

## COMMONWEALTH CONCILIATION AND ARBITRATION.

No. 39 of 1918.

An Act to amend the *Commonwealth Conciliation and Arbitration Act 1904-1915.*

[Assented to 25th December, 1918.]

**B**E it enacted by the King's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows:—

Short title and citation.

1.—(1.) This Act may be cited as the *Commonwealth Conciliation and Arbitration Act 1918.*

(2.) The *Commonwealth Conciliation and Arbitration Act 1904-1915* is in this Act referred to as the Principal Act.

(3.) The Principal Act as amended by this Act may be cited as the *Commonwealth Conciliation and Arbitration Act 1904-1918.*

2.—(1.) Sections fourteen and fourteen A of the Principal Act are repealed and the following section inserted in their stead:—

Appointment of Deputy President.

“14.—(1.) The Governor-General may, by instrument under his hand, appoint any Justice of the High Court or Judge of the Supreme Court of a State to be the deputy of the President in any part of the Commonwealth, and in that capacity to exercise such powers and functions of the President as the Governor-General thinks fit to assign to the deputy.

(2.) The deputy so appointed shall be entitled to hold office during good behaviour for the unexpired period of the term of office of the President for the time being and shall be eligible for re-appointment and shall not be removed during the said period except by the Governor-General on an address from both Houses of the Parliament in the same session, praying for such removal on the ground of proved misbehaviour or incapacity.

“ (3.) The appointment of a deputy of the President shall not affect the exercise by the President of any power or function.”

3. Section forty-four of the Principal Act is amended by omitting sub-section (1.) and inserting in its stead the following sub-section :—

Imposition and recovery of penalties.

“(1.) Where any organization or person bound by an order or award has committed any breach or non-observance of any term of the order or award a penalty not exceeding—

(a) the maximum penalty fixed by the Court for any breach or non-observance of any term of the order or award ; or

(b) if no maximum penalty has been so fixed, the maximum penalty which the Court has power to fix therefor,

may be imposed by any District, County or Local Court or Court of summary jurisdiction which is constituted by a Judge or a Police, Stipendiary or Special Magistrate or by any State Court specified in that behalf by Proclamation.”.

4. Section forty-five of the Principal Act is repealed and the following section inserted in its stead :—

“45. Where any Court imposes a penalty in pursuance of the last preceding section, it may order that the penalty, or any part thereof, be paid into the Consolidated Revenue Fund, or to such organization or person as is specified in the order.”.

Application of penalties.

5. Section forty-six of the Principal Act is amended by omitting the words “the Court” and inserting in their stead the words “a Court”.

Enforcement of penalties imposed by a Court.

6. Section forty-eight of the Principal Act is amended by omitting the words “The Court” and inserting in their stead the words “A County, District or Local Court”.

Power to make orders to observe award.

7. After section eighty-one of the Principal Act the following section is inserted in Part VII. :—

“81A.—(1.) Nothing in any award or order made under this Act, or in any agreement relating to industrial matters, shall operate to prevent the employment of returned soldiers or sailors.

Employment of returned soldiers and sailors.

(2.) For the purposes of this section—

(a) ‘returned soldiers’ means persons who—

(i) during the war which commenced in the year One thousand nine hundred and fourteen served abroad as members of any Military Force raised in Australia, or

(ii) prior to that war resided in Australia, and during that war served abroad as members of a Military Force raised in any other part of the British Dominions ; and

(b) 'returned sailors' means persons who—

- (i) during the war which commenced in the year One thousand nine hundred and fourteen served abroad as members of any Naval Force raised in Australia, or
- (ii) prior to that war resided in Australia, and during that war served abroad as members of a Naval Force raised in any other part of the British Dominions."

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## WAR-TIME PROFITS TAX ASSESSMENT.

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No. 40 of 1918.

An Act to amend the *War-time Profits Tax Assessment Act 1917*.

[Assented to 25th December, 1918.]

**B**E it enacted by the King's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows:—

Short title and citation.

1.—(1.) This Act may be cited as the *War-time Profits Tax Assessment Act 1918*.

(2.) The *War-time Profits Tax Assessment Act 1917* is in this Act referred to as the Principal Act.

(3.) The Principal Act, as amended by this Act, may be cited as the *War-time Profits Tax Assessment Act 1917-1918*.

Duration.

2. Section two of the Principal Act is amended by omitting all words from and including "next after" and inserting in their stead the words "One thousand nine hundred and nineteen".

Definitions.

3. Section four of the Principal Act is amended by inserting after the definition of "Company" the following definitions:—

"'Established business' means a business other than a new business.