member of any of the industrial unions specified in the award.

40 (c) that within fourteen days of publication of such award every employee subject to and bound by the award shall become a member or shall have applied to be admitted as a member of any of the industrial unions specified in the award. (2)

Industrial Arbitration (Amendment).

(2) The powers conferred by this section may be exercised notwithstanding anything contained in any other Act.

(2) Section five of the Principal Act is amended Consequen-
tial amend-
ment of Act
1912, No. 17,
s. 5.
5 by omitting from the definition of "Industrial matters" the words "twenty-four, subsection one, paragraph (g)," and inserting the figures and letter "24c" in lieu thereof.

19. Section twenty-six of the Principal Act is Amendment
of Act No. 17,
1912, s. 26.
10 omitted and the following new section is substituted therefor:—

26. The court or a board shall not award any Wages of
Government
employees.
15 conditions nor fix rates of wages for employees of the Crown, including employees of the Railway Commissioners for New South Wales, the Sydney Harbour Trust Commissioners, the Metropolitan
20 Water, Sewerage and Drainage Board, the Water Conservation and Irrigation Commission, the Board of Fire Commissioners of New South Wales, the Commissioners of the Government Savings Bank of New South Wales, the Metropolitan Meat Industry Board, and the Hunter District Water Supply and
25 Sewerage Board, less favourable than the conditions granted or the wages paid to other employees not employed by the Government or its departments doing substantially the same class of work, but the fact that employment is permanent or that additional privileges are allowed in the service of the Government or its departments shall not of
30 itself be regarded as a substantial difference in the nature of the work.

20. The following new section is inserted after section Ibid. new
secs. 26A and
26B.
twenty-six of the Principal Act:—

26A. (1) No industrial agreement shall be entered No wage less
than declared
living wage.
35 into and no award made for a wage lower than the declared current living wage.

(2) Upon a declaration as to the living wage Variation of
awards.
40 during the currency of any award, the terms of such award affecting rates of pay may be varied to accord with such declaration (subject to appeal to the court) by the registrar upon application to him as prescribed

Industrial Arbitration (Amendment).

prescribed by any party whose appearance is recorded on the making of the award, and upon notice to the other parties whose names are so recorded, and a variation of the award shall, upon publication in the Gazette, have effect as an award from the date of the declaration.

21. (1) Part V of the Principal Act is repealed.

Repeal of Part V
of Principal Act.

(2) Section three of the Principal Act is amended by omitting the words and figures "Conciliation Committees, ss. 38-43."

Amendment of
Principal Act,
s. 3.

(3) Section five is amended by omitting the definition "Members of a board" and "Members of a conciliation committee," and by inserting the following definition in lieu thereof—

Amendment
of Act No. 17,
1912, s. 5.

"Members of a board" includes the chairman of the board.

22. Subsection three of section forty-nine of the Principal Act is amended by adding after the words "as prescribed" the following new paragraph:—

Ibid. s. 49(3).

Upon such appeal the court may affirm, vary, or rescind, the judgment or order appealed from and may make such order as the court appealed from should have made, including an order as to costs of the judgment or order appealed from or of the appeal.

23. Section fifty-two of the Principal Act is omitted and the following new section substituted therefor:—

Ibid. s. 52.

52. If an employer dismisses an employee or injures him in his employment or alters his position to his prejudice by reason of the fact that the employee—

Penalty for
unlawful
dismissal.

(a) is an officer, delegate, or member of a trade or industrial union or of a conciliation committee established under the Industrial Arbitration (Amendment) Act, 1925; or

(b) claims some benefit of an industrial agreement or an award to which he is entitled; or

(c) has appeared as a witness, or has given evidence in a proceeding in relation to an industrial matter; or

(d)

Industrial Arbitration (Amendment).

(d) after applying to his employer for leave without pay for the purpose, has absented himself from work through being engaged in other duties as a member of an industrial union or of such a conciliation committee,

the court or an industrial magistrate may order him to pay a penalty not exceeding fifty pounds.

The court or magistrate may further order that the employee be reimbursed the wages lost by him and also direct his reinstatement in his old or a similar position.

In any proceeding for an offence against this section, if all the facts and circumstances constituting the offence, other than the reason for the defendant's action, are proved, it shall lie upon the defendant to prove that he was not actuated by the reason alleged in the charge.

A prosecution under this section may be taken before the court or an industrial magistrate by the secretary of the industrial union concerned in the industry in which the employee alleged to have been so dismissed, injured, or prejudiced was employed: Provided always that if any party feels aggrieved by any decision of a magistrate, he may appeal in the prescribed manner to the court.

24. Section sixty-seven of the Principal Act is amended—

(i) by adding at the end of subsection one the words "The Minister may also appoint honorary inspectors for a time not exceeding in any case one year, and such inspectors shall have the powers of an inspector appointed by the Governor under this section";

(ii) by omitting the words "fifty-three" and by inserting in lieu thereof the word "fifty."

25. (1) Section seventy-two of the Principal Act is amended by omitting the word "judge" and substituting the word "Governor" in lieu thereof.

Amendment
of Act No. 17,
1912, s. 67
(Honorary
inspectors).

Ibid. ss. 72,
73.

Industrial Arbitration (Amendment).

(2) Section seventy-three of the Principal Act is amended by omitting subsection one, and by inserting the following subsection in lieu thereof:—

5 (1) The regulations shall be published in the Gazette, and shall take effect from the date of publication or from some later date to be specified in the regulations.

26. (1) The Principal Act is further amended by omitting section eighty-one.

Amendment
of Act No. 17
1912, s. 81.

10 (2) Any regulations made under section eighty-one of the Principal Act, and in force at the commencement of this Act, shall continue in force until varied, rescinded, or amended by an award of a conciliation committee established for the industry to which the
15 regulation relates.

27. Sections two, three, four, seven, eleven, and twelve of the Industrial Arbitration (Amendment) Act, 1922, are hereby repealed.

Repeal of ss.
2, 3, 4, 7, 11,
12 of Act
No. 30, 1922.

28. The Principal Act is amended—

20 (a) by omitting section 48A and by inserting the following new section:—

Amendment
of Principal
Act.

25 48A. The court and the industrial commission established under the Industrial Arbitration (Amendment) Act, 1925, in the exercise of any of its powers under that Act, shall have the powers conferred by the Royal Commissions Act, 1923, on a commissioner appointed under Division 1 of Part II of that Act and the said Act, section thirteen and
30 Division 2 of Part II excepted, shall mutatis mutandis apply to any witness or person summoned by or appearing before the court or such industrial commission;

Additional
powers of
court to take
evidence.

(b) by omitting section eighty-three.

35 29. (1) The Principal Act is amended—

(a) by omitting from subsection three of section eight the words "which has not since the passing of the Industrial Arbitration (Amendment) Act, 1918, taken part in, aided, or abetted an illegal strike";

Abolition
of strike
penalties.

40

(b)

Industrial Arbitration (Amendment.)

(b) by omitting section ten and by inserting in lieu thereof the following new section:—

5 10. The court may, if satisfied that an industrial union is instigating or aiding any other union or any members of a union in a lock-out or strike, in its discretion order that the union shall not have access to the court or board or conciliation committee established under the Industrial Arbitration (Amendment) Act, 1925, for such time or only on such conditions as the court may order.

Deprivation of access to court.

10 (2) The Principal Act is amended by omitting from Part VI the heading "Lock-outs and strikes" and the subheading "Lock-outs," and by omitting sections 15 forty-four, forty-five, forty-six, forty-seven, forty-eight, 48B, 48C, 48D, 48E.

20 **30.** Notwithstanding anything contained in the Principal Act, the trade unions mentioned in the Schedule hereto shall at the commencement of this Act be deemed to be the only trade unions registered as industrial unions under the Principal Act.

Declaration as to certain unions.

31. The Principal Act is further amended by repealing section twelve.

Further amendment of Act 1912, No. 17, s. 12 repealed.

Industrial Arbitration (Amendment).

SCHEDULE.

Sec. 30.

- Newcastle and Northern District Operative Bakers' Society.
The Baking Trade Employees' Federation of Australasia (Sydney Branch).
- 5 Broken Hill Baking Trade Employees' Union.
The United Bank Officers' Association.
Bedstead Makers Employees' Union of New South Wales.
Biograph Operators' Association.
Blacksmiths' Society of Australasia.
- 10 Newcastle Branch No. 4 of the Federated Society of Boilermakers, and of Iron and Steel Shipbuilders, and of Iron and Steel Anglesmiths, Tank Waggon Bridge-Girder Principal (roof or otherwise) Pontoon Gasometer Pipe Sheet-plate and Constructional Iron and Steel Workers of Australia.
- 15 Federated Society of Boilermakers and Iron Shipbuilders of Australia, Sydney Branch No. 1.
New South Wales Branch of the Australian Boot Trade Employees' Federation.
The Breadcarters' Union of New South Wales.
- 20 Master Brickcarters' Association.
United Operative Bricklayers' Trade Society of New South Wales.
Federated Brick, Tile and Pottery Industrial Union of Australia, New South Wales Branch.
Broomworkers' Union of New South Wales.
- 25 New South Wales United Society of Brushmakers.
New South Wales Branch of the Australian Builders Labourers' Federation.
Sydney and Suburban Licensed Cabmen's Protective Union.
Amalgamated Society of Carpenters and Joiners of Australasia, New South Wales Section.
- 30 United Bridge and Wharf Carpenters' Union of New South Wales.
Cigar Factory Employees' Union of New South Wales.
Australian Clerical Association, New South Wales Branch.
The Amalgamated Clothing and Allied Trades' Union of Australia, New South Wales Branch.
- 35 Broken Hill Branch of the Federated Clothing Trades of the Commonwealth of Australia.
The Amalgamated Coachmakers' Society, New South Wales District.
Carrington Coal and Coke Shipping Union.
- 40 The Western District Coal and Shale Employees' Federation.
Sydney Coal Lumpers' Union.
Coke Workers' Association of New South Wales.
The United Collieries Staff Association of New South Wales.
Colliery Employees' Federation of the Northern District.
- 45 Colliery Mechanics' Mutual Protective Association of the Hunter River District, New South Wales.
Colliery Officials' Association of the South Maitland Coalfield.
New South Wales Journeymen Confectioners' Union.
The Federated Coopers' Union of Australia, New South Wales Branch.
- 50 Cutters and Trimmers' Union of New South Wales.

The

Industrial Arbitration (Amendment).

- The Merchant Tailors' Cutters' Association of New South Wales.
 Illawarra Deputies and Shot Firers' Association.
 Newcastle District Deputies and Shot Firers' Association;
 Western District Deputies and Shot Firers' Association.
- 5 New South Wales Dredge and Navigation Employees' Association.
 Electrical Trades' Union of Australia, New South Wales Branch.
 Australian Federated Union of Locomotive Enginemmen, New South
 Wales Division.
- 10 The Federated Engine Drivers and Firemen's Association of Australasia
 (Coast District).
 Australasian Society of Engineers.
 Amalgamated Society of Engineers.
 Australasian Institute of Marine Engineers' Employees (New South
 Wales Branch).
- 15 Journeymen Farriers' Union of New South Wales.
 Fire Brigades Association of New South Wales.
 Firemen and Deckhands' Association of New South Wales.
 The Amalgamated Food Preserving Employees' Union of Australia
 (New South Wales Branch).
- 20 Western District Foremen's Association.
 Federated Furnishing Trade Society of Australasia, New South Wales
 Branch, Sydney, No. 1.
 Federated Gas Employees' Industrial Union, New South Wales
 Branch.
- 25 Gas Managers' Association of New South Wales.
 The New South Wales Branch of the Australian Glass Workers'
 Union.
 Hairdressers and Wigmakers Employees' Union.
 Harbours, Rivers and Coastal Branch of the Merchant Service Guild
 of Australasia.
- 30 Health Inspectors' Association of Australia, New South Wales
 Branch.
 Barrier Horse Drivers' and Wholesale Employees' Union.
 Hospital Employees' Association of New South Wales.
- 35 Amalgamated Hotel and Caterers Employees' Mutual Benefit Association
 of New South Wales.
 Hotel, Club, Restaurant, Caterers, Tearooms and Boarding-house
 Employees' Union of New South Wales.
- 40 Federated Ironworkers' Association of Australia, New South Wales
 Division.
 Federated Jewellers, Watchmakers, and Allied Trades Union of
 Australia, New South Wales Branch.
 The New South Wales District of the Australian Journalists
 Association.
- 45 United Labourers' Protective Society of New South Wales.
 Federated Liquor and Allied Trade Employees' Union of Australasia,
 New South Wales Branch.
- 50 Association of Local Government Clerks of New South Wales.
 Union of Local Government Engineers of New South Wales.
 Marine Motor Drivers' and Coxswains' Union of New South Wales.

Industrial Arbitration (Amendment).

- The Australasian Meat Industry Employees' Union, New South Wales Branch.
- The Australasian Meat Industry Employees' Union, Newcastle and Northern Branch.
- 5 Milk and Ice Carters' and Dairymen's Employees Union.
Federated Millers and Mill Employees' Association of Australasia, New South Wales Branch.
- The Federated Miscellaneous Workers' Union of Australia, New South Wales Branch.
- 10 Federated Moulders (Metals) Union of Australasia, New South Wales District.
The Federated Municipal and Shire Council Employees' Union of Australia, New South Wales Branch.
Musicians Union of Australia, New South Wales District.
- 15 Operative Painters and Decorators Union of Australia, New South Wales Branch.
Federated Ship Painters and Dockers' Union of Australia, New South Wales Branch.
- 20 Federated Pastrycooks' Employees, Biscuit Makers' Employees', and Flour and Sugar Goods Workers' Union of Australia, New South Wales Branch.
New South Wales Association of Operative Plasterers.
The New South Wales Branch of the Australian Plumbers and Gasfitters Employees Union.
- 25 Printing Industry Employees' Union of Australia, New South Wales Branch.
Amalgamated Printing Trades Employees Union of New South Wales.
Barrier Sub-branch of the Printing Industry Employees Union of Australia.
- 30 Professional Officers Association of New South Wales.
Public Service Association of New South Wales.
New South Wales Public Service Professional Officers Association.
New South Wales Public School Teachers' Federation.
Quarrymen's Union of New South Wales.
- 35 New South Wales Railway and Tramway Officers' Association.
New South Wales Government Railway Tarpaulin Repairers' Union.
Australian Railways Union, New South Wales Branch.
Rope and Twine Makers' Union of New South Wales.
Federated Rubber Workers' Union of Australia, New South Wales
- 40 Branch.
The New South Wales Branch of the Australian Saddlery, Leather, Sail, and Canvas Workers Trades Employees' Federation.
The Operative Sailmakers' Trade Society of New South Wales.
The Society of Scenic Artists of Australasia.
- 45 Sheet Metal Working Industrial Union of Australia, New South Wales Branch.
Federated Shipwrights, Ship Constructors, Naval Architects, Ship's Draughtsmen and Boatbuilders Association of Australia, New South Wales Branch.
- 50 Shop Assistants and Warehouse Employees' Federation of Australia, Broken Hill Branch.

Shop

Industrial Arbitration (Amendment).

- Shop Assistants and Warehouse Employees' Federation of Australia,
New South Wales.
- Shop Assistants and Warehouse Employees' Federation of Australia,
Newcastle Branch, New South Wales.
- 5 Sign Painters' Union of New South Wales.
United Slaters, Tilers and Shinglers' Society of New South Wales.
Sydney Foremen Stevedores' Association.
The Institute of Inspectors of Stock of New South Wales.
Operative Stonemasons' Society of the State of New South Wales.
- 10 The Federated Storemen and Packers' Union of Australia, New South
Wales Branch.
Stove, Piano Frame Moulders, and Stove Makers Employees' Union.
The Pyrmont Sugar Works Employees' Union.
Sulphide Corporation Employees' Union.
- 15 Federated Tanners and Leather Dressers Union of Australia, New
South Wales Branch.
General Textile Workers' Union of New South Wales.
Australian Theatrical and Amusement Employees' Association, New
South Wales Branch.
- 20 Tilelayers' Union of New South Wales.
Amalgamated Timber Workers Union of Australia, New South Wales
Branch.
Tobacco Workers' Union.
Town Employees' Union.
- 25 Silvertown Tramway Employees' Association.
New South Wales Government Tramway Employees' Union.
Trolley, Draymen, and Motor Drivers' Union of New South Wales.
Newcastle and District Trolley Draymen and Carters' Union.
Undertakers Assistants' and Cemetery Employees' Union of New
30 South Wales.
The Caterers Waitresses' Union.
The Hunter District Water Supply and Sewerage Board Employees
Association.
Metropolitan Board of Water Supply and Sewerage Employees
35 Association.
Newcastle Wharf Labourers' Union.
Waterside Workers Federation of Australia, Sydney Branch.
Wicker Pithcane and Bamboo Workers' Union of New South Wales.
Wire Netting Workers of New South Wales.
- 40 Women Workers' Union of New South Wales.
Wool and Basil Workers' Association of New South Wales.
Wool Classers' Association of New South Wales.
Australian Workers' Union.

