

13 GEO. V. No. 1, 1922. *Trade Unions (Property) Act.*

2. (1.) In section twenty-two of **"The Real Property Act of 1877"* after the word "society" wherever it occurs, the words "or trade union" are inserted; also after the word "societies" wherever it occurs, the words "or trade unions" are inserted.

Amendment of 41 Vic. No. 18, s. 22, and 6 Geo. V. No. 31, s. 20.

(2.) In subsection one of section twenty of †*"The Trade Union Act of 1915"* the words "in the names of the trustees for the time being of such union" are repealed, and the words "in the official name of "The Trustees of the (*naming the union*)" " are inserted in lieu thereof.

An Act to make provision for the Insurance of Unemployed Workers, and for other ancillary purposes.

13 Geo. V. No. 28.
THE UNEMPLOYED WORKERS INSURANCE ACT OF 1922.

[ASSENTED TO 18TH OCTOBER, 1922.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as "*The Unemployed Workers Insurance Act of 1922.*"

Short title and commencement of Act.

Save as hereinafter provided this Act shall come into operation on a day to be fixed by the Governor in Council by Proclamation published in the *Gazette* :

Provided that the provisions of this Act for the constitution of the Unemployment Council, and authorising the making of Regulations, shall come into operation on the passing of this Act.

2. In this Act, unless the context otherwise indicates, the following terms have the meanings respectively assigned to them, that is to say:—

Interpretation.

"Award or industrial agreement"—An award or industrial agreement under ‡*"The Industrial Arbitration Act of 1916"* or any Act amending or in substitution for that Act;

Award or industrial agreement.

* 41 Vic. No. 18, *supra*, page 3033.

† 6 Geo. V. No. 31, *supra*, page 6909.

‡ 7 Geo. V. No. 16, *supra*, page 7538.

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Council.	“ Council ”—The Unemployment Council constituted by this Act ;
Director of Labour.	“ Director of Labour ”—The Director of Labour appointed under * <i>“The Labour Exchanges Act of 1915”</i> : the term, where necessary, includes any labour agent for the time being deputed under the said Act to act for the Director of Labour ;
Employer.	“ Employer ”—Any person, company, firm, or association employing or usually employing workers in the State, whether on behalf of himself or any other person, and whether or not the employer resides within the State : the term includes every managing director or manager of any company, firm, or association corporate or unincorporate, and every manager for any employer : the term also includes the Crown and any Minister of the Crown and any corporation or officer representing or acting as the agent of the Crown ;
Fund.	“ Fund ”—The Unemployment Insurance Fund created by this Act ;
Industrial magistrate.	“ Industrial magistrate ”—An industrial magistrate appointed under † <i>“The Industrial Arbitration Act of 1916”</i> ;
Minister.	“ Minister ”—The Secretary for Public Works or other Minister of the Crown for the time being charged with the administration of this Act ;
Prescribed.	“ Prescribed ”—Prescribed by this Act ;
Sustenance allowance.	“ Sustenance allowance ”—Sustenance allowance paid to unemployed workers in accordance with this Act ;
This Act.	“ This Act ”—This Act and all Proclamations, Orders in Council, and regulations made thereunder :
Worker.	“ Worker ”—Any person, male or female, of the age of eighteen years or upwards, in any manner engaged or employed by an employer in work of any kind whatsoever subject to the direction and control of an employer, and

* 6 Geo. V. No. 6, *supra*, page 6851.† 7 Geo. V. No. 16, *supra*, page 7538.

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whether the worker's remuneration is to be according to time or by piecework, or at a fixed price, or otherwise howsoever: used in relation to a person whilst unemployed the term means a person who when employed fulfilled the conditions aforesaid: the term also includes every person whilst employed by the Crown or any Minister of the Crown or any corporation or officer representing or acting as the agent of the Crown: the term does not include—

- (a) A barrister, solicitor, conveyancer, or legal practitioner, or a legally qualified medical practitioner, or an authorised surveyor, or a registered pharmaceutical chemist, or a registered dentist, or a registered optician, or a public analyst, or a veterinary surgeon, or a consulting engineer, or an architect, or a public accountant actuary or auditor, or any other person retained or engaged to render professional services requiring personal skill, knowledge, and attention; or
- (b) A person who contracts directly with an employer for the performance of work not performed solely by such person; or
- (c) An auctioneer or agent; or
- (d) An indentured apprentice;
 - unless in any of the above-mentioned cases the rate of his wages, salary, or allowance or other remuneration is fixed by award or industrial agreement;

Moreover the term does not include any aboriginal alien native of Asia, Africa, or the Pacific Islands.

Where a contract to perform any work (not being work incidental to a trade or business regularly carried on by the contractor in his own name or under a firm name) is made with a contractor who—

- (i.) Neither sublets the contract nor employs wages-men; or
- (ii.) Though employing wages-men, actually performs any part of the work himself,

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such contractor and also such wages-men so employed shall for the purposes of this Act be deemed to be workers :

Provided that such person shall not be liable for two contributions.

Unemploy-
ment
Council.

3. (1.) There shall be constituted an Unemployment Council, which shall be composed of the following persons, namely :—

- (a) The Minister, who shall be Chairman of the Council ;
- (b) The Registrar of Friendly Societies ;
- (c) The Director of Labour ;
- (d) A workers' representative elected in that behalf as prescribed by regulations by the executives of the industrial unions of employees registered under **"The Industrial Arbitration Act of 1916,"* and appointed by the Governor in Council ;
- (e) An employers' representative elected in that behalf as prescribed by regulations by the executives of the industrial associations unions and organisations of employers in the State, and appointed by the Governor in Council.

(2.) For the purpose of the election of a workers' representative and an employers' representative respectively, each union, association, or organisation of workers or employers respectively shall by its executive have votes proportionate to the respective number of members of such association, union, or organisation at the date of the voting.

The workers' representative and the employers' representative shall respectively be so appointed for a period of three years, but shall be eligible for re-election and re-appointment : Provided that the executives respectively electing such representative may at any time terminate his office, whereupon a casual vacancy shall be deemed to have arisen.

Casual vacancies arising from any cause whatsoever shall be filled as they arise by the appointment of a representative on the like election to hold the office of the representative who has vacated office.

* 7 Geo. V. No. 16, *supra*, page 7538.

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(3.) The Council may make rules with respect to their meetings and governing the procedure thereat, and with respect to the conduct of the business of the Council generally.

4. (1.) It shall be the duty of the Council to obtain all available information as to the condition of the labour market, and for that purpose the Council shall be entitled to require the Department of Labour or any other Government Department, or local authority or other local governing body, to furnish to the Council any statistics and data in their or its possession relating to this matter.

Powers and
duties of
Council.

(2.) The Council may—

- (a) Inquire into the causes and extent of unemployment within the State or any part thereof;
- (b) Inquire into and consider what are the most effective measures to be taken for temporarily or permanently reducing or eliminating unemployment within the State or any part thereof;
- (c) Obtain and disseminate information on all matters connected with industrial occupations and the callings of workers, with a view to improving the industrial relationship between workers and employers and lessening the evils of unemployment;
- (d) Consider and report to the Governor in Council upon the industrial efficiency of the community, the organisation of the labour market and opportunities of employment, and all matters and questions relating to unemployment;
- (e) Consider and report to the Governor in Council upon the working of the State Labour Exchanges and make any recommendation deemed necessary for their improvement and extension;
- (f) With the approval of the Governor in Council, make rules to give effect to their powers under this Act.

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(3.) For the purposes of carrying out the powers and duties of the Council under this Act—

(a) The Council may appoint any member thereof or any other person to hold any inquiry and to submit the evidence taken thereat together with a report thereon (if so requested) to the Council;

(b) The Council and the member thereof or other person appointed as aforesaid shall be deemed to be a Commission within the meaning of **The Official Inquiries Evidence Act of 1910*,” and the provisions of that Act shall apply accordingly.

Unemploy-
ment
insurance
fund.

5. (1.) There is hereby created in the Treasury a fund to be called the “Unemployment Insurance Fund.”

(2.) All payments in respect of sustenance allowance and of the administration of this Act shall be payable out of the fund.

Contribu-
tions by
workers,
employers,
and the
Government

(3.) The fund shall be constituted partly from contributions by workers and partly from contributions by employers of such workers, and partly from moneys provided by Parliament.

(4.) Subject to this Act, every worker over eighteen years of age employed within Queensland, whose rate of wages, salary, or allowance is fixed by award or industrial agreement, and every employer of any such worker, shall be liable to pay contributions to the fund at the prescribed rates:

Provided that an unemployed worker, while in receipt of sustenance allowance, shall not be liable to pay any contribution to the fund.

(5.) Except where the regulations otherwise prescribe, the employer shall in the first instance be liable to pay both the contribution payable by himself and also, on behalf of and to the exclusion of the worker, the contribution payable by such worker, and subject to the regulations shall be entitled, notwithstanding the provisions of any Act or any contract to the contrary, to recover from the worker, by deductions from the worker's wages or from any other payment due from him to the worker, the amount of the contributions so paid by him on behalf of the worker.

* 1 Geo. V. No. 26, *supra*, page 748.

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(6.) Notwithstanding any contract to the contrary, the employer shall not be entitled to deduct from the wages of or other payment due to the worker, or otherwise recover from the worker by any legal process, the contributions payable by the employer himself.

(7.) A contribution shall be made in each year to the fund out of moneys provided by Parliament for the purpose, and the sums to be contributed in any year shall be paid in such manner and at such times as the Minister may determine.

(8.) Save as is hereinafter provided the total of the contributions to be made by workers and the total of the contributions to be made by employers and the total contributions by the State shall be of equal amount, so that workers, employers, and the State shall each contribute one third part of the fund.

(9.) The fund shall be administered by the Director of Labour and shall be audited from time to time by officers of the Department of the Auditor-General.

(10.) The regulations may provide for the periodical revision of the rates of contribution to the fund.

(11.) If at any time the Governor in Council is satisfied that the moneys to the credit of the fund or from time to time payable to the credit thereof are or are likely to be or become insufficient to meet the sustenance allowances and other expenditure under this Act payable out of the fund, the Governor in Council may, by Order in Council published in the *Gazette*, give such directions (including, if deemed necessary, an increase in the rates of contribution during a specified period) as will in his judgment ensure the sufficiency of the fund for the purposes aforesaid; and all such directions shall be obeyed by all persons concerned:

Provided that any increase in the rates of contribution made by any such Order in Council shall be on the basis that one half part of the total of the increase shall be made by the employers, and one fourth part thereof shall be made by the workers, and one fourth part thereof shall be made by the State.

6. (1.) If an employer or worker fails to pay the amount of a contribution (including in the case of an employer the amount payable by him in the first instance on behalf of the workers employed by him), the Minister may enforce payment of the same, together

Contribution from employers and workers, how enforced.

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with one-tenth more by way of penalty, by complaint against the employer or worker before a police magistrate or any two justices of the peace, or by action in any court of competent jurisdiction.

Remission in case of hardship.

(2.) Notwithstanding anything herein contained, in any case in which the Council is satisfied that it would be a hardship on an employer or worker to enforce from him payment in full of any contribution the Council may, in favour of such employer or worker, remit the whole or such part of such contribution as the Council in their discretion think proper.

Power to direct employers to take steps to remedy unemployment.

7. (1.) In any case where the Governor in Council is satisfied upon the report of the Council that any class of employers or any individual employers or employer are or is failing to begin or proceed with works which could reasonably and without just cause or excuse be begun or proceeded with by them or him, and it is shown to the satisfaction of the said Council that unemployment is or is likely to be caused in any district owing to such failure on the part of the employers or employer to so begin or proceed with the said works, the Governor in Council may from time to time by Order in Council order and direct that such class of employers or individual employers or employer shall do such things and take such measures as in his opinion will be effective for temporarily or permanently reducing or eliminating unemployment within the State or any part thereof: Provided that before any Order in Council referred to in this subsection is made the employers or employer referred to in such report of the Council may appeal within a time to be prescribed to an industrial magistrate for the purpose of being heard on the findings in such report of the Council, and such industrial magistrate shall investigate such appeal and transmit the evidence taken, together with his report thereon, to the Governor in Council for consideration. The appeal shall be heard and determined by such magistrate in accordance with the regulations.

Every such Order shall be complied with either forthwith or within such time as is stated in such Order.

Penalty contribution.

(2.) If the Council are satisfied that any employer to whom any such Order applies has made default in compliance with such Order according to its tenour, the Council may, by way of penalty, levy upon such employer a contribution of such amount as the Council think

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proper; and such contribution shall be deemed to be a contribution under this Act, and shall be payable and recoverable accordingly, without prejudice to any other contribution payable by him under this Act:

Provided that any such employer shall have the right to appeal to an industrial magistrate against any such contribution on the ground that he has not made such default in compliance with such Order as alleged, or that such default arose through circumstances wholly beyond such employer's control, and on no other ground. The appeal shall in such case be heard and determined by such magistrate in accordance with the regulations, and his decision shall be final and conclusive.

8. There is hereby appropriated out of the Consolidated Revenue, as and by way of ^{Annual} grant to the fund, the sum of fifteen thousand pounds for the financial year ending the thirtieth day of June, one thousand nine hundred and twenty-three; and the amount of such appropriation for each and every financial year thereafter shall be determined as prescribed.

9. (1.) If at any time the extent of unemployment within the State or any part thereof is such as in the opinion of the Council to require that special measures should be adopted with respect to it, the Council shall report to the Minister as to—

Relief works to reduce unemployment.

(a) The number of workers unemployed in the various localities affected; and

(b) The callings or classes of workers unemployed, and in such report may state the nature of the work which in the opinion of the Council will afford the greatest relief.

(2.) The Minister shall submit such report to the Governor in Council for his consideration, and the Governor in Council, if satisfied that measures of relief are necessary, may—

Relief work may be ordered, &c.

(i.) Provide such Government work as in his opinion will tend to afford the greatest relief of unemployment in the localities affected;

(ii.) By Order in Council direct local authorities or other local governing bodies in the said localities to commence and carry out such works as are stated in the Order for the relief of unemployment therein; and all such authorities and other bodies shall conform with such Order.

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Works of the class mentioned in this subsection are hereinafter referred to as relief work.

An Order in Council under this subsection may prescribe the time within which relief work is to be commenced and the time allowed for the completion of the same.

Loans to
local
authorities.

(3.) For the purpose of enabling any local authority or other local governing body to conform with any such Order it shall be entitled to obtain from the Treasurer a loan under and subject to the provisions of **“The Local Works Loans Acts, 1880 to 1899”* and †*“The Local Authorities Acts, 1902 to 1920,”* notwithstanding any limitation on its borrowing powers contained in the said Acts or any other Act and without taking any poll of electors or obtaining their consent to the work or to the loan, and for that purpose sections three hundred and three to three hundred and eight both inclusive (Subdivisions III. and IV. of Part XIII., Loans and Local Works carried out by means of Loans) of the last-mentioned Acts and any similar provisions relating to any other local governing body shall not apply.

Default by
local
authority,
&c.

(4.) If the Governor in Council is satisfied that any such authority or other body has made default in conforming with such Order within the time stated therein, the Governor in Council may by a further Order in Council so declare and direct that all costs, charges, and expenses incurred by the Council in conforming with the Order shall be paid by such authority or body; and thereupon the Council for and on behalf of the authority or body so in default and as its irrevocable agent, may conform with such Order, and for that purpose may, if deemed necessary, obtain a loan on behalf of such authority or body as in subsection three hereof is provided, and may recover from such authority or body all costs, charges, and expenses incurred.

A copy of the Order made for the payment of such costs, charges, and expenses may be filed in the office of the Registrar of the Supreme Court; and may thereupon be enforced in the same manner as if the same were a judgment of that Court; and the certificate of the Minister as to the amount of costs, charges, and expenses so incurred shall be *prima facie* evidence of such amount.

* 44 Vic. No. 9 and Amending Acts, *supra*, pages 2023 *et seq.*

† 2 Edw. VII. No. 19 and Amending Acts, *supra*, pages 1860 *et seq.*, 5653, 5918, 8304, and 9571.

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(5.) If it is shown to the satisfaction of the Governor in Council that, by reason of certain relief work being commenced or carried out by the Treasurer or by a local authority or other local governing body at an earlier time than it would otherwise have been, or that owing to some other good and sufficient cause the expenditure will result or has resulted in a loss, the Governor in Council may by Order in Council declare the amount of such loss, and thereupon the Treasurer or the local authority or body shall be entitled to be paid the amount so certified out of the fund.

When local authority, &c., may be recouped out of fund.

(6.) When it is shown to the satisfaction of the Governor in Council, by the report of the Council or by other evidence, that in any locality in which any relief work is being carried out the demand for labour has so increased as to render the continuance of such relief work or some part thereof no longer necessary, he may by Order in Council direct that such relief work be discontinued either wholly or to such extent as is mentioned in the Order.

Discontinuance of relief work.

10. The Governor in Council may from time to time, upon the recommendation of the Council, order that works to be carried out by any local authority or other local governing body shall be postponed until the slack season of the year, so that as far as practicable employment in the locality in question shall be constant throughout the year.

Power to order postponement of certain work.

11. The Minister may cause to be issued to any unemployed worker a ticket or pass to enable him to travel by the State railways to any place of prospective employment.

Railway passes.

The cost of every such ticket or pass shall be defrayed out of the fund.

12. Regulations under this Act may prescribe and regulate the methods and conditions by and under which employers may publicly advertise for labour.

Advertisements.

13. (1.) The Governor in Council may, by notification in the *Gazette*, from time to time set apart and appropriate any area of Crown land for the purposes of a labour farm.

Land may be set apart for labour farms.

Unless such notification otherwise declares, such lands shall not be liable to rating by the local authority of the Area within which they are situated.

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Overseers
and officers.

(2.) The Minister, on the recommendation of the Council, may from time to time appoint for a labour farm an overseer and such other officers as, in his opinion, are necessary.

Power of
overseer.

(3.) Subject to the Council, the overseer shall manage and conduct such farm, and for such purposes shall have all powers and authorities necessary to the efficient and orderly conduct and management of such farm.

The overseer may establish and manage any trade or industry in a labour farm and dispose of the proceeds thereof.

Who is to be
admitted
into labour
farm.

(4.) The Council may admit into a labour farm any man who, in their opinion, is normally unemployable and who is unable to support himself otherwise. Thereupon such man shall be entitled to such benefits as are provided by the rules of the farm so long as he complies with the rules and discipline of the farm, unless in the opinion of an industrial magistrate, upon a reference to him by the Council in that behalf, he is not of good character or repute.

Every such man shall, upon admission, give particulars to the overseer of his trade or calling, period of residence in this State, place of birth, and such other information as may be required of him; and the overseer shall enter such particulars in a book to be kept for that purpose.

Every such man shall be paid in money for the work performed by him at the farm such wages as the Council may fix. And this provision shall prevail over any award or industrial agreement.

Any such man, unless physically unfit, who refuses without just cause to perform the work allotted to him by the overseer shall be forthwith dismissed from the farm, and shall not be entitled to be admitted into another labour farm, or to receive any allowances from the fund.

Trust
account.

(5.) All moneys received by the Council under this section or in respect of any moneys appropriated by Parliament for the purpose of labour farms shall be paid to the credit of a trust account.

Application
of moneys.

All moneys so paid into such trust account may be expended—

(a) In the payment of wages for work to workers at labour farms;

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- (b) In the erection, construction, and making of necessary buildings, erections, works, and conveniences in connection with labour farms, and in the maintenance thereof ;
- (c) In purchasing provisions, clothing, building materials, stock, seed, agricultural implements, tools, and all things necessary for the proper working of labour farms, and generally for carrying out the provisions of this section.

(6.) No license or club certificate authorising the sale of any intoxicating liquor shall be granted within the boundaries of a labour farm, and no license or permission shall authorise the sale within such boundaries of intoxicating liquor by any form of agency or in any way whatever ; any person who sells such liquor within or brings such liquor within the boundaries of a labour farm shall be liable to a penalty not exceeding fifty pounds : Provided that this subsection shall not extend to prohibit the bringing in or use of such liquor as a medicine upon the certificate of a legally qualified medical practitioner.

Sale of
liquor
prohibited.

(7.) The Council may from time to time make rules with respect to all or any of the following matters, namely :—

Rules.

- (a) The rate of wages for work to be paid to workers at a labour farm ;
- (b) The cleanliness, good order, and health of labour farms ;
- (c) The maintenance of order and discipline ;
- (d) The punishment for breaches of rules, provided that no pecuniary penalty for the breach of any rule shall exceed five pounds ;
- (e) Generally, for the better carrying out of the purposes and provisions of this section, whether hereinbefore specifically authorised or not.

All such rules shall, on being published in the *Gazette*, have the same effect as if they were enacted in this Act, and shall not be questioned in any proceedings whatsoever.

14. (1.) Every unemployed worker shall have the right to apply to be registered and to be registered for employment at any State Labour Exchange.

Right to
work.

(2.) Subject to the provisions hereinafter mentioned, if after the expiration of fourteen days from the date of his registration for employment at any State Labour

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Schedule.

Exchange any worker who has been *bonâ fide* resident in Queensland continuously for the six months immediately prior to such registration (the proof of which residence shall lie upon him) has not been provided with work, he shall have the right to receive a sustenance allowance at the rate appropriate to his case and subject to the provisions set forth in the Schedule to this Act: Provided that the Governor in Council, by Order in Council published in the *Gazette*, may from time to time make such alterations in or additions to the said Schedule or of any of the rates, classes, or other particulars or provisions thereof as he thinks fit, whereupon the Schedule as so altered or added to shall be substituted for the existing Schedule to this Act.

(3.) No sustenance allowance shall be receivable or be received by—

- (a) Any returned soldier or member of the military or naval forces who has been absent on active service beyond Queensland, whilst he is in receipt of unemployment allowance from any Repatriation Department; or
- (b) Any person who is in receipt of an old age pension under the laws of the Commonwealth; or
- (c) Any person who is in receipt of a periodical payment made under or pursuant to the provisions of **“The Workers’ Compensation Acts, 1916 to 1921.”*

(4.) The right to receive sustenance allowance shall be subject to the following conditions and exceptions:—

- (a) If the worker, at any time after his registration, without reasonable excuse refuses or has refused to accept any work offered to him, whether through a State Labour Exchange or otherwise, he shall not for thirty days after such refusal be entitled to receive any such allowance. Objection on the part of an unemployed worker to become a member of a registered trade or industrial union which enjoys the right of preference of employment for its members conferred on such union by

* 6 Geo. V. No. 35 and Amending Acts, *supra*, page 9851.

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an industrial agreement duly registered, or by an award of the Court of Industrial Arbitration of Queensland or the Commonwealth Court of Conciliation and Arbitration, shall not of itself constitute a reasonable excuse on the part of the worker for refusing to accept work offered. A worker who refuses to accept employment solely on that ground shall forfeit his right to sustenance allowance and shall not again become entitled to any such allowance until the lapse of thirty days after such refusal. Refusal to accept employment in a situation vacant in consequence of a stoppage of work due to an industrial dispute shall be deemed a reasonable excuse for the purposes of this paragraph.

- (b) After his registration the worker shall have attended and shall attend to seek employment at a State Labour Exchange at such times as are prescribed by the regulations.
- (c) When it is shown to the satisfaction of the Council that any worker has become unemployed solely by his own fault, the Council may direct that he shall not whilst unemployed be entitled to any such allowance during such period not exceeding two months as the Council may fix.
- (d) No person who is not a worker within the meaning of this Act because his recent or usual employment has been with an employer who is not an employer within the meaning of this Act shall be entitled to receive any such allowance unless the Council in their discretion think proper to extend the benefit of this provision to the case of any such person; in which event such person shall be entitled to receive such allowance.
- (e) No person shall be entitled to receive sustenance allowance who is unemployed by reason of his own action in refusing employment under the conditions of an award or industrial agreement.

(5.) If any dispute arises with respect to any person's right to receive sustenance allowance, the matter may

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be referred by the Minister to the Council for decision, and the decision of the Council thereon shall be final and conclusive.

(6.) The fund shall be charged with the payment of all such sustenance allowances.

Technical
training of
worker.

15. Where it is shown to the satisfaction of the Council that any worker has repeatedly lost his employment by reason of imperfect technical knowledge or skill, the Council may direct that he receive instruction at any State Technical College or in any other institution or business, and that the cost of such instruction, together with an allowance for the sustenance of the worker during his period of instruction, shall be borne by the fund wholly or in part at the discretion of the Council.

General
powers.

16. In addition to and without in any way limiting the powers of the Governor in Council or the Minister under this Act, the Governor in Council is hereby empowered from time to time by Order in Council to issue such orders and give such directions and prescribe such rules as will in his judgment be calculated to safeguard the requirements and well-being of the people and to give full effect to the provisions of this Act. And every such order, direction, and rule shall be obeyed.

Publication
and effect of
orders.

17. Every Order in Council made or purporting to be made under this Act shall be published in the *Gazette*, and forthwith upon such publication shall be read as one with this Act, and construed as being of equal validity, and shall not be challenged in any proceedings whatsoever.

Offence
against Act.

18. Any person who by any act or default contravenes or fails to comply with any provision of this Act, or delays, or obstructs, or hinders the doing of any act required by this Act to be done, whether by himself or by any other person, or who aids, abets, counsels, or procures any other person to so contravene or fail to comply with any such provision, or who attempts in any wise so to do, shall be guilty of an offence against this Act.

Any person guilty of an offence against this Act shall, unless some other penalty is imposed in that behalf, be liable to a penalty not exceeding one hundred pounds. If such person is a company, the individual person guilty of the offence, and also the managing director or other

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manager in Queensland of the company who knowingly permits the commission of the offence, shall each of them be liable to the like punishment.

All proceedings in respect of penalties for offences against this Act may be heard and determined on a complaint in a summary way by and before a police magistrate sitting in petty sessions.

19. No action or proceeding shall be maintained against the Crown or the Council or the Minister or any member of a Local Authority while acting in his capacity as a member of the Local Authority, or any overseer of a labour farm or other officer, for anything done or omitted to be done by him in carrying out or purporting to carry out the provisions of this Act. No action against Minister, &c.

20. (1.) The Governor in Council may from time to time make regulations providing for all or any purposes, whether general or to meet particular cases, that may be convenient for the administration of this Act or that may be necessary or expedient to carry out the objects and purposes of this Act, and, where there may be in this Act no provision or no sufficient provision in respect of any matter or thing necessary or expedient to give effect to this Act, providing for and supplying such omission or insufficiency. Regulations.

Without limiting the generality of the foregoing provisions, such regulations may provide for—

- (i.) Fixing the rates of contribution to the fund in respect of the employer, worker, and the State ;
- (ii.) The exemption from the operation of this Act of any class or classes of persons in connection with any industry who make application to the Council in that behalf and satisfy the Council that such persons are entitled to rights in a superannuation fund for the benefit of persons employed in such industry and that such persons are not subject to dismissal except for misconduct or for neglect in the performance of or unfitness to perform their duties, or that the terms and conditions on which such persons are engaged make it unnecessary that they should be insured under this Act ;

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- (iii.) The method of assessment and the method of payment of and collection of contributions to the fund, whether by way of stamps or deduction from wages of a worker or otherwise;
- (iv.) The fees, allowances, and travelling expenses which may be paid to members of the Council;
- (v.) Prescribing forms of returns and statistics to be made and furnished to the Director of Labour and the contents thereof, and the persons (whether workers or employers or not) by whom the same shall be made, and the time and mode of making and furnishing the same.

(2.) The regulations may fix a penalty, not exceeding in any case twenty pounds, for any breach thereof.

(3.) All such regulations shall be published in the *Gazette*, and thereupon shall be of the same effect as if they were contained in this Act and shall not be challenged in any proceedings whatsoever.

Such regulations shall be laid before Parliament within fourteen sitting days after such publication, if Parliament is in session, and if not then within fourteen sitting days after the commencement of the next session.

(4.) If the Legislative Assembly passes a resolution disallowing any such regulation, of which resolution notice has been given at any time within fourteen sitting days of Parliament after such regulation has been laid before it, such regulation shall thereupon cease to have effect, but without prejudice to the validity of anything done in the meantime.

(5.) For the purpose of this section, the term "sitting days" shall mean days on which the Legislative Assembly actually sits for the despatch of business.

Report to be
laid before
Parliament.

21. The Minister shall cause a report to be laid before Parliament within one month after the commencement of the session of Parliament in each year, giving full information as to all proceedings under this Act during the last preceding financial year.

1922.

Unemployed Workers Insurance Act.

SCHEDULE

RATES OF SUSTENANCE ALLOWANCE FOR UNEMPLOYED WORKERS.

The rate of sustenance allowance shall in no case exceed one half of the amount of wages payable weekly under any award to, or, if there is no award, in accordance with the prevailing rates of wages of workers employed in the same calling as that of the unemployed worker in the locality where the unemployed worker lives; but, subject as last aforesaid, the rate of sustenance allowance per week during unemployment to which the unemployed worker of the class mentioned in the first left-hand column of the table hereunder is entitled shall be the amount set against the name of such class in the other columns respectively of the said table according to the District and Subdivision of District of the State therein mentioned in which the unemployed worker lives.

CLASS OF WORKERS.	SOUTHERN DISTRICT.		CENTRAL DISTRICT.		NORTHERN DISTRICT.	
	Subdivision.		Subdivision.		Subdivision.	
	1.	2.	1.	2.	1.	2.
	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>
1. Individual workers, whether male or female, unmarried, or widowers, or widows	15 0	16 3	16 3	17 6	17 6	20 0
2. Married workers— Male worker supporting his wife and any dependent children	25 0	27 6	27 6	30 0	30 0	35 0
<i>In addition, for each child wholly supported by a male or female worker (not exceeding four children) under sixteen years of age</i>	4 0	5 0	4 0	5 0	4 0	5 0

(a) Where in any special case provision is not made in the foregoing table for sustenance allowance to any worker or class of workers, the Governor in Council, on the recommendation of the Council, may approve of sustenance allowance being paid, to such amount as may be approved.

(b) Sustenance allowance shall be payable in respect of each week of any continuous period of unemployment only after the first fourteen days of unemployment :

Provided that in the case of employment of a casual or intermittent nature the Council may, with the approval of the Governor in Council, make rules providing that sustenance allowance may

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be paid to workers in such employment based on the number of days unemployed in each month, although the number of such days in each month may be less than fourteen days :

Provided further that the Council may, with the approval of the Governor in Council, make rules whereby a worker who has contributed to the fund for a period of not less than six months, and whose subsequent usual employment is of a kind which is not within the provisions of this Act, may nevertheless whilst unemployed be and be deemed to be a person entitled to sustenance allowance under the conditions herein provided, and that upon returning to an employment of a kind which is within the provisions of this Act the period aforesaid during which he has contributed to the fund shall be deemed a sufficient compliance with the requirement of contribution herein provided.

(c) No person shall receive sustenance allowance for more than fifteen weeks within any one year :

Provided that the Council in their discretion may extend such payments to meet cases of hardship and distress.

(d) No person shall receive sustenance allowance unless he has contributed to the fund for six months prior to his application for sustenance allowance :

Provided that the Council may, with the approval of the Governor in Council, make rules whereby a contributor who has contributed for less than six months may receive sustenance allowance of a proportionately reduced amount, based on the duration of the fully paid contribution so paid by him to the fund.

(e) A period of unemployment shall not be deemed to commence until the worker has made application for sustenance allowance in the prescribed manner.

(f) No person shall receive sustenance allowance who is not registered at a State Labour Exchange in accordance with section fourteen subsection one of this Act.

Districts.

(g) For the purposes of this Act, the following Districts and Subdivisions are created :—

Southern District.—All that portion of the State lying between the southern border and a line drawn westward from Yandaran to the State's western border.

Central District.—All that portion of the State lying between a line drawn westward from Yandaran to the western border of the State and a line drawn westward from St. Lawrence to the State's western border, but to run south of Winton. Yandaran and St. Lawrence shall be in the Central District.

Northern District.—All that portion of the State north of the Central District.

Subdivisions.

Each District is divided into two Subdivisions by a line commencing on the southern border of the State at a point 29 degrees south latitude 149 degrees east longitude, thence north-westerly to a

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point 26 degrees south latitude 148 degrees east longitude, thence north-westerly to a point 23 degrees south latitude 146 degrees east longitude, thence northerly to a point 20 degrees south latitude 146 degrees east longitude, thence north-westerly to a point 16 degrees south latitude 145 degrees east longitude, thence easterly to the coast.

So much of each District as is east of the line defined in the last preceding paragraph shall be in No. 1 Subdivision, and so much of each District as is not east of the said line shall be in No. 2 Subdivision of the Southern, Central, and Northern Districts respectively.

An Act to Amend "The Workers' Homes Act of 1919" in certain particulars.

13 Geo. V.
No. 21.

THE
WORKERS'
HOMES ACT
AMENDMENT
ACT OF 1922.

[ASSENTED TO 14TH OCTOBER, 1922.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as "*The Workers' Homes Act Amendment Act of 1922*," and shall be read as one with *"*The Workers' Homes Act of 1919*," herein referred to as the Principal Act. The Principal Act and this Act may together be cited as "*The Workers' Homes Acts, 1919 to 1922*." Short title and construction of Act.

2. The following words are added to the last paragraph of section eight of the Principal Act:—"and, after erection of any such home or acquisition under this Act of any land with a building thereon suitable for a home, may alter, enlarge or improve the same." Amendment of s. 8.

3. The first paragraph of subsection three of section nine of the Principal Act is repealed, and the following provision is inserted in lieu thereof:— Amendment of s. 9

"Where more persons than one apply to become purchasers of the same home, the Minister, after taking into consideration the particular circumstances of each

* 10 Geo. V. No. 7, *supra*, page 9164.