

Legislative Council.

No. , 1903.

A BILL

To amend and declare the law of conspiracy and to amend the Industrial Arbitration Act, 1901.

[MR. WISE ;—1 October, 1903.]

WHEREAS a conspiracy is a combination to do an unlawful act, Preamble.
or to do a lawful act by unlawful means: 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
5 South Wales in Parliament assembled, and by the authority of the
same, as follows:—

1. A combination in respect of an industrial dispute shall not What combinations
not illegal.
be illegal merely because—

- 10 (i) it is a combination for the purpose of ameliorating all or any
of the conditions of employment or of the industrial relations
either—(1) of the persons so combining, or (2) of others ;
- (ii) it seeks the above objects by refusal to work for or with
any person, or by any means which are now or may be
15 of gain or by any other lawful means :

c 105—(2)

Provided

Provided that nothing in this section shall make lawful any combination which has for its object a breaking or inducing of others to break a contract, or the members of which, in carrying out the object, break or induce others to break a contract, or shall affect section thirty-four of the Industrial Arbitration Act, 1901. 5

Union or association
not liable for certain
acts of its agents.

2. No trade union or industrial union or association of employers shall be liable to any suit or action, nor shall the funds of such union or association be in any way chargeable in respect of any act or word, done, spoken, or written, during or in connection with an industrial dispute, by any agent, if it be proved that such agent 10 acted—

(i) contrary to instructions bona fide given by, or

(ii) without the knowledge of

the governing body of such union or association; and that the union or association has bona fide and by all reasonable means repudiated 15 the acts or words complained of, at the earliest opportunity and with reasonable publicity.

Amendment of s. 7
of Arbitration Act.

3. Section seven (2) (a) of the Industrial Arbitration Act, 1901, is amended by omitting the words

“Nothing in this Act shall render an industrial union” and sub- 20 stituting therefor “no industrial union shall be”

Definitions.

4. “Industrial relations” shall include the relations between employers and employed in respect of any “industrial matter” as defined in the Industrial Arbitration Act, 1901.

Short title.

5. This Act may be cited as the “Law of Conspiracy Amend- 25 ment Act.”