

[AS REPORTED FROM THE STATUTES REVISION COMMITTEE.]

House of Representatives, 10th September, 1915.

Mr. McCombs.

INDUSTRIAL UNIONS AND TRADE-UNIONS ENABLING.

ANALYSIS.

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A BILL INTITULED

AN ACT to amend the Law with respect to the Objects and Powers of Industrial Unions and Trade-unions. Title.

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

1. This Act may be cited as the Industrial Unions and Trade-unions Enabling Act, 1915. Short Title.

2. In this Act, if not inconsistent with the context,— Interpretation.  
 10 “Labour-union” means an industrial union or a trade-union;  
 “Registrar” means the Registrar of Industrial Unions in the case of an industrial union, and the Registrar of Friendly Societies in the case of a trade-union.

3. (1.) The funds of a labour-union shall not be applied, either Application of funds.  
 15 directly or in conjunction with any other union, association, or body, or otherwise indirectly, in the furtherance of the political objects to which this section applies (without prejudice to the furtherance of any other political objects), unless the furtherance of those objects has been approved as an object of the union by a resolution for the time being in force passed at a special meeting of the union called  
 20 for the purpose and confirmed by a subsequent ballot of the members of the union taken in accordance with this Act and carried by a majority of votes recorded thereat; and rules, to be approved by the Registrar, are in force providing—

25 (a.) That any payments in the furtherance of those objects are to be made out of a separate fund (in this Act referred to

as the political fund of the union), and for the exemption in accordance with this Act of any member of the union from any obligation to contribute to such a fund if he gives notice in accordance with this Act that he objects to contribute; and

(b.) That a member who is exempt from the obligation to contribute to the political fund of the union shall not be excluded from any of the benefits of membership of the union or placed in any respect, either directly or indirectly, under any disability or at any disadvantage as compared with other members of the union (except in relation to the control or management of the political fund) by reason of his being so exempt, and that contribution to the political fund of the union shall not be made a condition for admission to the union.

(2.) The political objects to which this section applies are the expenditure of money—

(a.) On the payment of any expenses lawfully incurred, either directly or indirectly, by any one or more candidates or prospective candidates for election to Parliament or to any public office before, during, or after the election in connection with his or their candidature or election; or

(b.) On the holding of any meeting or the printing and distribution of any literature or documents in support of any such candidate or candidates or prospective candidate or candidates; or

(c.) Towards the expenses and salary of any person as secretary or organizer; or

(d.) On the holding of political meetings of any kind, or on the printing or distribution of political literature or political documents of any kind, unless the main purpose of the meetings or of the distribution of the literature or documents is the furtherance of the statutory objects of the union within the meaning of this Act; or

(e.) In office expenses incurred in connection with the above.

(3.) The provisions of this Act as to the application of the funds of a union for political purposes shall apply to a union which is in whole or in part an association or combination of other unions as if the individual members of the component unions were the members of that union and not the unions, but nothing in this Act shall prevent any such component union from collecting from any of their members who are not exempt from contributing to the political fund any contribution on behalf of such component union to the political fund of the association or combination.

(4.) In this section the expression "public office" means the office of member of any local authority; and the expression "statutory objects" means the objects for which a union might be registered under the Industrial Conciliation and Arbitration Act, 1908, or the Trade-unions Act, 1908, as the case may be.

4. A ballot for the purpose of this Act shall be taken in accordance with rules of the union to be approved for the purpose by the Registrar, but the Registrar shall not approve any such rules unless

he is satisfied that every member has an equal right and, if reasonably possible, a fair opportunity of voting, and that the secrecy of the ballot is properly secured.

5 5. (1.) Written notice of the confirmation of a resolution approving the furtherance of political objects as an object of the union shall forthwith be given by the union to each of its members. Such notice shall contain the statement that any member of the union is entitled to object to contribute to the political fund of the union, Struck out.

Member may object to contribute to political fund.

10 and that forms of objection may be obtained on application to the head or any branch office of the union or to the office of the Registrar.  
15 (2.) Any such notice to members of the union shall be given in accordance with rules of the union approved for the purpose by the Registrar, having regard in each case to the existing practice and to the character of the union.

New.

20 and a form of objection as set out in the Schedule to this Act shall be provided with such notice to each member of the union with a notification that if he desires to be exempt it must be signed and returned to the secretary of the union in accordance with the provisions hereinafter contained.

25 (3.) Any member of the union may at any time give notice, in the form in the Schedule hereto, or to the like effect, that he objects to contribute to the political fund of the union.

(4.) On giving such notice he shall be exempt, so long as his notice is not withdrawn, from contributing to the said political fund.

30 (5.) Where his notice is given before the expiration of seven days after the date receipt by him of the notice of confirmation aforesaid, his exemption shall take effect as from the date of that notice of confirmation; and in any other case such exemption shall take effect as from the expiry of three months after the date of his notice.

New.

35 (5A.) Every person who joins such union after the passing of the said confirmation of the resolution aforesaid, shall, on joining such union, elect as to whether he desires to contribute to the furtherance of the political objects of the union. And in every such case the secretary shall give such person notice of his right to elect, and 40 transmit with such notice a form of objection as aforesaid.

(6.) Any notice of objection shall be deemed to be given when it is served personally on the secretary of the union, or would be delivered to him in the ordinary course of post.

45 6. Effect may be given to the exemption of members to contribute to the political fund of a union either by a separate levy of contributions to that fund from the members of the union who are not exempt, and in that case the rules shall provide that no moneys of the union other than the amount raised by such separate levy shall be carried to that fund, or by relieving any members who are exempt from the whole or 50 any part of any periodical contributions required from the members of the union towards the expenses of the union, and in that case the rules shall provide that the relief shall be given as far as possible to

Provision in case of exemption from contribution.

all members of the union who are exempt on the occasion of the same periodical payment and for enabling each member of the union to know, as respects any such periodical contribution, what portion, if any, of the sum payable by him is a contribution to the political fund of the union.

Application of fund to political objects.

7. Nothing in this Act shall authorize any union to apply any moneys to the furtherance of political objects unless such moneys have been specially paid to such union in accordance with the provisions of this Act for the furtherance of political objects.

Offence.

8. Every person is liable to a fine not exceeding *five* pounds who uses any threatening, abusive, or insulting words or behaviour towards any member of a labour-union who has exercised his right under this Act of objecting to contribute to the political fund of the union, if such words or behaviour have reference to the objection of the member to contribute as aforesaid.

Offence by union.

9. Every labour-union which commits a breach of this Act or of any rule made pursuant to this Act is liable to a fine not exceeding *one* hundred pounds.

Recovery of fines.

10. (1.) Proceedings for the recovery of any fine under this Act may be taken by an Inspector of Awards in the same manner as for a breach of an award.

(2.) In imposing a fine under this Act, the Court may order that any part of the fine shall be paid to any person aggrieved by the breach of the Act or rule in respect of which the fine was imposed.

Arbitration Court may alter rules or cancel registration of union.

11. If at any time it appears to the Registrar, on the application of any person interested or otherwise, that the rules of a labour-union do not fully comply with the conditions prescribed by the Act, the Registrar may alter the rules of the union in such manner as he thinks fit in order that they may so comply with such conditions:

Provided that the labour-union shall have a right of appeal to the Court of Arbitration in the manner prescribed by the regulations under this Act made by the Governor in Council.

Schedule.

### SCHEDULE.

FORM OF EXEMPTION NOTICE.

[*Name of Union.*]

*Political Fund (Exemption Notice).*

I HEREBY give notice that I object to contribute to the political fund of the Union, and am in consequence exempt, in manner provided by the Industrial Unions and Trade-unions Enabling Act, 1915, from contributing to that fund.

A.B.,  
[*Address.*]

Dated this            day of            , 191 .