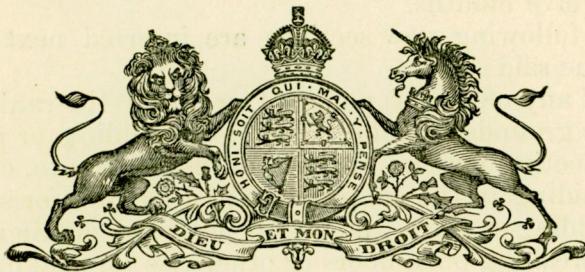


New South Wales.



ANNO NONO

EDWARDI VII REGIS.

Act No. 26, 1909.

An Act to amend the Industrial Disputes Act, 1908 ; to prohibit certain monopolies, and certain contracts, agreements, and combinations in restraint of trade ; and for purposes consequent thereon or incidental thereto. [Assented to, 20th December, 1909.]

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. This Act may be cited as the " Industrial Disputes (Amendment) Act, 1909." Short title.

2. Section four of the Industrial Disputes Act, 1908, is amended Amendment of s. 4. by inserting after the definition of " Minister " the following Definition. definition :—

" Necessary commodity " includes—

- (a) coal ;
- (b) gas for lighting, cooking, or industrial purposes ;
- (c) water for domestic purposes ; and
- (d) any article of food the deprivation of which may tend to endanger human life or cause serious bodily injury.

Industrial Disputes (Amendment).

Amendment of s. 42.

3. Section forty-two of the said Act is amended—

- (a) by omitting the words “ or (b) instigates to or aids in any of the abovementioned acts ” ;
- (b) by inserting next before the proviso the following words:—
“ If any person instigates to or aids in any of the above-mentioned acts he shall be liable to imprisonment for a period of twelve months.”

New sections after s. 42.

4. The following new sections are inserted next after section forty-two of the said Act:—

Entry on building used for purposes of lock-out or strike.

42A. If any officer of police of or above the rank of sergeant has reasonable grounds to believe that any building or place is being used for a meeting for the purpose of instigating to, or aiding in or managing or aiding in the continuance of a lock-out or strike, he may enter such building or place, and may if necessary obtain assistance and use force by breaking open doors or otherwise for making such entry, and may seize any documents which he reasonably suspects to relate to any lock-out or strike, or intended lock-out or strike.

Unlawful meetings.

42B. A meeting of two or more persons assembled for the purpose of—

- (a) instigating to or aiding in a lock-out or strike ; or
- (b) managing, directing, controlling, or aiding in the continuance of a lock-out or strike already in existence,

shall, where such lock-out or strike is in respect of a necessary commodity, or in respect of the transport services of the State in relation thereto, be and is hereby declared to be unlawful.

Any person taking part in any such meeting who has reasonable grounds to believe that the probable consequences of a continuance of such lock-out or strike will be to deprive the public either wholly or to a great extent of the supply of a necessary commodity, shall be liable to imprisonment for a period of *twelve* months.

Penalty for contract or combination in restraint of trade.

42C. Any person who, either as principal or as agent, makes or enters into any contract or agreement, or is or continues to be a principal of or engages in any combination or conspiracy with intent to restrain the trade of the State in any necessary commodity to the detriment of the public shall be liable to a penalty not exceeding *five hundred* pounds.

Penalty for monopoly.

42D. Any person who monopolises or attempts to monopolise, or combines or conspires with any person to monopolise any part of the trade of the State with intent to control, to the detriment of the public, the supply or price of any necessary commodity, shall be liable to a penalty not exceeding *five hundred* pounds.

Amendment of s. 45.

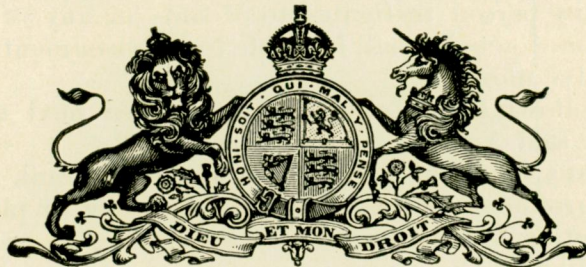
5. Section forty-five of the said Act is amended by omitting “ the three last preceding sections ”, and inserting in place thereof the words and figures “ sections 42, 42B, 42C, 42D, 43, and 44.”

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.

*Legislative Assembly Chamber,
Sydney, 17 December, 1909.* }

RICHD. A. ARNOLD,
Clerk of the Legislative Assembly.

New South Wales.



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An Act to amend the Industrial Disputes Act, 1908; to prohibit certain monopolies, and certain contracts, agreements, and combinations in restraint of trade; and for purposes consequent thereon or incidental thereto. [Assented to, 20th December, 1909.]

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. This Act may be cited as the "Industrial Disputes (Amendment) Act, 1909." Short title.

2. Section four of the Industrial Disputes Act, 1908, is amended Amendment of s. 4. by inserting after the definition of "Minister" the following Definition. definition:—

"Necessary commodity" includes—

- (a) coal;
- (b) gas for lighting, cooking, or industrial purposes;
- (c) water for domestic purposes; and
- (d) any article of food the deprivation of which may tend to endanger human life or cause serious bodily injury.

3.

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

JOHN J. COHEN,
Chairman of Committees of the Legislative Assembly.

Industrial Disputes (Amendment).

Amendment of s. 42.

3. Section forty-two of the said Act is amended—

- (a) by omitting the words “or (b) instigates to or aids in any of the abovementioned acts”;
- (b) by inserting next before the proviso the following words:—
“If any person instigates to or aids in any of the abovementioned acts he shall be liable to imprisonment for a period of twelve months.”

New sections after s. 42.

4. The following new sections are inserted next after section forty-two of the said Act:—

Entry on building used for purposes of lock-out or strike.

42A. If any officer of police of or above the rank of sergeant has reasonable grounds to believe that any building or place is being used for a meeting for the purpose of instigating to, or aiding in or managing or aiding in the continuance of a lock-out or strike, he may enter such building or place, and may if necessary obtain assistance and use force by breaking open doors or otherwise for making such entry, and may seize any documents which he reasonably suspects to relate to any lock-out or strike, or intended lock-out or strike.

Unlawful meetings.

42B. A meeting of two or more persons assembled for the purpose of—

- (a) instigating to or aiding in a lock-out or strike; or
- (b) managing, directing, controlling, or aiding in the continuance of a lock-out or strike already in existence,

shall, where such lock-out or strike is in respect of a necessary commodity, or in respect of the transport services of the State in relation thereto, be and is hereby declared to be unlawful.

Any person taking part in any such meeting who has reasonable grounds to believe that the probable consequences of a continuance of such lock-out or strike will be to deprive the public either wholly or to a great extent of the supply of a necessary commodity, shall be liable to imprisonment for a period of *twelve* months.

Penalty for contract or combination in restraint of trade.

42C. Any person who, either as principal or as agent, makes or enters into any contract or agreement, or is or continues to be a principal of or engages in any combination or conspiracy with intent to restrain the trade of the State in any necessary commodity to the detriment of the public shall be liable to a penalty not exceeding *five hundred* pounds.

Penalty for monopoly.

42D. Any person who monopolises or attempts to monopolise, or combines or conspires with any person to monopolise any part of the trade of the State with intent to control, to the detriment of the public, the supply or price of any necessary commodity, shall be liable to a penalty not exceeding *five hundred* pounds.

Amendment of s. 45.

5. Section forty-five of the said Act is amended by omitting “the three last preceding sections”, and inserting in place thereof the words and figures “sections 42, 42B, 42C, 42D, 43, and 44.”

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

State Government House,
Sydney, 20th December, 1909.

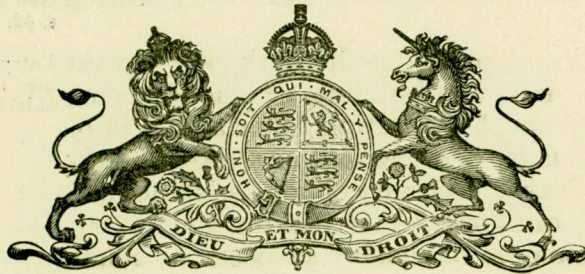
CHELMSFORD,
Governor.

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.

*Legislative Assembly Chamber,
Sydney, 17 December, 1909, A.M. }*

RICHD. A. ARNOLD,
Clerk of the Legislative Assembly.

New South Wales.



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EDWARDI VII REGIS.

Act No. , 1909.

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5 1. This Act may be cited as the "Industrial Disputes (Amend- Short title.
ment) Act, 1909."

2. Section four of the Industrial Disputes Act, 1908, is amended Amendment of s. 4
by inserting after the definition of "Minister" the following Definition.
definition :—

10 " Necessary commodity " includes—

- (a) coal ;
- (b) gas for lighting, cooking, or industrial purposes ;
- (c) water for domestic purposes ; and
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15 endanger human life or cause serious bodily injury.

Industrial Disputes (Amendment).

3. Section forty-two of the said Act is amended—

Amendment of s. 42.

(a) by omitting the words "or (b) instigates to or aids in any of the abovementioned acts";

5 (b) by inserting next before the proviso the following words:—
"If any person instigates to or aids in any of the abovementioned acts he shall be liable to imprisonment for a period of twelve months."

4. The following new sections are inserted next after section forty-two of the said Act:—

New sections after s. 42.

10 42A. If any officer of police of or above the rank of sergeant has reasonable grounds to believe that any building or place is being used for a meeting for the purpose of instigating to, or aiding in or managing or aiding in the continuance of a lock-out or strike, he may enter such building or place, and may if necessary obtain assistance and
15 use force by breaking open doors or otherwise for making such entry, and may seize any documents which he reasonably suspects to relate to any lock-out or strike, or intended lock-out or strike.

Entry on building used for purposes of lock-out or strike.

42B. A meeting of two or more persons assembled for the purpose of—

Unlawful meetings.

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(b) managing, directing, controlling, or aiding in the continuance of a lock-out or strike already in existence,

shall, where such lock-out or strike is in respect of a necessary commodity, or in respect of the transport services of the State in
25 relation thereto, be and is hereby declared to be unlawful.

Any person taking part in any such meeting who has reasonable grounds to believe that the probable consequences of a continuance of such lock-out or strike will be to deprive the public either wholly or to a great extent of the supply of a necessary commodity, shall be
30 liable to imprisonment for a period of twelve months.

42C. Any person who, either as principal or as agent, makes or enters into any contract or agreement, or is or continues to be a
35 principal of or engages in any combination or conspiracy with intent to restrain the trade of the State in any necessary commodity to the detriment of the public shall be liable to a penalty not exceeding five hundred pounds.

Penalty for contract or combination in restraint of trade.

42D. Any person who monopolises or attempts to monopolise, or combines or conspires with any person to monopolise any part of
40 the trade of the State with intent to control, to the detriment of the public, the supply or price of any necessary commodity, shall be liable to a penalty not exceeding five hundred pounds.

Penalty for monopoly.

5. Section forty-five of the said Act is amended by omitting "the three last preceding sections", and inserting in place thereof the words and figures "sections 42, 42B, 42C, 42D, 43, and 44."

Amendment of s. 45.