

## Serial Number 1942/29



**THE STRIKE AND LOCKOUT EMERGENCY REGULATIONS 1939,  
AMENDMENT NO. 2**

C. L. N. NEWALL, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 18th day of  
February, 1942.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

PURSUANT to the Emergency Regulations Act, 1939, His Excellency the Governor-General, acting by and with the consent of the Executive Council, doth hereby make the following regulations.

REGULATIONS.

1. These regulations may be cited as the Strike and Lockout Emergency Regulations 1939, Amendment No. 2.

2. These regulations shall be read together with and deemed part of the Strike and Lockout Emergency Regulations 1939\* (hereinafter referred to as the principal regulations).

3. The principal regulations are amended by revoking Regulations 5 to 15 inclusive, and substituting the following regulations :—

“ 5. The Minister may at any time or from time to time by notice in the *Gazette* appoint any number of persons, not exceeding seven, to be an Emergency Disputes Committee for the purpose of deciding any dispute or disputes that may be referred to it in pursuance of these regulations.

“ 6. Of the persons so appointed as members of a committee, not more than three shall be appointed as representatives of employers and not more than three as representatives of workers, and one other person shall be appointed as Chairman of the committee, all of whom shall be deemed to be members of the committee. The Chairman of the committee shall not participate in the decisions of the committee except as provided in Regulation 8 hereof.

“ 7. In the illness or absence of any member of a committee, including the Chairman, the Minister may authorize some other person to act in his stead, who while so acting shall have and may exercise all the powers of the person for whom he is acting.

“ 8. The decision of the majority of the members of the committee (excluding the Chairman as aforesaid) shall be the decision of the committee :

\* Statutory Regulations 1939, Serial number 1939/204, page 847.

Amendment No. 1 : Statutory Regulations 1942, Serial number 1942/11, page 33.

“ Provided, however, that if the members of the committee are unable to reach a decision, then the decision of the Chairman shall be the decision of the committee.

“ 9. The decision of a committee shall be signed by the Chairman.

“ 10. Every person appointed to a committee shall hold office until the decision of the committee has been given in respect of the dispute or disputes which have been referred to it.

“ 11. A committee shall meet at such times and places as the Chairman may by reasonable notice to the members from time to time appoint.

“ 12. Where in any industry or undertaking any dispute arises which in the opinion of the Minister is likely to result in a strike or lockout or has resulted in a strike or lockout, the Minister may by notice to the appropriate tribunal require such dispute to be decided by that tribunal as hereinafter provided.

“ 13. If the dispute arises in an industry which is covered by an award of the Court of Arbitration or industrial agreement in which provision exists for setting up a disputes committee, then the appropriate tribunal shall be that disputes committee, or if provision so exists for more than one disputes committee it shall be the committee to which the Minister thinks proper to refer the dispute.

“ 14. In any other case the appropriate tribunal shall be an Emergency Disputes Committee set up under these regulations.

“ 15. If for any reason the Minister considers it undesirable that a dispute should be referred to a disputes committee provided for by an award or industrial agreement, or if any such committee reports to the Minister that it has been unable to reach a final decision in regard to any dispute referred to it, the Minister may refer the dispute to an Emergency Disputes Committee set up under these regulations.

“ 16. The appropriate tribunal shall forthwith inform itself of the matter and merits of the dispute and shall invite persons affected, or their representatives, to appear and be heard before the tribunal, and shall give such decision relating thereto as it considers to be fair and equitable in the circumstances.

“ 17. The decision of the appropriate tribunal shall be final and binding on all persons directly affected by the dispute and shall not be affected by reason of any omission to notify or hear any person claiming to be concerned or interested therein or by reason of any matter of form or procedure.

“ 18. The appropriate tribunal may, for the purpose of its decision, give all such directions as are reasonably proper for carrying its decision into effect, and every person to whom any such direction is given shall forthwith comply with and carry out such direction.

“ 19. Every person who fails to comply with any decision or direction given by the appropriate tribunal commits an offence against these regulations.”

W. O. HARVEY,  
Acting Clerk of the Executive Council.