

# Supplementary Order Paper

## HOUSE OF REPRESENTATIVES

Tuesday, the 23rd Day of March 1971

### STABILISATION OF REMUNERATION BILL

#### *Further Proposed Amendments*

Right Hon. Mr MARSHALL, in Committee, to move the following further amendments:

*Clause 7:* To recommit this clause, and insert in subclause (1), after paragraph (bb) (as proposed to be inserted by the Labour and Mining Committee), the following paragraph:

(bbb) To receive and determine applications under paragraph (a) of subsection (1) of section 16c of this Act for its consent to any increase in remuneration agreed upon pursuant to a disputes clause inserted or deemed to be inserted in any instrument:

*Clause 16B* (proposed to be inserted by the Labour and Mining Committee): To insert, after subclause (3), the following subclause:

(3A) Nothing in this section shall apply with respect to any increase in the rate of remuneration of an individual worker in any of the following cases:

(a) Where the increase is to be granted as a result of the promotion of the worker from one established position to another established position:

(b) Where the increase is to be granted in accordance with an existing salary scale or arrangement providing for the increase on the grounds of age, service, or qualifications:

(c) Where the increase is to be granted on the grounds that the duties or responsibilities of the worker have been substantially increased or the conditions of employment have substantially deteriorated.

*New clause 16c:* To insert, after clause 16B (proposed to be inserted by the Labour and Mining Committee), the following new clause:

**16c. Increase in rate of remuneration pursuant to disputes clause in instrument—**(1) Where, pursuant to sections 177 and 178 of the Industrial Conciliation and Arbitration Act 1954 (as substituted by section 3 of the Industrial Conciliation and Arbitration Amendment Act 1970), a disputes clause is inserted or deemed to be inserted in any instrument, any increase in any rate of remuneration, being a matter related to matters dealt with in the instrument and not specifically and clearly disposed of by the terms of the instrument, shall take effect—

- (a) With the consent of the Remuneration Authority, where the parties or their representatives have agreed to that increase pursuant to that disputes clause; or
- (b) If that increase is properly decided or settled by a disputes committee or the Court of Arbitration or other tribunal pursuant to that disputes clause.

(2) The provisions of this section shall have effect notwithstanding anything in section 12 or section 13 or section 16B or section 17 or section 24A of this Act.

#### EXPLANATORY NOTE

*Clause 7:* This amendment is consequential on the proposed new clause 16c.

*Clause 16a:* The effect of this amendment is that it will not be necessary for the Remuneration Authority to be notified of any proposed increase in any rate of remuneration that exceeds the specified percentage in the cases specified in the amendment. They are the same cases as those in which, if Part III were in force, an increased payment could be made without obtaining the consent of the Authority.

*Clause 16c:* This clause provides that where a disputes clause is inserted or deemed to be inserted in any instrument pursuant to sections 177 and 178 of the Industrial Conciliation and Arbitration Act 1954 (substituted by section 3 of the 1970 Amendment), any increase in any rate of remuneration pursuant to that disputes clause will take effect—

- (a) With the consent of the Remuneration Authority, where that increase has been agreed upon by the parties or their representatives; or
- (b) If the increase has been decided and settled by a disputes committee or the Court of Arbitration or other tribunal.