

This PUBLIC BILL originated in the HOUSE OF REPRESENTATIVES, and, having this day passed as now printed, is transmitted to the LEGISLATIVE COUNCIL for its concurrence.

House of Representatives.  
15th October, 1903.

[AS AMENDED BY THE LEGISLATIVE COUNCIL.]

Rt. Hon. R. J. Seddon.

INDUSTRIAL CONCILIATION AND ARBITRATION  
AMENDMENT.

ANALYSIS.

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| Title.<br>1. Short Title.<br>2. Deputy Registrar.<br>3. Proceedings to continue on change in Board or Court. | 3A. Power of Court to extend award.<br>4. Combining to defeat award.<br>5. When dismissal of employee breach of Act.<br>6. Inspectors of Awards. |
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A BILL INTITULED

AN ACT to amend "The Industrial Conciliation and Arbitration Act, 1900." Title

5 BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:--

1. The Short Title of this Act is "The Industrial Conciliation and Arbitration Amendment Act, 1903"; and it shall form part of and be read together with "The Industrial Conciliation and Arbitration Act, 1900" (hereinafter referred to as "the principal Act"). Short Title.

10 2. The Governor may from time to time appoint some fit person to be Deputy Registrar of Industrial Unions, who shall, under the control of the Registrar, perform such general official duties as he is called upon to perform under this Act or by the Registrar, and who Deputy Registrar.  
15 in case of the illness, absence, or other temporary incapacity of the Registrar shall act in his name and on his behalf, and while so acting shall have and may exercise all the powers, duties, and functions of the Registrar.

20 3. Where any change takes place in the members constituting the Board or the Court, any proceeding or inquiry then in progress shall not abate or be affected, but shall continue and be dealt with by the Board or the Court as if no such change had taken place: Provided that the Board or the Court may require evidence to be Proceedings to continue on change in Board or Court.  
retaken where necessary.

25 *New clause.*

30 3A. The power given by subsection two of section eighty-seven of the principal Act to the Court to extend an award so as to join and bind as parties thereto any specified trade-union, industrial union, industrial association, or employer in the colony may, notwithstanding anything contained in such subsection, be exercised in any case Power of Court to extend award.

where the award relates to a trade or manufacture the products of which enter into competition in any market with those manufactured in another industrial district, irrespective of the number of employers engaged or of the unions of workers concerned in the trade or manufacture that are bound by the award. 5

Combining to defeat award.

4. If during the currency of an award ~~it appears that~~ any *employer, worker*, industrial union or association, or any combination of either employers or workers, has taken proceedings ~~intended or likely~~ *with the intention* to defeat any of the provisions of the award, such *employer, worker*, union, association, or combination, 10 and every member thereof respectively, shall be deemed to have committed a breach of the award, and shall be liable accordingly.

When dismissal of employee breach of Act.

5. Every employer who dismisses from his employment any ~~employee~~ *worker* by reason merely of the fact that the ~~employee~~ *worker* is a member of an industrial union, or *who is conclusively proved* 15 *to have dismissed such worker merely because he* is entitled to the benefit of an award, order, or agreement, shall be deemed to have committed a breach of the award, order, or agreement, and shall be liable accordingly.

Inspectors of Awards.

6. (1.) Every Inspector appointed under "The Factories Act, 1901," shall be an Inspector of Awards under the principal Act, and shall be charged with the duty of seeing that the provisions of any industrial agreement, or award, or order of the Court are duly observed. 20

(2.) Every Inspector of Mines appointed under either "The Coal-mines Act, 1891," or "The Mining Act, 1898," shall be an Inspector of Awards, and shall be charged with the duty of seeing that the provisions of any such agreement, award, or order are duly observed in any coal-mine or mine within his district. 25

(3.) In the discharge of such duty an Inspector of Awards may 30 require any employer or worker to produce for his examination ~~such books, papers, and documents as may be~~ *any wages-books and overtime-books* necessary for the purposes of this section; and, in addition, every such Inspector shall have and may exercise all the powers conferred on Inspectors of Factories by section six of "The 35 Factories Act, 1901," and that section and section seven of the same Act shall, *mutatis mutandis*, extend and apply to Inspectors of Awards; and except for the purposes of this Act, and in the exercise of his functions under this Act, an Inspector shall not disclose to any person any information which in the exercise of such 40 functions he acquires; and any Inspector who shall, in contravention of this Act, divulge any information shall be liable to a penalty not exceeding *fifty* pounds.