

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.

I. P. K. VIDLER,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 1 October, 1968.*

New South Wales



ANNO SEPTIMO DECIMO

ELIZABETHÆ II REGINÆ

Act No. , 1968.

An Act to make further provisions with respect to conciliation committees, sick leave, and certain other industrial matters; for these and other purposes to amend the Industrial Arbitration Act, 1940, as subsequently amended; and for purposes connected therewith.

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 : —

1. (1) This Act may be cited as the "Industrial Arbitration (Amendment) Act, 1968".

Short title,
citation
and com-
mencement.

Industrial Arbitration (Amendment).

(2) The Industrial Arbitration Act, 1940, as subsequently amended, is in this Act referred to as the Principal Act.

(3) The Principal Act, as amended by this Act, may be cited as the Industrial Arbitration Act, 1940-1968.

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

2. The Principal Act is amended by inserting next after subsection (3A) of section 17A the following new subsection :—

Amendment of Act No. 2, 1940. Sec. 17A. (Special commissioners.)

(3B) In proceedings before a special commissioner no party shall, except by consent of the special commissioner and all the parties, be represented by a barrister or a solicitor or by a person who has qualified for admission as a barrister or a solicitor.

3. The Principal Act is further amended—

Further amendment of Act No. 2, 1940.

(a) by omitting subsection one of section eighteen and by inserting in lieu thereof the following subsection :—

Sec. 18. (Conciliation committees.)

(1) The commission may, of its own motion or upon application made to it, establish conciliation committees for any industry or calling or for any combination, arrangement or grouping of industries or callings.

The commission may assign to a committee established for one industry or calling any other industry or calling, and may alter the assignment of industries or callings previously made to any committee.

(b)

Industrial Arbitration (Amendment).

- 5 (b) by omitting from subsection two of the same section the words "recommended by the commission and appointed by the Minister upon the recommendation of" and by inserting in lieu thereof the words "appointed by";
- (c) by omitting from subsection three of the same section the words "Minister may appoint any person whom he" and by inserting in lieu thereof the words "commission may appoint any person whom it";
- 10 (d) by omitting from subsection six of the same section the words "Minister may at any time upon the recommendation of the commission" and by inserting in lieu thereof the words "commission may at any time";
- 15 (e) by omitting from subsection eight of the same section the words "Minister may, upon the recommendation of the commission," and by inserting in lieu thereof the words "commission may".

20 **4.** The Principal Act is further amended by inserting in subsection one of section twenty after the word, letter and symbols "and (h)" the words "and for the following purposes :—

- (i) fixing allowances for travelling expenses and out-of-pocket expenses;
- 25 (ii) fixing allowances for extra duty and higher duty;
- (iii) fixing compensation for travelling time on official business outside normal working hours;
- (iv) requiring protective clothing to be provided;
- (v) providing for—
- 30 (a) annual leave of absence for recreation;
- (b) leave of absence for special purposes, including military leave;
- (c) leave without pay;
- (d) sick leave".

Industrial Arbitration (Amendment).

5. The Principal Act is further amended—
- (a) by inserting next after subsection two of section 88c the following new subsection :—
- 5 (2A) The commission, a committee or an apprenticeship council shall upon application made therefor insert (by way of variation or otherwise) in any award or industrial agreement which contains provisions relating to sick leave, whether made before or after the commencement of the Industrial Arbitration (Amendment) Act, 1968, provisions enabling sick leave to accumulate from year to year so that sick leave not taken in each year of service shall be available to the employee for a period of at least three years from the end of each such year.
- 10
- 15 (b) (i) by inserting in subsection three of the same section after the word “two” the words “or (2A)”;
- (ii) by inserting in paragraph (b) of the same subsection immediately before the word “impose” the words “subject to subsection (2A) of this section.”
- 20
6. The Principal Act is further amended by omitting from paragraph (b) of subsection two of section 111J the words “five hundred or five per centum” and by inserting in lieu thereof the words “one thousand or ten per centum”.
- Further amendment of Act No. 2, 1940. Sec. 88c. (Sick leave.)
- Further amendment of Act No. 2, 1940. Sec. 111J. (Registrar to conduct elections on request.)

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1968
[5c]

INDUSTRIAL ARBITRATION (AMENDMENT) BILL, 1968

EXPLANATORY NOTE

THE objects of this Bill are—

- (a) to provide for the appearance of barristers and solicitors before a special commissioner on the same terms as they may appear before a conciliation commissioner ;
- (b) to enable the Industrial Commission, in lieu of the Minister, to establish conciliation committees and appoint the members thereof ;
- (c) to confer upon the Industrial Commission jurisdiction to make awards relating to certain matters affecting officers of the Houses of Parliament and the Departments of the Legislature, officers and employees of the public service, and members of the police force ;
- (d) to provide for the accumulation over three years of sick leave not taken ;
- (e) to increase the minimum number of members of a trade union or branch upon whose request the Industrial Registrar may conduct an election for an office in the trade union or branch ;
- (f) to make other provisions consequential upon or ancillary to the foregoing.

THE UNIVERSITY OF CHICAGO

PHYSICS DEPARTMENT

530 SOUTH EAST ASIAN AVENUE

CHICAGO, ILLINOIS 60607

TEL: 773-936-3700

FAX: 773-936-3701

WWW.PHYSICS.UCHICAGO.EDU

WWW.PHYSICS.UCHICAGO.EDU

WWW.PHYSICS.UCHICAGO.EDU

WWW.PHYSICS.UCHICAGO.EDU

WWW.PHYSICS.UCHICAGO.EDU

PHYSICS DEPARTMENT

PHYSICS DEPARTMENT (PHYSICS) 1997

No. , 1968.

A BILL

To make further provisions with respect to conciliation committees, sick leave, and certain other industrial matters; for these and other purposes to amend the Industrial Arbitration Act, 1940, as subsequently amended; and for purposes connected therewith.

[MR WILLIS—27 August, 1968.]

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:—

1. (1) This Act may be cited as the "Industrial Arbitration (Amendment) Act, 1968".

42801 2—

(2)

Short title,
citation
and com-
mencement.

Industrial Arbitration (Amendment).

(2) The Industrial Arbitration Act, 1940, as subsequently amended, is in this Act referred to as the Principal Act.

(3) The Principal Act, as amended by this Act, may be cited as the Industrial Arbitration Act, 1940-1968.

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

2. The Principal Act is amended by inserting next after subsection (3A) of section 17A the following new subsection :—

Amendment of Act No. 2, 1940. Sec. 17A. (Special commissioners.)

(3B) In proceedings before a special commissioner no person shall, except by consent of the special commissioner and all the parties, be represented by a barrister or a solicitor or by a person who has qualified for admission as a barrister or a solicitor.

3. The Principal Act is further amended—

Further amendment of Act No. 2, 1940.

(a) by omitting subsection one of section eighteen and by inserting in lieu thereof the following subsection :—

Sec. 18. (Conciliation committees.)

(1) The commission may, of its own motion or upon application made to it, establish conciliation committees for any industry or calling or for any combination, arrangement or grouping of industries or callings.

The commission may assign to a committee established for one industry or calling any other industry or calling, and may alter the assignment of industries or callings previously made to any committee.

(b)

Industrial Arbitration (Amendment).

- 5 (b) by omitting from subsection two of the same section the words "recommended by the commission and appointed by the Minister upon the recommendation of" and by inserting in lieu thereof the words "appointed by";
- (c) by omitting from subsection three of the same section the words "Minister may appoint any person whom he" and by inserting in lieu thereof the words "commission may appoint any person whom it";
- 10 (d) by omitting from subsection six of the same section the words "Minister may at any time upon the recommendation of the commission" and by inserting in lieu thereof the words "commission may at any time";
- 15 (e) by omitting from subsection eight of the same section the words "Minister may, upon the recommendation of the commission," and by inserting in lieu thereof the words "commission may".

4. The Principal Act is further amended by inserting in Further
 20 subsection one of section twenty after the word, letter and amendment
 symbols "and (h)" the words "and for the following pur- of Act
 poses :— No. 2, 1940.
 Sec. 20.

- (i) fixing allowances for travelling expenses and out- (Original
 of-pocket expenses; jurisdiction.)
- 25 (ii) fixing allowances for extra duty and higher duty;
- (iii) fixing compensation for travelling time on official business outside normal working hours;
- (iv) requiring protective clothing to be provided;
- (v)

Industrial Arbitration (Amendment).

(v) providing for—

- (a) annual leave of absence for recreation;
- (b) leave of absence for special purposes, including military leave;
- 5 (c) leave without pay;
- (d) sick leave”.

5. The Principal Act is further amended—

- (a) by inserting next after subsection two of section 88c the following new subsection :—
 - 10 (2A) The commission, a committee or an apprenticeship council shall upon application made therefor insert (by way of variation or otherwise) in any award or industrial agreement which contains provisions relating to sick leave, whether made before or after the commencement of the Industrial Arbitration (Amendment) Act, 1968, provisions enabling sick leave to be accumulated for at least three years.
- 15 (b) (i) by inserting in subsection three of the same section after the word “two” the words “or (2A)”;
- 20 (ii) by inserting in paragraph (b) of the same subsection immediately before the word “impose” the words “subject to subsection (2A) of this section.”
- 25

Further amendment of Act No. 2, 1940. Sec. 88c.

(Sick leave.)

6. The Principal Act is further amended by omitting from paragraph (b) of subsection two of section 111J the words “five hundred or five per centum” and by inserting in lieu thereof the words “one thousand or ten per centum”.

Further amendment of Act No. 2, 1940. Sec. 111J.

(Registrar to conduct elections on request.)

BY AUTHORITY:

PROOF

No. , 1968.

A BILL

To make further provisions with respect to conciliation committees, sick leave, and certain other industrial matters; for these and other purposes to amend the Industrial Arbitration Act, 1940, as subsequently amended; and for purposes connected therewith.

[MR WILLIS—27 August, 1968.]

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 :—

1. (1) This Act may be cited as the "Industrial Arbitration (Amendment) Act, 1968".

42801 2—

(2) Short title, citation and commencement.

Industrial Arbitration (Amendment).

(2) The Industrial Arbitration Act, 1940, as subsequently amended, is in this Act referred to as the Principal Act.

(3) The Principal Act, as amended by this Act, may be cited as the Industrial Arbitration Act, 1940-1968.

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

2. The Principal Act is amended by inserting next after subsection (3A) of section 17A the following new subsection :—

Amendment of Act No. 2, 1940. Sec. 17A. (Special commissioners.)

(3B) In proceedings before a special commissioner no person shall, except by consent of the special commissioner and all the parties, be represented by a barrister or a solicitor or by a person who has qualified for admission as a barrister or a solicitor.

3. The Principal Act is further amended—

Further amendment of Act No. 2, 1940.

(a) by omitting subsection one of section eighteen and by inserting in lieu thereof the following subsection :—

Sec. 18. (Conciliation committees.)

(1) The commission may, of its own motion or upon application made to it, establish conciliation committees for any industry or calling or for any combination, arrangement or grouping of industries or callings.

The commission may assign to a committee established for one industry or calling any other industry or calling, and may alter the assignment of industries or callings previously made to any committee.

(b)

Industrial Arbitration (Amendment).

- 5 (b) by omitting from subsection two of the same section the words "recommended by the commission and appointed by the Minister upon the recommendation of" and by inserting in lieu thereof the words "appointed by";
- (c) by omitting from subsection three of the same section the words "Minister may appoint any person whom he" and by inserting in lieu thereof the words "commission may appoint any person whom it";
- 10 (d) by omitting from subsection six of the same section the words "Minister may at any time upon the recommendation of the commission" and by inserting in lieu thereof the words "commission may at any time";
- 15 (e) by omitting from subsection eight of the same section the words "Minister may, upon the recommendation of the commission," and by inserting in lieu thereof the words "commission may".

4. The Principal Act is further amended by inserting in
 20 subsection one of section twenty after the word, letter and symbols "and (h)" the words "and for the following purposes :—

- (i) fixing allowances for travelling expenses and out-of-pocket expenses;
- 25 (ii) fixing allowances for extra duty and higher duty;
- (iii) fixing compensation for travelling time on official business outside normal working hours;
- (iv) requiring protective clothing to be provided;
- (v)

Further
 amendment
 of Act
 No. 2, 1940.
 Sec. 20.
 (Original
 jurisdiction.)

Industrial Arbitration (Amendment).

(v) providing for—

- (a) annual leave of absence for recreation ;
- (b) leave of absence for special purposes, including military leave ;
- 5 (c) leave without pay ;
- (d) sick leave”.

5. The Principal Act is further amended—

(a) by inserting next after subsection two of section 88c the following new subsection :—

Further amendment of Act No. 2, 1940. Sec. 88c.

10 (2A) The commission, a committee or an apprenticeship council shall upon application made therefor insert (by way of variation or otherwise) in any award or industrial agreement which contains provisions relating to sick leave, whether made before or after the commencement of the Industrial Arbitration (Amendment) Act, 1968, provisions enabling sick leave to be accumulated for at least three years.

(Sick leave.)

20 (b) (i) by inserting in subsection three of the same section after the word “two” the words “or (2A)”;

(ii) by inserting in paragraph (b) of the same subsection immediately before the word “impose” the words “subject to subsection (2A) of this section.”

25

6. The Principal Act is further amended by omitting from paragraph (b) of subsection two of section 111J the words “five hundred or five per centum” and by inserting in lieu thereof the words “one thousand or ten per centum”.

Further amendment of Act No. 2, 1940. Sec. 111J.

(Registrar to conduct elections on request.)

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1968

New South Wales



ANNO SEPTIMO DECIMO

ELIZABETHÆ II REGINÆ

Act No. 39, 1968.

An Act to make further provisions with respect to conciliation committees, sick leave, and certain other industrial matters; for these and other purposes to amend the Industrial Arbitration Act, 1940, as subsequently amended; and for purposes connected therewith. [Assented to, 12th November, 1968.]

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:—

1. (1) This Act may be cited as the "Industrial Arbitration (Amendment) Act, 1968".

Short title,
citation
and com-
mencement.

Industrial Arbitration (Amendment).

(2) The Industrial Arbitration Act, 1940, as subsequently amended, is in this Act referred to as the Principal Act.

(3) The Principal Act, as amended by this Act, may be cited as the Industrial Arbitration Act, 1940–1968.

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

Amendment
of Act
No. 2, 1940.
Sec. 17A.

(Special
commis-
sioners.)

2. The Principal Act is amended by inserting next after subsection (3A) of section 17A the following new subsection :—

(3B) In proceedings before a special commissioner no party shall, except by consent of the special commissioner and all the parties, be represented by a barrister or a solicitor or by a person who has qualified for admission as a barrister or a solicitor.

Further
amendment
of Act
No. 2, 1940.

Sec. 18.
(Concilia-
tion com-
mittees.)

3. The Principal Act is further amended—

(a) by omitting subsection one of section eighteen and by inserting in lieu thereof the following subsection :—

(1) The commission may, of its own motion or upon application made to it, establish conciliation committees for any industry or calling or for any combination, arrangement or grouping of industries or callings.

The commission may assign to a committee established for one industry or calling any other industry or calling, and may alter the assignment of industries or callings previously made to any committee.

(b)

Industrial Arbitration (Amendment).

- (b) by omitting from subsection two of the same section the words "recommended by the commission and appointed by the Minister upon the recommendation of" and by inserting in lieu thereof the words "appointed by";
- (c) by omitting from subsection three of the same section the words "Minister may appoint any person whom he" and by inserting in lieu thereof the words "commission may appoint any person whom it";
- (d) by omitting from subsection six of the same section the words "Minister may at any time upon the recommendation of the commission" and by inserting in lieu thereof the words "commission may at any time";
- (e) by omitting from subsection eight of the same section the words "Minister may, upon the recommendation of the commission," and by inserting in lieu thereof the words "commission may".

4. The Principal Act is further amended by inserting in subsection one of section twenty after the word, letter and symbols "and (h)" the words "and for the following purposes :—

Further amendment of Act No. 2, 1940. Sec. 20. (Original jurisdiction.)

- (i) fixing allowances for travelling expenses and out-of-pocket expenses;
- (ii) fixing allowances for extra duty and higher duty;
- (iii) fixing compensation for travelling time on official business outside normal working hours;
- (iv) requiring protective clothing to be provided;
- (v) providing for—
 - (a) annual leave of absence for recreation;
 - (b) leave of absence for special purposes, including military leave;
 - (c) leave without pay;
 - (d) sick leave".

Industrial Arbitration (Amendment).

Further
amendment
of Act
No. 2, 1940.
Sec. 88c.
(Sick
leave.)

5. The Principal Act is further amended—

- (a) by inserting next after subsection two of section 88c the following new subsection :—

(2A) The commission, a committee or an apprenticeship council shall upon application made therefor insert (by way of variation or otherwise) in any award or industrial agreement which contains provisions relating to sick leave, whether made before or after the commencement of the Industrial Arbitration (Amendment) Act, 1968, provisions enabling sick leave to accumulate from year to year so that sick leave not taken in each year of service shall be available to the employee for a period of at least three years from the end of each such year.

- (b) (i) by inserting in subsection three of the same section after the word “two” the words “or (2A)”;
- (ii) by inserting in paragraph (b) of the same subsection immediately before the word “impose” the words “subject to subsection (2A) of this section.”.

Further
amendment
of Act
No. 2, 1940.
Sec. 111J.
(Registrar
to conduct
elections
on request.)

6. The Principal Act is further amended by omitting from paragraph (b) of subsection two of section 111J the words “five hundred or five per centum” and by inserting in lieu thereof the words “one thousand or ten per centum”.

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1968

I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

R. E. WARD,
Acting Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 5 November, 1968.*

New South Wales



ANNO SEPTIMO DECIMO

ELIZABETHÆ II REGINÆ

Act No. 39, 1968.

An Act to make further provisions with respect to conciliation committees, sick leave, and certain other industrial matters; for these and other purposes to amend the Industrial Arbitration Act, 1940, as subsequently amended; and for purposes connected therewith. [Assented to, 12th November, 1968.]

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:—

1. (1) This Act may be cited as the "Industrial Arbitration (Amendment) Act, 1968".

Short title,
citation
and com-
mencement.

(2)

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

L. A. PUNCH,
Chairman of Committees of the Legislative Assembly.

Industrial Arbitration (Amendment).

(2) The Industrial Arbitration Act, 1940, as subsequently amended, is in this Act referred to as the Principal Act.

(3) The Principal Act, as amended by this Act, may be cited as the Industrial Arbitration Act, 1940-1968.

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

Amendment
of Act
No. 2, 1940.
Sec. 17A.
(Special
commis-
sioners.)

2. The Principal Act is amended by inserting next after subsection (3A) of section 17A the following new subsection :—

(3B) In proceedings before a special commissioner no party shall, except by consent of the special commissioner and all the parties, be represented by a barrister or a solicitor or by a person who has qualified for admission as a barrister or a solicitor.

Further
amendment
of Act
No. 2, 1940.
Sec. 18.
(Concilia-
tion com-
mittees.)

3. The Principal Act is further amended—

(a) by omitting subsection one of section eighteen and by inserting in lieu thereof the following subsection :—

(1) The commission may, of its own motion or upon application made to it, establish conciliation committees for any industry or calling or for any combination, arrangement or grouping of industries or callings.

The commission may assign to a committee established for one industry or calling any other industry or calling, and may alter the assignment of industries or callings previously made to any committee.

(b)

Industrial Arbitration (Amendment).

- (b) by omitting from subsection two of the same section the words "recommended by the commission and appointed by the Minister upon the recommendation of" and by inserting in lieu thereof the words "appointed by";
- (c) by omitting from subsection three of the same section the words "Minister may appoint any person whom he" and by inserting in lieu thereof the words "commission may appoint any person whom it";
- (d) by omitting from subsection six of the same section the words "Minister may at any time upon the recommendation of the commission" and by inserting in lieu thereof the words "commission may at any time";
- (e) by omitting from subsection eight of the same section the words "Minister may, upon the recommendation of the commission," and by inserting in lieu thereof the words "commission may".

4. The Principal Act is further amended by inserting in subsection one of section twenty after the word, letter and symbols "and (h)" the words "and for the following purposes :—

- (i) fixing allowances for travelling expenses and out-of-pocket expenses;
- (ii) fixing allowances for extra duty and higher duty;
- (iii) fixing compensation for travelling time on official business outside normal working hours;
- (iv) requiring protective clothing to be provided;
- (v) providing for—
 - (a) annual leave of absence for recreation;
 - (b) leave of absence for special purposes, including military leave;
 - (c) leave without pay;
 - (d) sick leave".

Further
amendment
of Act
No. 2, 1940.
Sec. 20.
(Original
jurisdiction.)

5.

Industrial Arbitration (Amendment).

Further
amendment
of Act
No. 2, 1940.
Sec. 88c.
(Sick
leave.)

5. The Principal Act is further amended—

- (a) by inserting next after subsection two of section 88c the following new subsection :—

(2A) The commission, a committee or an apprenticeship council shall upon application made therefor insert (by way of variation or otherwise) in any award or industrial agreement which contains provisions relating to sick leave, whether made before or after the commencement of the Industrial Arbitration (Amendment) Act, 1968, provisions enabling sick leave to accumulate from year to year so that sick leave not taken in each year of service shall be available to the employee for a period of at least three years from the end of each such year.

- (b) (i) by inserting in subsection three of the same section after the word “two” the words “or (2A)”;
- (ii) by inserting in paragraph (b) of the same subsection immediately before the word “impose” the words “subject to subsection (2A) of this section.”.

Further
amendment
of Act
No. 2, 1940.
Sec. 111J.
(Registrar
to conduct
elections
on request.)

6. The Principal Act is further amended by omitting from paragraph (b) of subsection two of section 111J the words “five hundred or five per centum” and by inserting in lieu thereof the words “one thousand or ten per centum”.

In the name and on behalf of Her Majesty I assent to this Act.

A. R. CUTLER,
Governor.

Government House,
Sydney, 12th November, 1968.