

Rt. Hon. R. J. Seddon.

INDUSTRIAL CONCILIATION AND ARBITRATION AMENDMENT.

ANALYSIS

<p>Title.</p> <p>1. Short Title.</p> <p>2. Interpretation.</p> <p>3. Registration of a foreign company represented by agent.</p> <p>4. Trade-unions parties to industrial agreement.</p> <p>5. Amendment of section 52 of principal Act.</p>	<p>6. Amendment of section 57 of principal Act.</p> <p>7. Trade-unions may be bound by award.</p> <p>8. Trade-unions may be joined as parties.</p> <p>9. Amendment of section 38 of principal Act.</p> <p>10. Resolution to refer dispute.</p> <p>11. Further protection of workers in case of a dispute.</p> <p>12. Cancellation of registration of defunct union.</p>
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A BILL INTITULED

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

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, 1901," and it shall form part of and be read together with "The Industrial Conciliation and Arbitration Act, 1900" (hereinafter called "the principal Act"). Short Title.

2. In this Act, if not inconsistent with the context, "trade-union" means any trade-union registered under "The Trade Union Act, 1878." Interpretation.

3. Where a company registered out of New Zealand is carrying on business in New Zealand through an agent acting under a power of attorney, such company may be registered as an industrial union of employers, and in such case the provisions of section five of the principal Act shall be deemed to be complied with if the application to register is made under the hand of the agent for the company, and is accompanied by— Registration of a foreign company represented by agent.

- (1.) Satisfactory evidence of the registration or incorporation of the company;
- (2.) Two copies of its articles of association or rules;
- (3.) The situation of its registered office in New Zealand; and
- (4.) A copy of the power of attorney under which such agent is acting.

4. Section twenty-four of the principal Act, relating to parties to industrial agreements, is hereby amended by inserting the words "trade-unions or" after the words "shall in every case be," in subsection one thereof. Trade-unions parties to industrial agreement.

5. Section fifty-two of the principal Act, relating to the procedure for reference of an industrial dispute, is hereby amended by inserting the words "whether acting under a power of attorney or otherwise," after the words "No counsel or solicitor," in subsection Amendment of section 52 of principal Act.

eight thereof, and by inserting at the end of the same subsection the words, "or unless he is a *bona fide* principal in the dispute."

Amendment of section 57 of principal Act.

6. Section fifty-seven of the principal Act, relating to the memorandum of consent to the Board's recommendations, is hereby amended by repealing the words "or any of."

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Trade-unions may be bound by award.

7. Section eighty-six of the principal Act, relating to the terms to be specified in an award of the Court is hereby amended as follows:—

(1.) As to subsection one thereof: By inserting the words "trade-union," next after the words "being in every case each"; and

(2.) As to subsection three thereof: By inserting the words "trade-union," next after the words "subsequent party thereto every."

Trade-unions may be joined as parties.

8. Section eighty-seven of the principal Act, relating to the power of the Court to extend an award so as to bind persons not parties thereto, is hereby amended by inserting the words "trade-union," next after the words "as party thereto any specified," in subsection two thereof.

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Amendment of section 88 of principal Act.

9. Section eighty-eight of the principal Act, relating to the application to be made to the Court to extend an award to certain persons, is hereby amended by inserting the words "trade-union" next after the words "that section, every," in subsection two thereof.

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Resolution to refer dispute.

10. Section ninety-nine of the principal Act, relating to the special meeting to refer a dispute to the Board or Court, is hereby amended by inserting the words "present at the meeting," next after the words "industrial association."

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Further protection of workers in case of a dispute.

11. Section one hundred of the principal Act, preserving the relationship of employer and employed pending the settlement of a dispute, is hereby amended by inserting at the end of subsection one thereof the words "or anything preliminary to the reference of the dispute and connected therewith."

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Cancellation of registration of defunct union.

12. (1.) If an industrial union makes default in forwarding to the Registrar the returns required by section seventeen of the principal Act, and the Registrar has reasonable cause to believe that the union is defunct, he may send by post to the secretary of the union a letter calling attention to the default, and inquiring whether the union is in existence.

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(2.) If within one month after sending such letter the Registrar does not receive a reply thereto, or receives a reply to the effect that the union has ceased to exist, he may insert in the *Gazette*, and send to the secretary of the union, a notice declaring that the registration of the union will, unless cause to the contrary is shown, be cancelled at the expiration of six weeks from the date of such notice.

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(3.) At the expiration of the time mentioned in the notice the Registrar may, unless cause to the contrary is shown, strike the name of the union off the register, and shall publish notice thereof in the *Gazette*, and thereupon the registration of the union shall be cancelled.

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