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*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,

28th October, 1921.

Hon. Mr. Anderson.

INDUSTRIAL CONCILIATION AND ARBITRATION AMENDMENT.

ANALYSIS.

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| Title.
1. Short Title.
2. Section 66 of principal Act (as to appointment of nominated and acting nominated members of Arbitration Court) amended. | 3. Provisions as to member acting in place of nominated member of Court. Consequential repeal.
4. Casual vacancies created by absence of nominated member from sittings of Court. |
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A BILL INTITULED

AN ACT to amend the Industrial Conciliation and Arbitration Act, Title
1908.

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

1. This Act may be cited as the Industrial Conciliation and
Arbitration Amendment Act, 1921, and shall be read together with
10 1908 (hereinafter referred to as the principal Act).

2. Section sixty-six of the principal Act is hereby amended
by adding to subsection two the following paragraph :—

15 “(e.) The Governor-General may request industrial unions to
recommend persons to be nominated members or
acting nominated members of the Court whenever he
thinks fit, notwithstanding that there may at the time
of such request be no vacancy; but no appointment
shall be made unless and until a casual vacancy has
occurred or the term of office of any nominated member
or acting nominated member has expired.”

20 3. (1.) If at any time a vacancy exists in the office of nominated
member of the Court, or if any nominated member is not present at
any sitting of the Court, the Judge may summon the acting
nominated member appointed on the recommendation of the in-
25 dustrial unions of employers or of workers, as the case may be,
to attend the sittings of the Court and to act as nominated
member during such time as there is no nominated member present
appointed on the recommendation of such unions, and while so

Short Title.

Section 66 of
principal Act (as to
appointment of
nominated and
acting nominated
members of
Arbitration Court
amended.

Provisions as to
member acting in
place of nominated
member of Court.

acting the acting nominated member shall have and may exercise all the powers, functions, and privileges, and shall perform all the duties of the nominated member for whom he is acting.

(2.) If at any time when an acting nominated member is required to attend the sittings of the Court a vacancy exists in the office of such acting nominated member, or the acting nominated member is not present at any such sitting, the Governor-General may, on the recommendation of the Judge, appoint such other person to be temporary nominated member as in his opinion will effectively represent the industrial unions of employers or of workers, as the case may be. 5 10

(3.) The Judge may thereupon summon such temporary nominated member to attend the sittings of the Court and to act as nominated member during such time as there is present no nominated member or acting nominated member appointed on the recommendation of the industrial unions of employers or of workers, as the case may be, and while so acting the temporary nominated member shall have and may exercise all the powers, functions, and privileges, and shall perform all the duties of the nominated member for whom he is acting. 15 20

(4.) When the nominated member or acting nominated member, as the case may be, is again present at the sittings of the Court the acting nominated member or the temporary nominated member, as the case may be, shall cease to act:

Provided that if such acting nominated member or temporary nominated member is then engaged on the hearing of a case the Judge may require him to complete such hearing before ceasing to act. 25

(5.) When any acting nominated member or temporary nominated member is acting as nominated member he shall be paid a salary for the time during which he is so acting at the rate provided for the said nominated member. 30

(6.) During the absence of any nominated member he may be paid such rate of salary (if any) as the Minister thinks fit, not exceeding in any case the rate prescribed by the principal Act. 35

(7.) The appointment of a nominated member or of an acting nominated member or of a temporary nominated member of the Court shall not be questioned on any ground whatsoever, and no act done by the Court sitting with an acting nominated member or a temporary nominated member, or done by such acting nominated member or temporary nominated member, shall be questioned on the ground that the occasion for such acting nominated member or temporary nominated member acting as a member of the Court had not arisen or had ceased. 40

(8.) All acts done before the passing of this Act by the Court or by any member of the Court or by any person acting as such shall be as valid and effective as if this Act had been then in force. 45

(9.) This section is in substitution for section sixty-eight of the principal Act, and that section is hereby accordingly repealed.

4. Section seventy-one of the principal Act is hereby amended by inserting, after the word "absent," the words "without the consent of the Judge." 50

Consequential repeal.

Casual vacancies created by absence of nominated member from sittings of Court.