

CONCILIATION AND ARBITRATION.

No. 54 of 1955.

An Act to amend the *Conciliation and Arbitration Act 1904-1952*, as amended by the *Judges' Remuneration Act 1955* and by the *Salaries Adjustment Act 1955*.

[Assented to 3rd November, 1955.]

BE it enacted by the Queen's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows :—

1.—(1.) This Act may be cited as the *Conciliation and Arbitration Act 1955*.

Short title
and citation.

(2.) The *Conciliation and Arbitration Act 1904-1952*,* as amended by the *Judges' Remuneration Act 1955*† and by the *Salaries Adjustment Act 1955*,‡ is in this Act referred to as the Principal Act.

(3.) The Second Schedule to the *Salaries Adjustment Act 1955* is amended by omitting the words—

“ *Conciliation and Arbitration Act 1904-1952*, as amended by the *Judges' Remuneration Act 1955* | *Conciliation and Arbitration Act 1904-1955* ”.

* Act No. 13, 1904, as amended by No. 28, 1909; No. 7, 1910; No. 6, 1911; Nos. 5 and 18, 1914; No. 35, 1915; No. 39, 1918; No. 31, 1920; No. 29, 1921; No. 22, 1926; No. 8, 1927; No. 18, 1928; No. 43, 1930; Nos. 45 and 54, 1934; Nos. 14 and 30, 1946; Nos. 10 and 52, 1947; Nos. 65 and 77, 1948; Nos. 28 and 66, 1949; Nos. 51 and 80, 1950; Nos. 18 and 53, 1951; and No. 34, 1952.

† Act No. 17, 1955.

‡ Act No. 18, 1955.

(4.) The Principal Act, as amended by this Act, may be cited as the *Conciliation and Arbitration Act 1904-1955*.

Commencement.

2. This Act shall come into operation on the day on which it receives the Royal Assent.

Injuring
employee or
employer on
account of
industrial
action.

Exercise of
Court's
jurisdiction.

3. Section five of the Principal Act is amended by omitting from sub-section (5.) the words "the Court" and inserting in their stead the words "the court by which the employer is convicted".

4. Section twenty-four of the Principal Act is amended—

(a) by inserting before paragraph (a) of sub-section (2.) the following paragraph :—

"(aa) proceedings for an offence against section five of this Act and the making of orders under sub-section (5.) of that section ;"

(b) by omitting paragraph (b) of sub-section (2.) and inserting in its stead the following paragraph :—

"(b) the power referred to in paragraph (e) of sub-section (1.) of section twenty-nine of this Act ;"

(c) by inserting after paragraph (d) of sub-section (2.) the following paragraph :—

"(da) the powers of the Court under section eighty or eighty-one of this Act ;"

(d) by omitting from paragraph (e) of sub-section (2.) the word "or" (last occurring) ; and

(e) by inserting after paragraph (e) of sub-section (2.) the following paragraph :—

"(ea) the powers of the Court under section eighty-eight or eighty-nine of this Act ; or"

5. Section twenty-four A of the Principal Act is repealed and the following section inserted in its stead :—

Reference to
Full Court.

"24A.—(1.) A single Judge exercising the jurisdiction of the Court by reason of the last preceding section may, if he thinks fit—

(a) refer the matter before him, or a part of the matter, to the Court constituted by not less than three Judges ; or

(b) refer a question of law arising in the matter before him for the opinion of the Court constituted by not less than three Judges.

"(2.) The Court so constituted shall hear and determine the matter, part of the matter or question so referred to it.

"(3.) Where a Judge refers part of a matter to the Court constituted by not less than three Judges, he shall hear and determine so much of the matter as is not so referred."

Powers of
organizations
to recover
fines, &c.

6. Section eighty-seven of the Principal Act is amended by inserting after the word "Magistrate," the words "or, in the State of Tasmania, in a Court of Requests,".