

*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, 1908, A.M. }*

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

## New South Wales.



ANNO OCTAVO

EDWARDI VII REGIS.

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### Act No. 24, 1908.

An Act to amend the Industrial Disputes Act, 1908; and for other purposes. [Assented to, 21st December, 1908.]

**B**E 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 Amend- Short title.  
ment Act, 1908," and shall be read with the Industrial Disputes Act, 1908, hereinafter called the Principal Act.

2. In amendments inserted by this Act in the Principal Act, Definition.  
the expression "this Act" means the Principal Act, as amended by this Act.

3. Part I of the Principal Act is amended, as follows:—

(a) Section four: After the definition of "award or order of the Court of Arbitration" insert the following definition:—

Amendments of  
Principal Act.  
Section 4.

"Award of a board or of the Industrial Court" includes a variation of such award.

(b)

*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.*

- (b) Section four :—The definition of “Industry” : Insert before the words “any amendment” the word “in.” Add at the end of the definition the words “or any section of any such occupation.”
- (c) Section four :—The definition of “Employer” : After the word “a” occurring the second time in line twenty-four, insert the word “director.”
- Section 5. (d) Section five : Insert after the words “Schedule One denote the” the words “general classes of industries in respect of which.” Omit after the word “boards” the word “to,” and insert in lieu thereof the word “may.” Omit at end of section the words “the board is to be constituted and the employees in such industries”; insert in lieu thereof the words “or of any of which boards may be constituted under this Act.”
- Section 7. (e) Section seven : Add to section the following subsection :—  
“(3) Any such industrial agreement may be rescinded or varied in writing by the parties, and any such variation, if filed with the registrar shall be binding, as part of the agreement, and such agreement as so varied may be enforced under the provisions of this Act.”
- Section 13. (f) Section thirteen, subsection one : Omit “who shall be elected by the parties to the dispute in the manner prescribed.”
- Section 14. 4. Part II of the Principal Act is amended as follows :—  
(a) Section fourteen, subsection one : Omit the latter part of the subsection, commencing with the words “the said court” down to and inclusive of the word “accordingly”; insert in lieu thereof the following :—“the said Court, if satisfied either by oral evidence or affidavit that a board should be constituted, may, in its discretion, recommend to the Minister that a board be constituted for such industry or any section thereof or for any group of industries which includes such industry; and for that purpose may include in a group industries mentioned in the second column which are set opposite to different board names in the first column of Schedule One. Thereupon the Minister shall direct a board to be constituted accordingly.
- Section 15. (b) Section fifteen : Omit “ten”; insert in lieu thereof “four.”
- Section 16. (c) Section sixteen : Omit the words after “Industrial Court” to and including the word “industries”; insert “in its discretion.”
- Section 17. (d) Section seventeen : Omit all words after the word “Court.”
- Section 18. (e) Section eighteen is repealed and the following is substituted :—  
18. The Governor may appoint as chairman of a board a Supreme Court or District Court Judge, or the Judge of  
of
- Appointment of chairman.



*Industrial Disputes Amendment.*

of the Industrial Court, or some person nominated by the Industrial Court: Provided that if the parties agree upon a chairman such person shall be the chairman to be nominated by the court.

On a chairman being appointed, the board shall be deemed to be constituted.

- (f) Section nineteen: Omit paragraph (a) Section 19.
- (g) Section twenty-one, subsection one: Omit "after it has made an award" Section 21.
- (h) Section twenty-two: Omit the words after "board" where first occurring to and including the words "the vacancy has occurred"; omit "such" in the expression "any such election"; omit the words from the last-mentioned expression to the end of the section; insert in place thereof "to fill such vacancy for the residue of the period of two years" Section 22.
- (i) Section twenty-three: repeal subsection one and omit "such" in subsection two. Section 23.
- (j) Section twenty-four: Add at end of section the following:— Section 24.  
 "The validity of the constitution of a board shall not be challenged by prohibition, or otherwise. Every board purporting to have been constituted on the recommendation of the Industrial Court before the sixteenth day of December, one thousand nine hundred and eight, shall be deemed to have been and to be validly constituted under this Act."
- (k) Section twenty-seven: Omit figure "1" within brackets; insert letter "a" in lieu thereof. Omit "(2)" and the words commencing "rescind or vary" down to and inclusive of "the said board may." Section 27.

In paragraph (e) omit the words "grant or provide," insert in lieu thereof the words "appoint a tribunal other than the Board itself." Add to end of same paragraph the words "If no such tribunal is provided by the board, the registrar shall have jurisdiction to grant such permits".  
 Add new paragraphs—

- "(g) determine any industrial matter;"
- "(h) rescind or vary any of its awards."
- (l) Section twenty-nine: Add at end of section the following: Section 29.  
 "Every award of a board shall take effect on its publication in the Gazette, and not sooner or otherwise."
- (m) Section thirty: Omit "of a board" insert "order or decision of a board, or of a chairman of a board." Section 30.
- (n) Section thirty-three: Omit the words "in any court of competent jurisdiction"; insert in lieu thereof the words "in the Industrial Court" Section 33.

(o)



*Industrial Disputes Amendment.*

- Section 35. (o) Paragraph (e) of section thirty-five of the Principal Act is repealed.
- Section 37. (p) Section thirty-seven: Omit paragraphs (b), (c), and (d).
- Section 38. (q) Section thirty-eight: Subsection one, after "board" insert "of which the chairman is not a judge"; subsection three, after "operate" insert "or as to the conditions and exemptions which the board has determined and directed"; subsection six, omit "modify" insert "vary"; omit "quash" insert "rescind": omit "any court of competent jurisdiction" insert "the Industrial Court."
- Section 39. (r) Section thirty-nine: Add to section the following "or any award of a board where such board has been dissolved or is no longer in existence.
- The Industrial Court may also cancel or vary any recommendation made by it: Where such recommendation has not yet been acted on, such cancellation or variance shall be treated as if it had been contained in the original recommendation. Where such recommendation has been acted on, it shall be in the discretion of the Minister or Governor to cancel the action taken by him or to vary it to accord with the varied recommendation.
- The Industrial Court, in making any order under this section, may make such order as to costs as it thinks just."
- Section 40. (s) Section forty, paragraph (b): After "board" insert "of which the chairman is not a judge."
5. Part III of the Principal Act is amended as follows:—
- Section 47. (a) Section forty-seven: After "challenged" insert "before the Industrial Court."
- Section 51. (b) Section fifty-one: Omit the last sentence, commencing "Any costs" to end of section.
- (c) After section fifty-one insert new section:—
- 51A. Every order for the payment of costs made by the Industrial Court shall have the effect of and be deemed to be a judgment for such amount in the District Court of the Metropolitan District holden at Sydney; or where a district court is named in such order, then in the court so named, at the suit of the person in whose favour such order is made, against the person so ordered to pay costs.
- Such amount may be recovered by process of such court as in pursuance of such judgment.
- Section 52. (d) Section fifty-two: After "Industrial Court" insert "or of a judge purporting to act as the Industrial Court"; after "proceeding of the court" insert "or of a judge purporting to act as such court."



*Industrial Disputes Amendment.*

6. Part IV of the Principal Act is amended as follows:—

- (a) Section fifty-seven: Insert after the words "Court of Section 57. Arbitration" the words "or of the Industrial Court."  
 (b) Section fifty-eight: After "Industrial Court" insert "or an Section 58. industrial agreement." After "such award" insert "or agreement."

7. The following section is inserted next after section eighteen of the Principal Act:—

18A. The chairman of a board may, whenever it appears to him to be necessary, appoint two or more assessors, representing employers and employees respectively, to advise the board on technical matters. Such assessors shall not take part in the deliberations or in any decision of the board. Appointment of assessors.

8. The following sections are inserted next after section fifty-five of the Principal Act:—

55A. Where, by reason of the death or absence of the judge of the Industrial Court at the time appointed for the hearing of any matter by such court, such court cannot be then held, the registrar shall adjourn the court to such day as he may deem convenient, and shall enter in a minute book the cause of such adjournment. Adjournment of court in absence of judge.

55B. In any proceeding before the Industrial Court such court may reserve its decision. Court may reserve its decision.

Where a decision has been so reserved it may be given at any continuation or adjournment of such court or at any subsequent holding thereof, or the judge of such court may draw up such decision in writing, and, having duly signed the same, forward it to the registrar: Whereupon the registrar shall notify the parties of his intention to proceed at some convenient time and place by him specified to read the same, and he shall read the same accordingly, and thereupon such decision shall be of the same force and effect as if given by such court.

9. The Principal Act is amended by omitting Schedule two.

Repeal of Schedule two.

10. (1) Schedule One to the Principal Act is amended by adding the following:—

Amendment of Schedule One.

Board.	Industries and Employees in Industries.
Aerated waters ... ..	Persons employed in the manufacture of aerated waters, cordials, and non-intoxicating drinks and beverages.
Bag and sack making ...	Employees engaged in making bags, paper bags, and sacks.
Biscuit and cake making ...	Employees in biscuit and cake factories.
Boiling-down ... ..	The employees in tallow and fat refining establishments.
Bone-mills and manure works	Employees therein.
Cardboard-box making ...	Employees in cardboard-box factories.
Coke workers ... ..	Persons employed at coke works.
Dredging ... ..	Dredge employees, not in the service of the Government



*Industrial Disputes Amendment.*

Board.	Industries and Employees in Industries.
Engine-driving and firing ...	Engine-drivers, firemen, greasers, trimmers, cleaners, and pumpers employed on land.
Hat-making... ..	Employees in hat factories.
Ice manufacturers ... ..	Persons engaged in the manufacture and distribution of ice and chilling chambers.
Laundry ... ..	Persons employed in laundries.
Milling ... ..	Persons employed in or about grain, starch, or condiment mills.
Packing ... ..	Persons employed in packing in factories, and in packing starch, pickles, tea, and condiments.
Paper mills ... ..	Employees in paper mills.
Rope-making ... ..	Employees in rope factories.
Smelting ... ..	Persons employed in ore-smelting and refining works.
Soap and candle making ...	Employees in soap and candle works.
Wine and spirit stores ...	Persons employed in wine and spirit stores.
Additional Boards under the above headings.	Any such division, combination, or arrangement of the employees in the industries set opposite to each Board name, whether according to occupation or locality as to the Court may seem expedient.

(2) The said Schedule is further amended in the second column thereof as follows:—

- (a) By inserting after “underclothing” in the industry represented by the board of Dressmaking and millinery the words “and children’s clothing.”
- (b) By inserting after “Pastrycooks” in the industry represented by the board of Pastrycooks the words “and pastrycooks’ assistants.”
- (c) By inserting after “business” in the industry represented by the board of Undertakers the words “cab and omnibus drivers and employees in livery stables.”

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

*State Government House,  
Sydney, 21st December, 1908.*

HARRY H. RAWSON,  
*Governor.*



Legislative Council.

*Schedule of the Amendments to the Assembly's Resolution referred to in Message of 14th October, 1908.*

Page 1, line 3. *Omit* "in column 2, line 4, before 'breweries' the words 'the business of'."

Page 1, line 5. *Omit "Board" insert "Boards"*

Page 1. At end of Resolution (1) *add*—

"Aerated waters ... Persons employed in the manufacture of aerated waters, cordials, and non-intoxicating drinks, and beverages."



INDUSTRIAL DISASTERS—AMENDMENT OF  
SCHEDULE ONE

Subsidiary of the Industrial Disasters (Amendment) Bill, 1908  
in the House of Commons, 11th October, 1908.

Page 1, line 2. After "therein" insert "and omission therefrom."  
Page 1, line 3. Omit "in relation to" and "in relation to" the  
words "the persons of"

Page 1, line 4. Omit "the words 'wine and spirit stores' in the  
"omit the words 'restaurants of table waters and other  
"drinks."

Page 1, line 5. Omit "therein" and "therein"

Page 1, line 6. Omit "therein" and "therein"

Page 1. At end of Schedule (1) add—

"Wine and spirit stores. Persons employed in wine and spirit  
stores."

"Persons employed in the manufacture  
of bottled waters, cordials, and  
non-intoxicating drinks and beer-  
ages."



## INDUSTRIAL DISPUTES AMENDMENT BILL

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*SCHEDULE of the Amendments referred to in Message of 11th December, 1908.*

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Page 2, clause 3. *After* paragraph (b) *insert* new paragraph (c).

Page 2, clause 4, lines 38 to 42. *Omit* "No counsel or solicitor, or agent, who is not or  
"has not been actually and bona fide engaged in the industry or one of the  
"industries for which the board is to be constituted, shall appear in any  
"proceeding dealing with the constitution of a board."

Page 6, clause 10. *After* paragraph (b) *insert* new paragraph (c).

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INTERIM DISTRICT AMENDMENT BILL

SECTION 1. The amendments referred to in paragraph 11A is hereby referred to as

Page 6, clause 10. After paragraph (b) insert new paragraph (c).  
"proceeding dealing with the constitution of a board."  
"industries for which the board is to be constituted shall appear in any  
of the industries and is not to be included in the industry or one of the  
Page 5, clause 4, lines 28 to 32. Omit "the company or subsidiary or agent who is not or  
Page 5, clause 3. After paragraph (b) insert new paragraph (c).



*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, 2 December, 1908, A.M. }*

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

*The LEGISLATIVE COUNCIL has this day agreed to this Bill with Amendments.*

*Legislative Council Chamber,  
Sydney, 11th December, 1908. }*

*JOHN J. CALVERT,  
Clerk of the Parliaments.*

## New South Wales.



ANNO OCTAVO

## EDWARDI VII REGIS.

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Act No. , 1908.

An Act to amend the Industrial Disputes Act, 1908 ; and for other purposes.

**B**E 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:—

5      1. This Act may be cited as the "Industrial Disputes Amend- Short title.  
ment Act, 1908," and shall be read with the Industrial Disputes Act,  
1908, hereinafter called the Principal Act.

2. In amendments inserted by this Act in the Principal Act, Definition.  
the expression "this Act" means the Principal Act, as amended by  
10 this Act.

3. Part I of the Principal Act is amended, as follows:—

(a) Section four: After the definition of "award or order of the  
Court of Arbitration" insert the following definition:—

Amendments of  
Principal Act.  
Section 4.

"Award of a board or of the Industrial Court" includes a  
15 variation of such award.

248—

(b)

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NOTE.—The words to be omitted are ruled through ; those to be inserted are printed in black letter.



*Industrial Disputes Amendment.*

- (b) Section four :—The definition of “ Industry ”: Insert before the words “ any amendment ” the word “ in. ” Add at the end of the definition the words “ or any section of any such occupation. ”
- 5 (c) Section four :—The definition of “ Employer ”: After the word “ a ” occurring the second time in line twenty-four, insert the word “ director. ”
- (e d) Section five: Insert after the words “ Schedule One denote Section 5. the ” the words “ general classes of industries in respect of which. ” Omit after the word “ boards ” the word “ to, ” and insert in lieu thereof the word “ may. ” Omit at end of section the words “ the board is to be constituted and the employees in such industries ”; insert in lieu thereof the words “ or of any of which boards may be constituted under this Act. ”
- 10
- 15 (d e) Section seven: Add to section the following subsection :— Section 7.  
 “ (3) Any such industrial agreement may be rescinded or varied in writing by the parties, and any such variation, if filed with the registrar shall be binding, as part of the agreement, and such agreement as so varied may be enforced under the provisions of this Act. ”
- 20
- (e f) Section thirteen, subsection one: Omit “ who shall be elected Section 13. by the parties to the dispute in the manner prescribed. ”
- 25 4. Part II of the Principal Act is amended as follows :—
- (a) Section fourteen, subsection one: Omit the latter part of Section 14. the subsection, commencing with the words “ the said court ” down to and inclusive of the word “ accordingly ”; insert in lieu thereof the following :—“ the said Court, if satisfied either by oral evidence or affidavit that a board should be constituted, may, in its discretion, recommend to the Minister that a board be constituted for such industry or any section thereof or for any group of industries which includes such industry; and for that purpose may include in a group industries mentioned in the second column which are set opposite to different board names in the first column of Schedule One. Thereupon the Minister shall direct a board to be constituted accordingly.
- 30
- 35
- 40 No counsel or solicitor, or agent, who is not or has not been actually and bona fide engaged in the industry or one of the industries for which the board is to be constituted, shall appear in any proceeding dealing with the constitution of a board. ”
- (b) Section fifteen: Omit “ ten ”; insert in lieu thereof “ four. ” Section 15.
- 45 (c) Section sixteen: Omit the words after “ Industrial Court ” Section 16. to and including the word “ industries ”; insert “ in its discretion. ”
- (d)



*Industrial Disputes Amendment.*

- (d) Section seventeen: Omit all words after the word "Court." Section 17.
- (e) Section eighteen is repealed and the following is substituted:— Section 18.
18. The Governor may appoint as chairman of a board a Supreme Court or District Court Judge, or the Judge of the Industrial Court, or some person nominated by the Industrial Court: Provided that if the parties agree upon a chairman such person shall be the chairman to be nominated by the court. Appointment of chairman.
- 5
- On a chairman being appointed, the board shall be deemed to be constituted.
- 10
- (f) Section nineteen: Omit paragraph (a) Section 19.
- (g) Section twenty-one, subsection one: Omit "after it has made an award" Section 21.
- (h) Section twenty-two: Omit the words after "board" where first occurring to and including the words "the vacancy has occurred"; omit "such" in the expression "any such election"; omit the words from the last-mentioned expression to the end of the section; insert in place thereof "to fill such vacancy for the residue of the period of two years" Section 22.
- 15
- (i) Section twenty-three: repeal subsection one and omit "such" in subsection two. Section 23.
- 20
- (j) Section twenty-four: Add at end of section the following:— Section 24.
- "The validity of the constitution of a board shall not be challenged by prohibition, or otherwise. Every board purporting to have been constituted on the recommendation of the Industrial Court before the day of , one thousand nine hundred and eight, shall be deemed to have been and to be validly constituted under this Act."
- 25
- (k) Section twenty-seven: Omit figure "1" within brackets; insert letter "a" in lieu thereof. Omit "(2)" and the words commencing "rescind or vary" down to and inclusive of "the said board may." Section 27.
- 30
- In paragraph (e) omit the words "grant or provide," insert in lieu thereof the words "appoint a tribunal other than the Board itself." Add to end of same paragraph the words "If no such tribunal is provided by the board, the registrar shall have jurisdiction to grant such permits".
- 35
- Add new paragraphs—
- "(g) determine any industrial matter;"
- 40
- "(h) rescind or vary any of its awards."
- (l) Section twenty-nine: Add at end of section the following:— Section 29.
- "Every award of a board shall take effect on its publication in the Gazette, and not sooner or otherwise."
- (m) Section thirty: Omit "of a board" insert "order or decision of a board, or of a chairman of a board." Section 30.
- 45

(n)



*Industrial Disputes Amendment.*

- (n) Section thirty-three: Omit the words "in any court of competent jurisdiction"; insert in lieu thereof the words "in the Industrial Court" Section 33.
- 5 (o) Paragraph (e) of section thirty-five of the Principal Act is repealed. Section 35.
- (p) Section thirty-seven: Omit paragraphs (b), (c), and (d). Section 37.
- 10 (q) Section thirty-eight: Subsection one, after "board" insert "of which the chairman is not a judge"; subsection three, after "operate" insert "or as to the conditions and exemptions which the board has determined and directed"; subsection six, omit "modify" insert "vary"; omit "quash" insert "rescind": omit "any court of competent jurisdiction" insert "the Industrial Court." Section 38.
- 15 (r) Section thirty-nine: Add to section the following "or any award of a board where such board has been dissolved or is no longer in existence." Section 39.
- The Industrial Court may also cancel or vary any recommendation made by it: Where such recommendation has not yet been acted on, such cancellation or variance shall be treated as if it had been contained in the original recommendation. Where such recommendation has been acted on, it shall be in the discretion of the Minister or Governor to cancel the action taken by him or to vary it to accord with the varied recommendation.
- 20 The Industrial Court, in making any order under this section, may make such order as to costs as it thinks just."
- (s) Section forty, paragraph (b): After "board" insert "of which the chairman is not a judge." Section 40.
- 25 5. Part III of the Principal Act is amended as follows:—
- 30 (a) Section forty-seven: After "challenged" insert "before the Industrial Court." Section 47.
- (b) Section fifty-one: Omit the last sentence, commencing "Any costs" to end of section. Section 51.
- 35 (c) After section fifty-one insert new section:—
- 51A. Every order for the payment of costs made by the Industrial Court shall have the effect of and be deemed to be a judgment for such amount in the District Court of the Metropolitan District holden at Sydney; or where a district court is named in such order, then in the court so named, at the suit of the person in whose favour such order is made, against the person so ordered to pay costs. Recovery of costs.
- 40 Such amount may be recovered by process of such court as in pursuance of such judgment.
- 45 (d) Section fifty-two: After "Industrial Court" insert "or of a judge purporting to act as the Industrial Court"; after "proceeding of the court" insert "or of a judge purporting to act as such court." Section 52.



*Industrial Disputes Amendment.*

6. Part IV of the Principal Act is amended as follows:—

(a) Section fifty-seven : Insert after the words " Court of Section 57. Arbitration " the words " or of the Industrial Court."

5 (b) Section fifty-eight : After " Industrial Court " insert " or an Section 58. industrial agreement." After " such award " insert " or agreement."

7. The following section is inserted next after section eighteen of the Principal Act :—

10 18A. The chairman of a board may, whenever it appears to him Appointment of assessors, *insert 3* to be necessary, appoint two or more assessors, representing employers and employees respectively, to advise the board on technical matters. Such assessors shall not take part in the deliberations or in any decision of the board.

15 8. The following sections are inserted next after section fifty-five of the Principal Act :—

55A. Where, by reason of the death or absence of the judge of Adjournment of court in absence of judge. the Industrial Court at the time appointed for the hearing of any matter by such court, such court cannot be then held, the registrar shall adjourn the court to such day as he may deem convenient, and shall 20 enter in a minute book the cause of such adjournment.

55B. In any proceeding before the Industrial Court such court Court may reserve its decision. may reserve its decision.

25 Where a decision has been so reserved it may be given at any continuation or adjournment of such court or at any subsequent holding thereof, or the judge of such court may draw up such decision in writing, and, having duly signed the same, forward it to the registrar: Whereupon the registrar shall notify the parties of his intention to proceed at some convenient time and place by him specified to read the same, and he shall read the same accordingly, and thereupon 30 such decision shall be of the same force and effect as if given by such court.

9. The Principal Act is amended by omitting Schedule two.

Repeal of Schedule two.

10. (1) Schedule One to the Principal Act is amended by adding the following :—

Amendment of Schedule One.

35	Board.	Industries and Employees in Industries.
	Aerated waters ... ..	Persons employed in the manufacture of aerated waters, cordials, and non-intoxicating drinks and beverages.
	Bag and sack making ... ..	Employees engaged in making bags, paper bags, and sacks.
	Biscuit and cake making ... ..	Employees in biscuit and cake factories.
40	Boiling-down ... ..	The employees in tallow and fat refining establishments.
	Bone-mills and manure works ... ..	Employees therein.
	Cardboard-box making ... ..	Employees in cardboard-box factories.
	Coke-workers ... ..	Persons employed at coke works.
	Dredging ... ..	Dredge employees, not in the service of the Government.



*Industrial Disputes Amendment.*

Board.	Industries and Employees in Industries.
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Paper mills ... ..	Employees in paper mills.
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15 Soap and candle making ...	Employees in soap and candle works.
Wine and spirit stores ...	Persons employed in wine and spirit stores.
Additional Boards under the above headings.	Any such division, combination, or arrangement of the employees in the industries set opposite to each Board name, whether according to occupation or locality as to the Court may seem expedient.
20	

(2) The said Schedule is further amended in the second column thereof as follows :—

- (a) By inserting after "underclothing" in the industry represented by the board of Dressmaking and millinery the words "and children's clothing."
- (b) By inserting after "Pastrycooks" in the industry represented by the board of Pastrycooks the words "and pastrycooks' assistants."
- (c) By inserting after "shops," in the industry represented by the board of Shop assistants, the words "but not including assistants in the shops of pharmaceutical chemists or in public or private dispensaries."
- (e d) By inserting after "business" in the industry represented by the board of Undertakers the words "cab and omnibus drivers and employees in livery stables."



*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, 2 December, 1908, A.M. }*

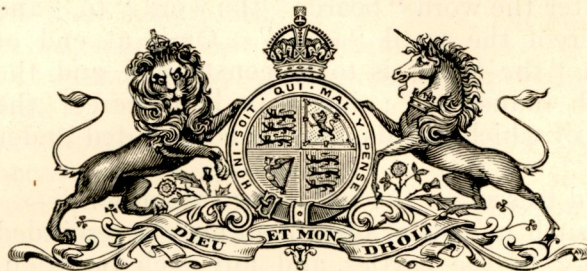
*RICHD. A. ARNOLD,  
Clerk of the Legislative Assembly.*

*The LEGISLATIVE COUNCIL has this day agreed to this Bill with Amendments.*

*Legislative Council Chamber,  
Sydney, December, 1908. }*

*Clerk of the Parliaments.*

## New South Wales.



ANNO OCTAVO

## EDWARDI VII REGIS.

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Act No. , 1908.

An Act to amend the Industrial Disputes Act, 1908 ; and for other purposes.

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10 this Act.

3. Part I of the Principal Act is amended, as follows :—  
(a) Section four : After the definition of “ award or order of the  
Court of Arbitration ” insert the following definition :—

Amendments of  
Principal Act.  
Section 4.

15      “ Award of a board or of the Industrial Court ” includes a  
variation of such award.

248—

(b)

32992

NOTE.—The words to be omitted are ruled through ; those to be inserted are printed in black letter



*Industrial Disputes Amendment.*

- (b) Section four:—The definition of “Industry”: Insert before the words “any amendment” the word “in.” Add at the end of the definition the words “or any section of any such occupation.”
- 5 (c) **Section four:—The definition of “Employer”:** After the word “a” occurring the second time in line twenty-four, insert the word “director.”
- (e d) Section five: Insert after the words “Schedule One denote Section 5.  
the” the words “general classes of industries in respect of  
10 which.” Omit after the word “boards” the word “to,” and  
insert in lieu thereof the word “may.” Omit at end of  
section the words “the board is to be constituted and the  
employees in such industries”; insert in lieu thereof the  
words “or of any of which boards may be constituted under  
15 this Act.”
- (d e) Section seven: Add to section the following subsection:— Section 7.  
“ (3) Any such industrial agreement may be rescinded  
or varied in writing by the parties, and any such variation,  
20 if filed with the registrar shall be binding, as part of the  
agreement, and such agreement as so varied may be enforced  
under the provisions of this Act.”
- (e f) Section thirteen, subsection one: Omit “who shall be elected Section 13.  
by the parties to the dispute in the manner prescribed.”
4. Part II of the Principal Act is amended as follows:—
- 25 (a) Section fourteen, subsection one: Omit the latter part of Section 14.  
the subsection, commencing with the words “the said  
court” down to and inclusive of the word “accordingly”;  
insert in lieu thereof the following:—“the said Court, if  
30 satisfied either by oral evidence or affidavit that a board  
should be constituted, may, in its discretion, recommend to  
the Minister that a board be constituted for such industry or  
any section thereof or for any group of industries which  
includes such industry; and for that purpose may include  
35 in a group industries mentioned in the second column which  
are set opposite to different board names in the first column  
of Schedule One. Thereupon the Minister shall direct a  
board to be constituted accordingly.
- No counsel or solicitor, or agent, who is not or has  
40 not been actually and bona fide engaged in the industry or  
one of the industries for which the board is to be constituted,  
shall appear in any proceeding dealing with the constitution  
of a board.”
- (b) Section fifteen: Omit “ten”; insert in lieu thereof “four.” Section 15.
- 45 (c) Section sixteen: Omit the words after “Industrial Court” Section 16.  
to and including the word “industries”; insert “in its  
discretion.” (d)



*Industrial Disputes Amendment.*

- (d) Section seventeen: Omit all words after the word "Court." Section 17.
- (e) Section eighteen is repealed and the following is substituted:— Section 18.
18. The Governor may appoint as chairman of a board a Supreme Court or District Court Judge, or the Judge of the Industrial Court, or some person nominated by the Industrial Court: Provided that if the parties agree upon a chairman such person shall be the chairman to be nominated by the court. Appointment of chairman.
- 5
- On a chairman being appointed, the board shall be deemed to be constituted.
- 10
- (f) Section nineteen: Omit paragraph (a) Section 19.
- (g) Section twenty-one, subsection one: Omit "after it has made an award" Section 21.
- (h) Section twenty-two: Omit the words after "board" where first occurring to and including the words "the vacancy has occurred"; omit "such" in the expression "any such election"; omit the words from the last-mentioned expression to the end of the section; insert in place thereof "to fill such vacancy for the residue of the period of two years" Section 22.
- 15
- (i) Section twenty-three: repeal subsection one and omit "such" in subsection two. Section 23.
- 20
- (j) Section twenty-four: Add at end of section the following:— Section 24.
- "The validity of the constitution of a board shall not be challenged by prohibition, or otherwise. Every board purporting to have been constituted on the recommendation of the Industrial Court before the day of , one thousand nine hundred and eight, shall be deemed to have been and to be validly constituted under this Act."
- 25
- (k) Section twenty-seven: Omit figure "1" within brackets; insert letter "a" in lieu thereof. Omit "(2)" and the words commencing "rescind or vary" down to and inclusive of "the said board may." Section 27.
- 30
- In paragraph (e) omit the words "grant or provide," insert in lieu thereof the words "appoint a tribunal other than the Board itself." Add to end of same paragraph the words "If no such tribunal is provided by the board, the registrar shall have jurisdiction to grant such permits".
- 35
- Add new paragraphs—
- "(g) determine any industrial matter;"
- "(h) rescind or vary any of its awards."
- 40
- (l) Section twenty-nine: Add at end of section the following: Section 29.
- "Every award of a board shall take effect on its publication in the Gazette, and not sooner or otherwise."
- (m) Section thirty: Omit "of a board" insert "order or decision of a board, or of a chairman of a board." Section 30.
- 45

(n)



*Industrial Disputes Amendment.*

- (n) Section thirty-three: Omit the words "in any court of competent jurisdiction"; insert in lieu thereof the words "in the Industrial Court"
- (o) Paragraph (e) of section thirty-five of the Principal Act is repealed.
- (p) Section thirty-seven: Omit paragraphs (b), (c), and (d). Section 37.
- (q) Section thirty-eight: Subsection one, after "board" insert "of which the chairman is not a judge"; subsection three, after "operate" insert "or as to the conditions and exemptions which the board has determined and directed"; subsection six, omit "modify" insert "vary"; omit "quash" insert "rescind": omit "any court of competent jurisdiction" insert "the Industrial Court." Section 38.
- (r) Section thirty-nine: Add to section the following "or any award of a board where such board has been dissolved or is no longer in existence." Section 39.
- The Industrial Court may also cancel or vary any recommendation made by it: Where such recommendation has not yet been acted on, such cancellation or variance shall be treated as if it had been contained in the original recommendation. Where such recommendation has been acted on, it shall be in the discretion of the Minister or Governor to cancel the action taken by him or to vary it to accord with the varied recommendation.
- The Industrial Court, in making any order under this section, may make such order as to costs as it thinks just."
- (s) Section forty, paragraph (b): After "board" insert "of which the chairman is not a judge." Section 40.
5. Part III of the Principal Act is amended as follows:—
- (a) Section forty-seven: After "challenged" insert "before the Industrial Court." Section 47.
- (b) Section fifty-one: Omit the last sentence, commencing "Any costs" to end of section. Section 51.
- (c) After section fifty-one insert new section:—
- 51A. Every order for the payment of costs made by the Industrial Court shall have the effect of and be deemed to be a judgment for such amount in the District Court of the Metropolitan District holden at Sydney; or where a district court is named in such order, then in the court so named, at the suit of the person in whose favour such order is made, against the person so ordered to pay costs.
- Such amount may be recovered by process of such court as in pursuance of such judgment.
- (d) Section fifty-two: After "Industrial Court" insert "or of a judge purporting to act as the Industrial Court"; after "proceeding of the court" insert "or of a judge purporting to act as such court." Section 52.



*Industrial Disputes Amendment.*

6. Part IV of the Principal Act is amended as follows:—

- (a) Section fifty-seven: Insert after the words "Court of Arbitration" the words "or of the Industrial Court." Section 57.
- (b) Section fifty-eight: After "Industrial Court" insert "or an industrial agreement." After "such award" insert "or agreement." Section 58.

7. The following section is inserted next after section eighteen of the Principal Act:—

18A. The chairman of a board may, whenever it appears to him to be necessary, appoint two or more assessors, representing employers and employees respectively, to advise the board on technical matters. Such assessors shall not take part in the deliberations or in any decision of the board. Appointment of assessors.

8. The following sections are inserted next after section fifty-five of the Principal Act:—

55A. Where, by reason of the death or absence of the judge of the Industrial Court at the time appointed for the hearing of any matter by such court, such court cannot be then held, the registrar shall adjourn the court to such day as he may deem convenient, and shall enter in a minute book the cause of such adjournment. Adjournment of court in absence of judge.

55B. In any proceeding before the Industrial Court such court may reserve its decision. Court may reserve its decision.

Where a decision has been so reserved it may be given at any continuation or adjournment of such court or at any subsequent holding thereof, or the judge of such court may draw up such decision in writing, and, having duly signed the same, forward it to the registrar: Whereupon the registrar shall notify the parties of his intention to proceed at some convenient time and place by him specified to read the same, and he shall read the same accordingly, and thereupon such decision shall be of the same force and effect as if given by such court.

9. The Principal Act is amended by omitting Schedule two. Repeal of Schedule two.

10. (1) Schedule One to the Principal Act is amended by adding the following:— Amendment of Schedule One.

35	Board.	Industries and Employees in Industries.
	Aerated waters ... ..	Persons employed in the manufacture of aerated waters, cordials, and non-intoxicating drinks and beverages.
	Bag and sack making ... ..	Employees engaged in making bags, paper bags, and sacks.
	Biscuit and cake making ... ..	Employees in biscuit and cake factories.
40	Boiling-down ... ..	The employees in tallow and fat refining establishments.
	Bone-mills and manure works ... ..	Employees therein.
	Cardboard-box making ... ..	Employees in cardboard-box factories.
	Coke workers ... ..	Persons employed at coke works.
	Dredging ... ..	Dredge employees, not in the service of the Government.



*Industrial Disputes Amendment.*

Board.	Industries and Employees in Industries.
Engine-driving and firing ...	Engine-drivers, firemen, greasers, trimmers, cleaners, and pumper- employed on land.
Hat-making... ..	Employees in hat factories.
5 Ice manufacturers ... ..	Persons engaged in the manufacture and distribution of ice and chilling chambers.
Laundry ... ..	Persons employed in laundries.
Milling ... ..	Persons employed in or about grain, starch, or condiment mills.
10 Packing ... ..	Persons employed in packing in factories, and in packing starch, pickles, tea, and condiments.
Paper mills ... ..	Employees in paper mills.
Rope-making ... ..	Employees in rope factories.
Smelting ... ..	Persons employed in ore-smelting and refining works.
15 Soap and candle making ...	Employees in soap and candle works.
Wine and spirit stores ...	Persons employed in wine and spirit stores.
Additional Boards under the above headings.	Any such division, combination, or arrangement of the employees in the industries set opposite to each Board name, whether according to occupation or locality as to the Court may seem expedient.
20	

(2) The said Schedule is further amended in the second column thereof as follows :—

- 25 (a) By inserting after "underclothing" in the industry represented by the board of Dressmaking and millinery the words "and children's clothing."
- (b) By inserting after "Pastrycooks" in the industry represented by the board of Pastrycooks the words "and pastrycooks' assistants."
- 30 (c) By inserting after "shops," in the industry represented by the board of Shop assistants, the words "but not including assistants in the shops of pharmaceutical chemists or in public or private dispensaries."
- (e d) By inserting after "business" in the industry represented by the board of Undertakers the words "cab and omnibus drivers and employees in livery stables."
- 35

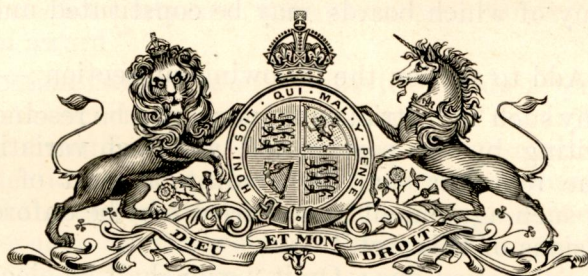


*This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.*

*Legislative Assembly Chamber,  
Sydney, 2 December, 1908, A.M. }*

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

## New South Wales.



ANNO OCTAVO

## EDWARDI VII REGIS.

\*\*\*\*\*

Act No. , 1908.

An Act to amend the Industrial Disputes Act, 1908 ; and for other purposes.

**B**E 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:—

5     **1.** This Act may be cited as the "Industrial Disputes Amend- Short title.  
ment Act, 1908," and shall be read with the Industrial Disputes Act,  
1908, hereinafter called the Principal Act.

10     **2.** In amendments inserted by this Act in the Principal Act, Definition.  
the expression "this Act" means the Principal Act, as amended by  
this Act.

15     **3.** Part I of the Principal Act is amended, as follows:—

(a) Section four: After the definition of "award or order of the  
Court of Arbitration" insert the following definition:—

"Award of a board or of the Industrial Court" includes a  
variation of such award.

Amendments of  
Principal Act.  
Section 4.

15

248—

(b)



*Industrial Disputes Amendment.*

- (b) Section four :—The definition of “ Industry ”: Insert before the words “ any amendment ” the word “ in.” Add at the end of the definition the words “ or any section of any such occupation.”
- 5 (c) Section five: Insert after the words “ Schedule One denote Section 5.  
the ” the words “ general classes of industries in respect of  
which.” Omit after the word “ boards ” the word “ to,” and  
insert in lieu thereof the word “ may.” Omit at end of  
10 section the words “ the board is to be constituted and the  
employees in such industries ”; insert in lieu thereof the  
words “ or of any of which boards may be constituted under  
this Act.”
- (d) Section seven: Add to section the following subsection :— Section 7.  
“ (3) Any such industrial agreement may be rescinded  
15 or varied in writing by the parties, and any such variation,  
if filed with the registrar shall be binding, as part of the  
agreement, and such agreement as so varied may be enforced  
under the provisions of this Act.”
- (e) Section thirteen, subsection one: Omit “ who shall be elected Section 13.  
20 by the parties to the dispute in the manner prescribed.”
4. Part II of the Principal Act is amended as follows :—
- (a) Section fourteen, subsection one: Omit the latter part of Section 14.  
the subsection, commencing with the words “ the said  
25 court ” down to and inclusive of the word “ accordingly ”;  
insert in lieu thereof the following :—“ the said Court, if  
satisfied either by oral evidence or affidavit that a board  
should be constituted, may, in its discretion, recommend to  
30 the Minister that a board be constituted for such industry or  
any section thereof or for any group of industries which  
includes such industry; and for that purpose may include  
in a group industries mentioned in the second column which  
are set opposite to different board names in the first column  
of Schedule One. Thereupon the Minister shall direct a  
board to be constituted accordingly.
- 35 No counsel or solicitor, or agent, who is not or has  
not been actually and bona fide engaged in the industry or  
one of the industries for which the board is to be constituted,  
shall appear in any proceeding dealing with the constitution  
of a board.”
- 40 (b) Section fifteen: Omit “ ten ”; insert in lieu thereof “ four.” Section 15.  
(c) Section sixteen: Omit the words after “ Industrial Court ” Section 16,  
to and including the word “ industries ”; insert “ in its  
discretion.”
- (d) Section seventeen: Omit all words after the word “ Court.” Section 17.  
(e)



*Industrial Disputes Amendment.*

- (e) Section eighteen is repealed and the following is substituted:— Section 18.

18. The Governor may appoint as chairman of a board a Supreme Court or District Court Judge, or the Judge of the Industrial Court, or some person nominated by the Industrial Court: Provided that if the parties agree upon a chairman such person shall be the chairman to be nominated by the court.

On a chairman being appointed, the board shall be deemed to be constituted.

- (f) Section nineteen: Omit paragraph (a) Section 19.  
 (g) Section twenty-one, subsection one: Omit "after it has made an award" Section 21.

- (h) Section twenty-two: Omit the words after "board" where first occurring to and including the words "the vacancy has occurred"; omit "such" in the expression "any such election"; omit the words from the last-mentioned expression to the end of the section; insert in place thereof "to fill such vacancy for the residue of the period of two years" Section 22.

- (i) Section twenty-three: repeal subsection one and omit "such" in subsection two. Section 23.

- (j) Section twenty-four: Add at end of section the following:— Section 24.  
 "The validity of the constitution of a board shall not be challenged by prohibition, or otherwise. Every board purporting to have been constituted on the recommendation of the Industrial Court before the day of , one thousand nine hundred and eight, shall be deemed to have been and to be validly constituted under this Act."

- (k) Section twenty-seven: Omit figure "1" within brackets; insert letter "a" in lieu thereof. Omit "(2)" and the words commencing "rescind or vary" down to and inclusive of "the said board may." Section 27.

In paragraph (e) omit the words "grant or provide," insert in lieu thereof the words "appoint a tribunal other than the Board itself." Add to end of same paragraph the words "If no such tribunal is provided by the board, the registrar shall have jurisdiction to grant such permits".

Add new paragraphs—

"(g) determine any industrial matter;"

"(h) rescind or vary any of its awards."

- (l) Section twenty-nine: Add at end of section the following: Section 29.  
 "Every award of a board shall take effect on its publication in the Gazette, and not sooner or otherwise."

- (m) Section thirty: Omit "of a board" insert "order or decision of a board, or of a chairman of a board." Section 30.

(n)



*Industrial Disputes Amendment.*

- (n) Section thirty-three: Omit the words "in any court of competent jurisdiction"; insert in lieu thereof the words "in the Industrial Court" Section 33.
- 5 (o) Paragraph (e) of section thirty-five of the Principal Act is repealed. Section 35.
- (p) Section thirty-seven: Omit paragraphs (b), (c), and (d). Section 37.
- 10 (q) Section thirty-eight: Subsection one, after "board" insert "of which the chairman is not a judge"; subsection three, after "operate" insert "or as to the conditions and exemptions which the board has determined and directed"; subsection six, omit "modify" insert "vary"; omit "quash" insert "rescind": omit "any court of competent jurisdiction" insert "the Industrial Court." Section 38.
- 15 (r) Section thirty-nine: Add to section the following "or any award of a board where such board has been dissolved or is no longer in existence." Section 39.
- The Industrial Court may also cancel or vary any recommendation made by it: Where such recommendation has not yet been acted on, such cancellation or variance shall be treated as if it had been contained in the original recommendation. Where such recommendation has been acted on, it shall be in the discretion of the Minister or Governor to cancel the action taken by him or to vary it to accord with the varied recommendation.
- 20 The Industrial Court, in making any order under this section, may make such order as to costs as it thinks just."
- 25 (s) Section forty, paragraph (b): After "board" insert "of which the chairman is not a judge." Section 40.
5. Part III of the Principal Act is amended as follows:—
- 30 (a) Section forty-seven: After "challenged" insert "before the Industrial Court." Section 47.
- (b) Section fifty-one: Omit the last sentence, commencing "Any costs" to end of section. Section 51.
- 35 (c) After section fifty-one insert new section:—
- 51A. Every order for the payment of costs made by the Industrial Court shall have the effect of and be deemed to be a judgment for such amount in the District Court of the Metropolitan District holden at Sydney; or where a district court is named in such order, then in the court so named, at the suit of the person in whose favour such order is made, against the person so ordered to pay costs. Recovery of costs.
- 40 Such amount may be recovered by process of such court as in pursuance of such judgment.
- 45 (d) Section fifty-two: After "Industrial Court" insert "or of a judge purporting to act as the Industrial Court"; after "proceeding of the court" insert "or of a judge purporting to act as such court." Section 52.



*Industrial Disputes Amendment.*

6. Part IV of the Principal Act is amended as follows:—

- (a) Section fifty-seven: Insert after the words "Court of Arbitration" the words "or of the Industrial Court." Section 57.  
 (b) Section fifty-eight: After "Industrial Court" insert "or an industrial agreement." After "such award" insert "or agreement." Section 58.

7. The following section is inserted next after section eighteen of the Principal Act:—

18A. The chairman of a board may, whenever it appears to him to be necessary, appoint two or more assessors, representing employers and employees respectively, to advise the board on technical matters. Such assessors shall not take part in the deliberations or in any decision of the board. Appointment of assessors.

8. The following sections are inserted next after section fifty-five of the Principal Act:—

55A. Where, by reason of the death or absence of the judge of the Industrial Court at the time appointed for the hearing of any matter by such court, such court cannot be then held, the registrar shall adjourn the court to such day as he may deem convenient, and shall enter in a minute book the cause of such adjournment. Adjournment of court in absence of judge.

55B. In any proceeding before the Industrial Court such court may reserve its decision. Court may reserve its decision.

Where a decision has been so reserved it may be given at any continuation or adjournment of such court or at any subsequent holding thereof, or the judge of such court may draw up such decision in writing, and, having duly signed the same, forward it to the registrar: Whereupon the registrar shall notify the parties of his intention to proceed at some convenient time and place by him specified to read the same, and he shall read the same accordingly, and thereupon such decision shall be of the same force and effect as if given by such court.

9. The Principal Act is amended by omitting Schedule two.

Repeal of Schedule two.

10. (1) Schedule One to the Principal Act is amended by adding the following:—

Amendment of Schedule One.

35	Board.	Industries and Employees in Industries.
	Aerated waters ... ..	Persons employed in the manufacture of aerated waters, cordials, and non-intoxicating drinks and beverages.
	Bag and sack making ...	Employees engaged in making bags, paper bags, and sacks.
	Biscuit and cake making ...	Employees in biscuit and cake factories.
40	Boiling-down ... ..	The employees in tallow and fat refining establishments.
	Bone-mills and manure works	Employees therein.
	Cardboard-box making ...	Employees in cardboard-box factories.
	Coke-workers ... ..	Persons employed at coke works.
	Dredging ... ..	Dredge employees, not in the service of the Government.



*Industrial Disputes Amendment.*

Board.	Industries and Employees in Industries.
Engine-driving and firing ...	Engine-drivers, firemen, greasers, trimmers, cleaners, and pumpers employed on land.
Hat-making... ..	Employees in hat factories.
5 Ice manufacturers ... ..	Persons engaged in the manufacture and distribution of ice and chilling chambers.
Laundry ... ..	Persons employed in laundries.
Milling ... ..	Persons employed in or about grain, starch, or condiment mills.
10 Packing ... ..	Persons employed in packing in factories, and in packing starch, pickles, tea, and condiments.
Paper mills ... ..	Employees in paper mills.
Rope-making ... ..	Employees in rope factories.
Smelting ... ..	Persons employed in ore-smelting and refining works.
15 Soap and candle making ...	Employees in soap and candle works.
Wine and spirit stores ...	Persons employed in wine and spirit stores.
Additional Boards under the above headings.	Any such division, combination, or arrangement of the employees in the industries set opposite to each Board name, whether according to occupation or locality as to the Court may seem expedient.
20	

(2) The said Schedule is further amended in the second column thereof as follows :—

- 25 (a) By inserting after “underclothing” in the industry represented by the board of Dressmaking and millinery the words “and children’s clothing.”
- (b) By inserting after “pastrycooks” in the industry represented by the board of Pastrycooks the words “and pastrycooks’ assistants.”
- 30 (c) By inserting after “business” in the industry represented by the board of Undertakers the words “cab and omnibus drivers and employees in livery stables.”

[6d.]



## INDUSTRIAL DISPUTES AMENDMENT BILL.

### Sections of Industrial Disputes Act, 1908, as amended by Bill.

#### 4. In this Act—

“Industry” means any occupation specified in the second column Clause 3 (a).  
of Schedule One, or in any amendment of or addition to the Definitions.  
Schedule, in which persons of either sex are employed for  
hire or reward, or any section of any such occupation.

5. The words in the first column of Schedule One denote the Clause 3 (b).  
general classes of industries in respect of which boards ~~to~~ may be  
constituted under this Act. The words in the second column denote  
the industry or group of industries in respect of which ~~the board is to~~  
~~be constituted and the employees in such industries~~ or of any of which  
boards may be constituted under this Act.

#### *Awards, &c., of Court of Arbitration.*

7. (1) All awards, orders, and directions of the Court of Awards, &c.  
Arbitration, and all industrial agreements, current and in force at the  
commencement of this Act shall, until rescinded under this Act, be  
binding on the parties and on the employers and employees concerned,—

(a) for the period fixed by the said court, or by any such award,  
order, or agreement; or

(b) where no period is fixed, for one year from the first day of  
July, one thousand nine hundred and eight.

And the same may be enforced under the provisions of this Act.

(2) In construing any such award, order, direction, or  
industrial agreement, references to the registrar shall be read as  
references to the industrial registrar appointed under this Act and for  
the purposes of any appeal from the registrar, references to the Court  
of Arbitration shall be read as references to the Industrial Court.

(3) Any such industrial agreement may be rescinded or Clause 3 (c).  
varied in writing by the parties, and any such variation, if filed with  
the registrar, shall be binding as part of the agreement, and such  
agreement as so varied may be enforced under the provisions of this  
Act.

#### *The Industrial Court.*

13. (1) There shall be an Industrial Court, consisting of a Clause 3 (e).  
judge appointed under this Act, sitting with or without assessors, ~~who~~ Appointment of  
~~shall be elected by the parties to the dispute in the manner prescribed.~~ judge.  
Such court shall be a court of record, and shall have a seal, which  
shall be judicially noticed.



(2) The Governor may appoint a Supreme Court judge or a district court judge to be judge of the Industrial Court.

(3) Such judge shall hold such office for a period of seven years, but shall be liable to be removed from office in the same manner and upon such grounds only as a Supreme Court judge is by law liable to be removed from office.

(4) Where a district court judge is appointed to such office, his annual salary shall be one thousand pounds, in addition to his salary as district court judge.

(5) The Governor may appoint a Supreme Court judge or a district court judge to be deputy judge to act in the absence of the judge of the Industrial Court, who shall have the same salary and all the rights, powers, jurisdiction, and privileges of the judge of the Industrial Court.

## PART II.

### CONSTITUTION AND POWERS OF BOARDS.

#### *Constitution of boards.*

**Clause 4 (a).**

Board directed to be constituted.

**14.** (1) On application to the Industrial Court by—

- (a) an employer or employers of not less than twenty employees in the same industry ; or
- (b) a trade union registered under this Act having a membership of not less than twenty employees, in the same industry ; or
- (c) an industrial union whose members are such employers or employees ; or
- (d) where there is no trade or industrial union of employees in an industry having membership and registered as aforesaid, or where such union fails to make an application as aforesaid, then not less than twenty employees in such industry.

the said court, if satisfied either by oral evidence or affidavit that the application is bona fide, may recommend to the Minister that a board be constituted for an industry or group of industries, and thereupon the Minister shall direct a board to be constituted accordingly. The said Court, if satisfied either by oral evidence or affidavit that a board should be constituted, may, in its discretion, recommend to the Minister that a board be constituted for such industry or any section thereof or for any group of industries which includes such industry ; and for that purpose may include in a group industries mentioned in the second column which are set opposite to different board names in the first column of Schedule One. Thereupon the Minister shall direct a board to be constituted accordingly.

No counsel or solicitor or agent who is not or has not been actually and bona fide engaged in the industry, or one of the industries, for which the board is to be constituted shall appear in any proceeding dealing with the constitution of a board.



(2) The Minister may also, on the recommendation of the Industrial Court, but without any such application, direct a board to be constituted as aforesaid.

15. Each Board shall consist of a chairman, and not less than two nor more than ~~ten~~ **four** other members, as determined by the Industrial Court, one half in number of whom shall be employers and the other half employees who respectively have been or are actually and bona fide engaged in any industry or group of industries for which the Board has been constituted.

Clause 4 (b).  
Constitution of boards.

16. Where the employers or the employees in the industry or group of industries consist largely of females, the Industrial Court, ~~on the application of any person who, in the opinion of such court, represents a majority in number of employers or employees in such industry or group of industries~~ in its discretion may order that all or any specified number of the members of a board to be elected or appointed by or on behalf of such employers or employees need not have the qualification aforesaid. Such order may be made to apply generally to all boards to be constituted for the said industry or group of industries, or to a particular board, and may be varied or rescinded on application made by the person and in the manner aforesaid.

Clause 4 (c)  
Where industry consists largely of females.

17. The members of a board shall be appointed by the Governor. The appointment of the members, other than the chairman, shall be made on the recommendation of the Industrial Court ~~from persons elected by the employers and employees respectively of the industry or group of industries, and the provisions of Schedule Two shall apply to such election:~~

Clause 4 (d).  
Appointment of members on election.

Provided that—

- (a) in any case which the Industrial Court considers to be one of urgency; or
  - (b) for the determination of any dispute which has arisen or is impending in any industry; or
  - (c) if within the prescribed time—
    - (i) there is a failure to elect; or
    - (ii) the required number of persons are not elected; or
    - (iii) persons constituting, in the opinion of the Industrial Court, a majority in number of the employers or employees then engaged in the industry or group of industries consent,
- any such appointment may be made by the Governor, on the recommendation of the said court, without election, in which case the person so appointed shall be the person recommended by the said court.

18. (1) The members so appointed to a board shall, within the prescribed time, by an absolute majority, nominate some person not then a member of such board to be chairman. The person so nominated shall be appointed by the Governor. In default of such nomination the Governor may appoint to the office a Supreme Court judge

Clause 4 (e).  
Appointment of chairman on nomination by other members.



judge or a judge of a district court, or some person nominated by the Industrial Court. On a chairman being appointed the board shall be deemed to be constituted.

Vacancy in office.

(2) The same procedure shall be followed in the case of a vacancy in the office of chairman.

18. The Governor may appoint as chairman of a board a Supreme Court or district court judge, or the judge of the Industrial Court, or some person nominated by the Industrial Court.

On a chairman being appointed, the board shall be deemed to be constituted.

Clause 4 (f).

Penalty for absence from meetings of board.

19. If any member of a board, without reasonable excuse, neglects—

(a) ~~to convene a meeting when duly required to do so; or~~

(b) on four successive occasions to attend meetings duly convened; or

(c) to vote when present at any meeting of the board, he shall be liable to a penalty not exceeding five pounds, and the Governor may declare his office vacant.

Clause 4 (g).

Dissolution of a board.

Term of office of members of board.

21. (1) The Governor, on the recommendation of the Industrial Court, may dissolve a board at any time. ~~after it has made an award.~~

(2) Subject to the above provision, the members of a board other than the chairman shall hold office until the expiration of two years from their appointment as aforesaid. The chairman shall hold office until the expiration of the same period. At the expiration of their term the members of a board shall retire: Provided that a member may resign his office.

Election and appointment of new board.

(3) A new board may be elected and appointed under this Act to take the place of a board that has been dissolved, or to take the place of an existing board on its members retiring, or to take the place of a board the members of which have resigned.

Retiring members shall be eligible for election and appointment to the new board.

The provisions of section fifteen, sixteen, and seventeen shall apply to the appointment of such board.

Clause 4 (h).

The filling of vacancies on a board.

22. Where, from any cause, a vacancy occurs in the members of a board ~~who are employers, the remaining employers on the board~~ may nominate from those elected by the employers in the industry as aforesaid a duly qualified person to fill such vacancy for the remainder of the term of two years, and similarly where the vacancy occurs in the members of the board who are employees. The person so nominated shall be appointed by the Governor to be a member of the board. But if no person is nominated within seven days after ~~the vacancy has occurred,~~ the Governor, on the recommendation of the Industrial Court, may appoint a person without any such election to fill such vacancy for the residue of the period of two years.

But where, by resignation or otherwise, there are no employers or employees, as the case may be, on the board, the vacancies shall be filled under section seventeen.



**23.** ~~(1) On a vacancy so occurring in a board, the remaining~~ **Clause 4 (i).**  
 members may act, if no member of the board objects, and for the ~~By consent.~~  
 purpose of so acting, the board shall be deemed to be duly constituted.  
 This provision shall apply to any part-heard case, but shall not apply  
 if there are no employers or no employees, as the case may be, on the  
 board, or where the vacancy is in the office of chairman.

(2) Where a person is appointed to any such vacancy, the **Board may act**  
 board as newly constituted may, if no member of the board objects, **although vacancy**  
 continue and hear and determine any part-heard case. **not filled.**

**24.** Every appointment of a member or of a chairman or **Clause 4 (j).**  
 assessors of a board shall be published in the Gazette, and a copy **Validity of**  
 of a Gazette containing a notice of such appointment purporting to **appointments may**  
 have been published in pursuance of this Act shall be conclusive **not be challenged.**  
 evidence that the person named in such notice was legally appointed  
 and had power and jurisdiction to act as member or chairman or  
 assessors of the board mentioned in the notice, and such appointment  
 shall not be challenged for any cause.

The validity of the constitution of a board shall not be challenged  
 by prohibition, or otherwise. Every board purporting to have been  
 constituted on the recommendation of the Industrial Court before the  
 day of , one thousand nine hundred and eight,  
 shall be deemed to have been and to be validly constituted under this  
 Act.

**27.** A board with respect to the industry or group of industries **Clause 4 (k).**  
 for which it has been constituted may— **Powers of board.**

(1 a) decide all disputes ;

~~(2) rescind or vary any of its awards, and in carrying out any~~  
~~of the above purposes the said board may—~~

(a b) fix the lowest prices for piece-work and the lowest rates  
 of wages payable to employees ;

(b c) fix the number of hours and the times to be worked in  
 order to entitle employees to the wages so fixed ;

(e d) fix the lowest rates for overtime and holidays and other  
 special work, including allowances as compensation for  
 overtime, holidays, or other special work ;

(d e) fix the number or proportionate number of apprentices and  
 improvers and the lowest prices and rates payable to  
 them. Such prices and rates may be according to age and  
 experience ;

(e f) ~~grant or provide~~ **appoint a tribunal other than the board**  
**itself** for the granting of permits allowing aged, infirm, or  
 slow workers, who are unable to earn the lowest rate of  
 wages fixed for other employees, to work at the lowest  
 rate fixed for aged, infirm, or slow workers : **If no such**  
**tribunal is provided by the board, the registrar shall have**  
**jurisdiction to grant such permits :**

(g) determine any industrial matter ;

(h) rescind or vary any of its awards :

Provided



Provided that under this section it shall not in any case be obligatory to grant any preference of the kind mentioned in subsection (d) of the definition of "Industrial matters" in section four of this Act, and each claim under the said subsection shall be dealt with on its merits.

Determination of board signed and published.

**29.** The award of a board shall be signed by the chairman and forwarded to the Minister, and such award and any award or order of the Industrial Court made on appeal shall be published in the Gazette, and a copy of such award and order shall be exhibited and kept exhibited by every employer carrying on an industry to which it relates at the place where the industry is carried on, so as to be legible by his employees. If such employer fails to carry out the provisions of this section, he shall be liable to a penalty not exceeding twenty pounds. **Every award of a board shall take effect on its publication in the Gazette, and not sooner or otherwise.**

Evidence of award.

**30.** A copy of a Gazette containing any such award or any order or award of the Industrial Court on appeal purporting to be published in pursuance of this Act shall be evidence of the award or order and of its terms, and the validity of any such award ~~of a board~~ order or decision of a board or of a chairman of a board shall not be challenged except as provided by this Act.

Clause 4 (l).

Where matter is trivial or should be settled.

**33.** If the board is of the opinion—  
 (a) that the matter of any application is trivial, or  
 (b) that it should be settled by the parties,  
 the board may dismiss the application, and may assess and award costs to be paid by the applicants to any parties in respect of whom the application was made. Such costs may be recovered by such parties ~~in any court of competent jurisdiction in the Industrial Court~~ as a debt due by the applicants.

Clause 4 (m).

Proceedings by board.

**35.** A board may—  
 \* \* \* \* \*  
 (e) ~~appoint two assessors to advise it on any technical matters. Such assessors shall take no part in the deliberations or in the decision of the board.~~

Clause 4 (n).

Who may preside and who may vote at meetings of board.

**37.** At any meeting of a board, unless otherwise provided in this Act,—  
 (a) the chairman shall preside;  
 (b) The chairman shall put separately each item of a proposed determination of the board;  
 (c) each such item and each question before the board shall be determined by a majority of votes of those present and entitled to vote;  
 (d) the presence of the chairman and at least two other members of a board shall be necessary to constitute a meeting of the board;

(e)



- (e) each member except the chairman shall have one vote; and where the votes for and against any matter are equal, the chairman shall have a casting vote, but shall not give such vote unless satisfied that a majority of votes cannot otherwise be reasonably expected;
- (f) unless by consent of the chairman, no person shall appear as an advocate or agent before a board who is not actually and bona fide engaged in the industry or one of the industries for which the board has been constituted. Advocates and agents.

*Appeal from board.*

38. (1) At any time within one month after the publication in **Clause 4 (o).** the Gazette of any award by a board of which the chairman is not a judge, any trade or industrial union, or any person bound or intended to be bound by the award, may, in the prescribed manner, apply to the Industrial Court, for leave to appeal to such court. Appeal from board.

\* \* \* \* \*

(3) The appeal may be on the ground of jurisdiction, or as to the locality within which the award of the board shall operate, or as to the conditions and exemptions which the board has determined and directed, or on the law, or on the facts, and if on the facts it may be by way of rehearing.

\* \* \* \* \*

(6) On any such appeal the court may confirm or modify vary the award appealed from, or ~~quash~~ rescind the award, or may make a new award, and may make such order as to the costs of the appeal as it thinks just.

Such costs may be recovered as a debt in any court of competent jurisdiction the Industrial Court.

39. The Industrial Court only may rescind or vary any award **Clause 4 (p).** or order made by it, or any award of a board which has been amended by such court, or any award, order, or direction of the Court of Arbitration, or any award of a board where such board has been dissolved or is no longer in existence. Varying award.

The Industrial Court may also cancel or vary any recommendation made by it: Where such recommendation has not yet been acted on, such cancellation or variance shall be treated as if it had been contained in the original recommendation. Where such recommendation has been acted on, it shall be in the discretion of the Minister or Governor to cancel the action taken by him or to vary it to accord with the varied recommendation.

The Industrial Court in making any order under this section may make such order as to costs as it thinks just.

40. The Crown may, where in the opinion of the Minister, the public interests are or would be likely to be affected by the award, order, or direction of a board or of the Industrial Court— **Clause 4 (q).** Intervention.

- (a) intervene in any proceedings before such board or court, and make such representations as it thinks necessary in order to safeguard the public interests;
- (b)



- (b) at any time after the making of an award by a board of **which the chairman is not a judge** apply for leave to appeal, and appeal from such award to the Industrial Court.

Validity of award or order may be challenged.

**47.** In any proceedings for an offence against the provisions of sections forty-two, forty-three, or forty-four, the validity of an award or order may be challenged **before the Industrial Court** for want of jurisdiction in the board or court making such award or order, although in the case of an award by a board no steps may have been taken to appeal against such award to the Industrial Court.

(3) No other proceedings in the nature of an appeal from any such order or by prohibition shall be allowed.

Clause 5 (b).

Award and recovery of costs.

**51.** The Industrial Court or a justice may in any prosecution under this Act make such order as to the payment of costs as may be thought just. ~~Any costs so ordered to be paid shall be a debt recoverable in any court of competent jurisdiction.~~

Clause 5 (c).

Decision of an Industrial Court to be final.

**52.** Any decision of the Industrial Court or of a judge purporting to act as the Industrial Court shall be final, and shall not be removable to any other court by certiorari or otherwise; and no award, order, or proceeding of the court or of a judge purporting to act as such court shall be vitiated by reason of any informality or want of form or be liable to be challenged, appealed against, reviewed, quashed, or called in question by any court of judicature on any account whatsoever, and the validity of any decision shall not be challenged by prohibition or otherwise:

Clause 6 (a).

Time-sheets and pay-sheets to be kept.

**57.** Every employer in an industry in respect of which an award of a board or of the Court of Arbitration or of the Industrial Court or an industrial agreement is in force shall keep, or cause to be kept, time-sheets and pay-sheets, correctly written up in ink, of the employees in such industry.

If he fails to carry out any of the requirements of this section he shall be liable to a penalty not exceeding five pounds.

The pay-sheets shall include deductions from wages of employees, but need not include costs of working to the employer.

Clause 6 (b).

Appointment and powers of inspectors.

**58.** (1) The Governor shall appoint inspectors who shall have the powers and duties prescribed.

Any such inspector may exercise the following powers and perform the following duties in respect of an industry as to which the award of a board or of the Court of Arbitration, or an award or order of the Industrial Court or an industrial agreement, is in force, if he has reasonable grounds to suspect that the employer in such industry is not complying with such award or agreement:—

- (a) He may at any reasonable times inspect any premises of such employer upon which any such industry as aforesaid is carried on, and any work being done therein.
- (b) He may require the employer in such industry to produce for his examination, and may examine, any time-sheets and pay-sheets of the employees in such industry.
- (c) He shall report to the Registrar the result of such inspection.

(2)



(2) If any person obstructs any inspector in the exercise of his powers under this section, or fails when duly required as aforesaid to produce any time-sheets or pay-sheets, he shall be liable to a penalty not exceeding ten pounds.

## SCHEDULES.

Clause 6 (c).

### SCHEDULE ONE.

Board.	Industries and employees in industries.
* * * *	* * * * *
Additional Boards under the above headings.	Any such division, combination, or arrangement of the employees in the industries set opposite to each Board name, whether according to occupation or locality, as to the Court may seem expedient.



It is a well known fact that the  
the world is a very small place  
and that the people of the world  
are all connected together in a  
great chain of friendship.

1890

SCHUBERT

1890

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and the people of the world  
are all connected together in a  
great chain of friendship.



No. , 1908.

## A BILL

To amend the Industrial Disputes Act, 1908 ; and for other purposes.

[MR. WADE ;—5 November, 1908.]

**B**E 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 :—

5      1. This Act may be cited as the "Industrial Disputes Amend- Short title.  
ment Act, 1908," and shall be read with the Industrial Disputes Act,  
1908, hereinafter called the Principal Act.

10      2. In amendments inserted by this Act in the Principal Act, Definition.  
the expression "this Act" means the Principal Act, as amended by  
this Act.

3. Part I of the Principal Act is amended, as follows :—

(a) Section four :—The definition of "Industry" : Insert before  
the words "any amendment" the word "in." Add at the end  
of the definition the words "or any section of an industry."

Amendments of  
Principal Act.  
Section 4.



- Section 5. (b) Section five: Insert after the words "Schedule One denote the" the words "general classes of industries in respect of which." Omit after the word "boards" the word "to," and insert in lieu thereof the word "may." Omit at end of section the words "the board is to be constituted and the employees in such industries"; insert in lieu thereof the words "or of any of which boards may be constituted under this Act." 5
- Section 7. (c) Section seven: Add to section the following subsection:—  
 "(3) Any such industrial agreement may be rescinded or varied in writing by the parties, and any such variation, if filed with the registrar shall be binding, as part of the agreement, and such agreement as so varied may be enforced under the provisions of this Act." 10
- Section 9. (d) Section nine: Add, at end of subsection one, the words "which is representative of employees." 15
- Section 13. (e) Section thirteen, subsection one: Omit "sitting with or without assessors, who shall be elected by the parties to the dispute in the manner prescribed." 15
- Section 14. 4. Part II of the Principal Act is amended as follows:— 20  
 (a) Section fourteen, subsection one: Omit the latter part of the subsection, commencing with the words "the said court" down to and inclusive of the word "accordingly"; insert in lieu thereof the following:—"the said Court, if satisfied either by oral evidence or affidavit that a board should be constituted, may, in its discretion, recommend to the Minister that a board be constituted for such industry or any section thereof or for any group of industries which includes such industry; and for that purpose may include in a group industries mentioned in the second column which are set opposite to different board names in the first column of Schedule One. Thereupon the Minister shall direct a board to be constituted accordingly." 25  
 No counsel or solicitor shall appear in any proceeding dealing with the constitution of a board." 35
- Section 15. (b) Section fifteen: Omit "ten"; insert in lieu thereof "four." 35
- Section 16. (c) Section sixteen: Omit the words after "Industrial Court" to and including the word "industries"; insert "in its discretion." 40
- Section 17. (d) Section seventeen: Omit the proviso; insert in lieu thereof the following:—"Provided that, in any case in which the Industrial Court considers it to be desirable, any such appointment of such number of members as may be necessary may be made by the Governor, on the recommendation of the said court, without election, in which case the persons so appointed shall be the persons recommended by the said court." 45

(e)



- (e) Section eighteen is repealed and the following is substituted:— Section 18.

18. The Governor may appoint as chairman of a board a Supreme Court or District Court Judge, or the Judge of the Industrial Court, or some person nominated by the Industrial Court.

5

On a chairman being appointed, the board shall be deemed to be constituted.

- (f) Section nineteen: Omit paragraph (a) Section 19.

- (g) Section twenty-one, subsection one: Omit "after it has made an award" Section 22.

10

- (h) Section twenty-two: Omit the words after "board" where first occurring to and including the words "the vacancy has occurred"; omit "such" in the expression "any such election"; omit the words from the last-mentioned expression to the end of the section; insert in place thereof "to fill such vacancy for the residue of the period of two years"

15

- (i) Section twenty-three: repeal subsection one and omit "such" in subsection two.

- (j) Section twenty-four: Add at end of section the following:— Section 24.

20

"The validity of the constitution of a board shall not be challenged by prohibition, or otherwise. Every board purporting to have been constituted on the recommendation of the Industrial Court before the            day of           , one thousand nine hundred and eight, shall be deemed to have been and to be validly constituted under this Act."

25

- (k) Section twenty-seven: Omit figure "1" within brackets; insert letter "a" in lieu thereof. Omit "(2)" and the words commencing "rescind or vary" down to and inclusive of "the said board may." Section 27.

30

In paragraph (e) omit the words "grant or provide," insert in lieu thereof the words "appoint a tribunal other than the Board itself." Add to end of same paragraph the words "If no such tribunal is provided by the board, the registrar shall have jurisdiction to grant such permits".

35

Add new paragraphs—

"(g) determine any industrial matter;"

"(h) rescind or vary any of its awards."

- (l) Section thirty-three: Omit the words "in any court of competent jurisdiction"; insert in lieu thereof the words "in the Industrial Court" Section 33.

40

- (m) Paragraph (e) of section thirty-five of the Principal Act is repealed. Section 35.

- (n) Section thirty-seven: Omit paragraphs (b), (c), and (d). Section 37.

(o)



- Section 38. (o) Section thirty-eight: Subsection one, after "board" insert "of which the chairman is not a judge"; subsection six, omit "any court of competent jurisdiction" insert "the Industrial Court."
- Section 39. (p) Section thirty-nine: Add to section the following "or any award of a board where such board has been dissolved or is no longer in existence. 5
- The Industrial Court may also cancel or vary any recommendation made by it: Where such recommendation has not yet been acted on, such cancellation or variance shall be treated as if it had been contained in the original recommendation. Where such recommendation has been acted on, it shall be in the discretion of the Minister or Governor to cancel the action taken by him or to vary it to accord with the varied recommendation." 15
- Section 40. (q) Section forty, paragraph (b): After "board" insert "of which the chairman is not a judge."
5. Part III of the Principal Act is amended as follows:—
- on 50. (a) Subsection two of section fifty: Insert at end of subsection the words "Such costs may be recovered in the Industrial Court." 20
- Section 51. (b) Section fifty-one: Omit "any court of competent jurisdiction," insert "the Industrial Court."
- Section 52. (c) Section fifty-two: After "Industrial Court" insert "or award of a board"; after "proceeding of the court" insert "or of a board"; in the expression "validity of any decision" insert "such" before "decision," and insert "or award" after "decision"; at end of section add the following:—"Provided that the above provisions shall be subject to the provisions of sections thirty-eight and forty-seven." 25
6. Part IV of the Principal Act is amended as follows:— 30
- Section 57. (a) Section fifty-seven: Insert after the words "Court of Arbitration" the words "or of the Industrial Court."
- Section 58. (b) Section fifty-eight: After "Industrial Court" insert "or an industrial agreement." After "such award" insert "or agreement." 35
7. The following section is inserted next after section eighteen of the Principal Act:—
- Appointment of assessors.
- 18A. The chairman of a board may, whenever it appears to him to be necessary, appoint two or more assessors, representing employers and employees respectively, to advise the board on technical matters. Such assessors shall not take part in the deliberations or in any decision of the board. 40



8. The following sections are inserted next after section fifty-five of the Principal Act:—

55A. In any proceedings in the Industrial Court to recover the amount of any costs, such court and the judge thereof shall have the powers, authorities, and immunities of a district court, and of a judge of such court, and for the purpose of the exercise of such jurisdiction the district of the Industrial Court shall extend to the whole State. Subject to this Act, the provisions of the District Courts Act, 1901, and any Act amending the same, shall for the purpose aforesaid apply to the Industrial Court; and until general rules are made for the exercise of such jurisdiction by such court, the general rules made for district courts shall apply.

Recovery of costs.

55B. Where, by reason of the death or absence of the judge of the Industrial Court at the time appointed for the hearing of any matter by such court, such court cannot be then held, the registrar shall adjourn the court to such day as he may deem convenient, and shall enter in a minute book the cause of such adjournment.

Adjournment of court in absence of judge.

55C. In any proceeding before the Industrial Court such court may reserve its decision.

Court may reserve its decision.

Where a decision has been so reserved it may be given at any continuation or adjournment of such court or at any subsequent holding thereof, or the judge of such court may draw up such decision in writing, and, having duly signed the same, forward it to the registrar: Whereupon the registrar shall notify the parties of his intention to proceed at some convenient time and place by him specified to read the same, and he shall read the same accordingly, and thereupon such decision shall be of the same force and effect as if given by such court.

9. Schedule One to the Principal Act is amended by adding the following:—

Amendment of Schedule One.

Board.	Industries and Employees in Industries.
Smelting ... ..	Persons employed in ore-smelting and refining works.
Wine and spirit stores ... ..	Persons employed in wine and spirit stores.
Aerated waters ... ..	Persons employed in the manufacture of aerated waters, cordials, and non-intoxicating drinks and beverages.
35 Engine-driving and firing ... ..	Engine-drivers, firemen, greasers, trimmers, cleaners, and pumpers employed on land.
Coke-workers ... ..	Persons employed at coke works.
40 Milling ... ..	Persons employed in or about grain, starch, or condiment mills.
Cardboard-box making ... ..	Employees in cardboard-box factories.
Paper mills ... ..	Employees in paper mills.
Soap and candle making ... ..	Employees in soap and candle works.
45 Packing ... ..	Persons employed in packing in factories, and in packing starch, pickles, tea, and condiments.



*Industrial Disputes Amendment.*

Board.	Industries and Employees in Industries.	
Biscuit and cake making ...	Employees in biscuit and cake factories.	
Bag and sack making ...	Employees engaged in making bags, paper bags, and sacks.	
Hat-making... ...	Employees in hat factories.	
Rope-making ...	Employees in rope factories.	5
Laundry ...	Persons employed in laundries.	
Additional Boards under the above headings.	Any such division, combination, or arrangement of the employees in the industries set opposite to each Board name, whether according to occupation or locality as to the Court may seem expedient.	10

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[67.]