

Serial Number 1947/160



**THE STRIKE AND LOCKOUT EMERGENCY REGULATIONS
1939, AMENDMENT NO. 4**

B. C. FREYBERG, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington, this 16th day of
October, 1947

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 advice and 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. 4, and shall be read together with and deemed part of the Strike and Lockout Emergency Regulations 1939* (hereinafter referred to as the principal regulations).

2. (1) The decision of the appropriate tribunal in respect of any dispute under the principal regulations or in respect of any matter connected with the dispute, whether given before or after the commencement of this regulation, shall be final and binding on all persons directly affected by the dispute.

(2) No such decision shall be questioned by reason of any omission to notify or hear any person claiming to be concerned or interested in the dispute, or by reason of any matter of form or procedure, or on the ground that due consideration has not been given to any matter that is required by any regulations to be taken into consideration, or on the ground that the decision operates from a date before the day on which it was given, or from a date before the commencement of this regulation.

(3) Notwithstanding anything to the contrary in section 151 of the Industrial Conciliation and Arbitration Act, 1925, no such decision shall be questioned on the ground that it is inconsistent with the provisions of any award or industrial agreement.

(4) Regulation 17 of the principal regulations is hereby revoked.

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

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

Amendment No. 2 : Statutory Regulations 1942, Serial number 1942/29, page 81.

Amendment No. 3 : Statutory Regulations 1943, Serial number 1943/97, page 192.

3. The fact that the Minister has given a notice under Regulation 12 of the principal regulations, whether before or after the commencement of this regulation, shall be conclusive evidence that a dispute had arisen which in his opinion was likely to result in a strike or lockout or had resulted in a strike or lockout.

4. Regulation 9 of the principal regulations is hereby amended by adding the words "and shall be filed with a Clerk of Awards".

5. The principal regulations are hereby amended by inserting, after Regulation 9, the following regulation :—

" 9A. In all proceedings the decision of a committee may be proved by producing a copy of the decision signed by the Chairman or certified by a Clerk of Awards, or any official printed copy of the decision published by the Department of Labour; and for the purposes of this regulation judicial notice shall be taken of the signature of the Chairman or of the Clerk of Awards."

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

Issued under the authority of the Regulations Act, 1936.
Date of notification in *Gazette*: 16th day of October, 1947.
These regulations are administered in the Department of Labour.