



ANNO DECIMO QUINTO

## GEORGII VI REGIS.

A.D. 1951.

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### No. 14 of 1951.

An Act to amend the Industrial Code, 1920-1950.

[Assented to 4th October, 1951.]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows :

1. (1) This Act may be cited as the "Industrial Code Amendment Act, 1951". Short titles.
- (2) The Industrial Code, 1920-1950, as amended by this Act, may be cited as the "Industrial Code, 1920-1951".
- (3) The Industrial Code, 1920-1950, is hereinafter called "the principal Act".
2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act. Incorporation.
3. Sections 5, 140, and 279 of the principal Act are amended by inserting after the word "Unley" in the definition of "metropolitan area" in each of those sections the word "Walkerville". Amendment of ss. 5, 140, and 279 of principal Act— Interpretation.
4. (1) Section 13 of the principal Act is amended— Amendment of s. 13 of principal Act— Salary of President and Deputy President.
  - (a) by adding after the words "two thousand" in subsection (1) the words "five hundred";
  - (b) by striking out the words "one thousand six hundred" in subsection (2) and inserting in their place the words "two thousand one hundred".

(2) The amendments made by this section shall be deemed to have come into operation on the first day of July nineteen hundred and fifty-one.

Amendment of  
s. 45 of  
principal Act—  
Variations of  
awards and  
orders in  
variations of  
living wage.

5. Section 45 of the principal Act is amended by adding at the end of paragraph (c) of subsection (1) the following proviso :—

Provided that, where a weekly wages price or rate, if so increased or decreased, would be an amount exceeding a multiple of threepence by one penny halfpenny, that wages price or rate shall be increased or decreased to the multiple of threepence next above that amount.

Amendment of  
s. 194 of  
principal Act—  
Variation of  
determinations  
in accordance  
with variations  
in living wage.

6. Section 194 of the principal Act is amended by adding at the end of paragraph (c) of subsection (1) the following proviso :—

Provided that, where a weekly wages price or rate, if so increased or decreased, would be an amount exceeding a multiple of threepence by one penny halfpenny, that wages price or rate shall be increased or decreased to the multiple of threepence next above that amount.

Amendment of  
s. 253 of  
principal Act—  
Constitution  
of Board of  
Industry.

7. Section 253 of the principal Act is amended by adding at the end thereof the following subsections, the previous part of section 253 being read as subsection (1) thereof :—

(2) Subject to section 255 of this Act, the two commissioners who are representatives of employers shall be—

(a) a person appointed on the nomination of the South Australian Chamber of Manufactures Incorporated; and

(b) a person appointed on the nomination of The South Australian Employers' Federation :

Provided that the commissioners appointed on the nomination of The South Australian Employers' Federation and holding office at the time of the passing of the Industrial Code Amendment Act, 1951, shall be deemed to have been duly appointed in accordance with this subsection. If occasion arises for doing so the Minister may decide which of those members shall be regarded as having been nominated by the South Australian Chamber of Manufactures and The South Australian Employers' Federation respectively.

(3) Subject to section 255 of this Act, the two commissioners who are representatives of employees shall be persons appointed on the nomination of The United Trades and Labour Council of South Australia.

8. Section 255 of the principal Act is repealed and the following section is enacted in its place :—

Repeal and re-enactment of s. 255 of principal Act—  
Appointment and remuneration of board.

255. (1) The Governor shall make an appointment to fill every vacancy, whether ordinary or casual, in the office of any member of the Board of Industry.

(2) For the purpose of filling any vacancy in the office of a commissioner, the Minister shall publish in the *Gazette* a notice of intention to appoint such commissioner and of the name of the body entitled to nominate a person for such appointment. A notice may relate to one or more than one vacancy.

(3) At any time within one month after the publication of such notice, the body therein mentioned may, in the prescribed manner, nominate a person for appointment to the Board of Industry.

(4) If a body entitled to nominate a person for appointment to the Board of Industry fails to do so within one month after the publication of the notice pursuant to subsection (2) of this section, the Minister may nominate a person for such appointment.

(5) The Governor shall appoint to the Board of Industry the persons nominated under this section.

(6) An appointment to an office on the Board of Industry may be made before the office becomes vacant, but if so made shall not take effect until the office is vacant.

(7) The members of the Board of Industry shall be paid such salaries, fees, or allowances as are prescribed.

9. Section 256 of the principal Act is amended by adding at the end of subsection (1) thereof the following proviso :—

Amendment of s. 256 of principal Act—  
Period of appointment.

Provided that a person appointed to a casual vacancy in the office of any member shall, subject to this Act, hold office only for the remainder of the term of that member, but shall be eligible for re-appointment.

10. Section 257 of the principal Act is repealed and the following section enacted in its place :—

Repeal of s. 257 of principal Act and enactment of other provisions—  
Acting members of the Board of Industry

257. (1) If by reason of illness, absence, or other cause deemed adequate by the Governor any member of the Board of Industry is temporarily unable to act in his

office the Governor may appoint a person to act as a member during the period of such inability.

(2) Where the member unable to act is a representative of employers or employees, the person to act in his place shall be appointed on the nomination of the body which under section 253 of this Act would have been entitled to nominate a person to fill the office of the said member upon a vacancy occurring therein.

In the name and on behalf of His Majesty, I hereby assent to this Bill.

HERBERT MAYO, Governor's Deputy.