

[AS REPORTED FROM THE LABOUR BILLS COMMITTEE, 4TH NOVEMBER, 1903.]

Rt. Hon. R. J. Seddon.

LABOUR DEPARTMENT.

ANALYSIS.

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| <ul style="list-style-type: none"> <li>Title.</li> <li>1. Short Title.</li> <li>2. Interpretation.</li> <li>3. Department of Labour established.</li> <li>4. Governor may appoint a Secretary and other officers.</li> <li>5. Expenses to be paid out of moneys appropriated.</li> <li>6. Duties of Department.</li> </ul> | <ul style="list-style-type: none"> <li>7. Powers of Department in collecting information.</li> <li>8. Information obtained not to be divulged.</li> <li>9. Minister or officer to have powers under "The Commissioners' Powers Act, 1867."</li> <li>10. Penalty on refusal to give information.</li> <li>11. Recovery of fines.</li> <li>12. Annual report to Parliament.</li> <li>13. Regulations.</li> </ul> |
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A BILL INTITULED

AN ACT to provide for the Creation of a Department of Labour, and for declaring the Powers and Duties thereof. 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 Labour Department Act, 1903." Short Title.

2. In this Act, if not inconsistent with the context,—  
10 "Department" means the Department of Labour constituted under this Act: Interpretation.

"Employer" means any person, firm, company, agent, representative, or attorney, or local authority employing labour of any kind for hire:

15 "Minister" means the Minister of Labour:

"Worker" means any person employed for hire to perform any clerical or manual labour of any kind,—~~whether technical, skilled, or unskilled, connected with any trade, manufacture, or mercantile or industrial pursuit.~~

20 3. There shall be a Department of the Public Service of New Zealand called the "Department of Labour," having, under the direction of the Minister, such powers and duties as are provided for by this Act. Department of Labour established.

4. (1.) The Governor may from time to time appoint a Secretary to the Department and such Inspectors, clerks, and other officers as may be deemed necessary, and who shall respectively perform such duties as the Minister from time to time determines. Governor may appoint a Secretary and other officers.

(2.) The persons holding office in the Department of Labour as constituted at the passing of this Act shall be deemed to have been appointed under this Act.

Expenses to be paid out of moneys appropriated.

5. The expenses incident to the administration of this Act shall be defrayed out of sums to be from time to time appropriated by Parliament for that purpose.

Duties of Department.

6. The general duties of the Department shall be to administer the labour laws of New Zealand and promote sound knowledge on all matters connected with the industrial occupations of the people, with a view of improving the relations between employers and workers, and the collection of reliable information relating to the industries of the colony, ~~the cost of production~~, and payment of wages. 5 10

Powers of Department in collecting information.

7. For the purpose of obtaining the necessary information to enable the Department to carry out this Act the Minister, and any officer of the Department appointed or authorised either specially or generally for that purpose, shall from time to time be entitled to—

(a.) Procure from all officers of any industrial society, industrial union, trade union, or other association of workers within the meaning of the respective Acts for the time being in force relating thereto, such information in writing as to the membership, benefits, or advantages enjoyed or obtainable under the rules or constitution of any such society, union, or association, and as to the disqualifications or disabilities under such rules or constitution, as the Minister from time to time either generally or specially directs or requires : 15 20

(b.) Require any employer to state in writing— 25

(i.) The full name of every person having the principal control, superintendence, or management of any kind of business carried on by such employer ;

(ii.) The full name of every worker employed by him, together with the nature of the employment, the hours of labour, the mode, terms, and rate of payment therefor. 30

*Struck out.*

and such other particulars as may be deemed necessary, in order to ascertain the relations between such employer and worker : 35

(c.) Obtain from all persons able to furnish the same such further and other information, either general or particular, as the Minister deems necessary relating to combinations of capital or labour and their effect on production and prices of commodities, and the collection of Customs duties and their effect on the operations of labour. 40

Information obtained not to be divulged.

8. (1.) No information obtained by the Minister or by any officer of the Department under any of the powers hereinbefore contained shall be made use of save for the purposes of this Act.

(2.) Every person who commits a breach of this provision is liable to a fine not exceeding *fifty* pounds. 45

Minister or officer to have powers under "The Commissioners' Powers Act, 1867."

9. For the purpose of obtaining any information to which he is entitled under this Act, the Minister, or any officer so appointed or authorised as aforesaid, shall have all the powers and authorities conferred by "The Commissioners' Powers Act, 1867," on a commission issued or appointed by the Governor in Council ; and the provisions 50

of that Act shall, *mutatis mutandis*, extend and apply to any inquiry authorised by this Act.

10. Every person who neglects or refuses for the space of one month *after the second application* to furnish the information required  
5 under any of the provisions of this Act is liable to a fine not exceeding *twenty pounds*.

Penalty on refusal to give information.

11. Every fine imposed by this Act shall be recoverable in a summary way before a Stipendiary Magistrate, ~~whose decision shall be final~~ *under the provisions of "The Justices of the Peace Act, 1882."*

Recovery of fines.

10 12. (1.) The Minister shall, in each year, make a report in writing to the Governor upon the operations of this Act, and the working of the Department, together with such recommendations, either general or special, as he may think necessary in order to promote the efficiency or extend the usefulness of the Department.

Annual report to Parliament.

15 (2.) Such a report shall be so framed as not to disclose the name or identity of any employer, worker, or business, and shall contain a detailed account of the moneys expended by the Department in the administration of this Act. It shall be laid before Parliament within thirty days of the commencement of each session.

20 13. The Governor may from time to time, by Order in Council gazetted, make such regulations as he thinks necessary—

Regulations.

(a.) Prescribing the duties of the Secretary, Inspectors, and other officers under this Act:

25 (b.) Prescribing the forms of notices to be given under this Act, and the manner in which the same may be served; and also the forms in which the information or particulars required or obtained under section *seven* hereof shall be supplied, and by whom and in what manner the same shall be authenticated:

30 (c.) Generally giving effect to this Act.