

Industrial Conciliation and Arbitration Act Amendment Act 1895

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An Act to amend “The Industrial Conciliation and Arbitration Act, 1894.”

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

1 Short Title. Construction.

The Short Title of this Act is “The Industrial Conciliation and Arbitration Act Amendment Act, 1895,” and it shall be read with “The Industrial Conciliation and Arbitration Act, 1894” (hereinafter called “the principal Act”).

2 Who may form industrial union of employers.

Notwithstanding anything to the contrary contained in section three of the principal Act, it is hereby enacted as follows:—

- (1.) The minimum number of persons of which a society must consist in order to be registered as an industrial union of employers is five;
- (2.) Where a co-partnership firm is a member of any such society, each individual partner residing in New Zealand shall be deemed an individual member of the society, and also of the industrial union when such society is registered as a union;
- (3.) Any incorporated or registered company may be registered as an industrial union of employers.

3 Where industrial union deemed to be situate.

Each industrial union shall be deemed to be in the industrial district wherein its registered office is situate, and shall exercise its right of voting at the election of the Board of that district accordingly.

4 Experts to assist Board in technical cases.

- (1.) Whenever an industrial dispute involving technical questions is referred to a Board or the Court for settlement, two experts may be nominated, one by each party to the dispute; and such experts shall sit as Assessors with and be deemed to be members of the Board or Court for the purposes of such dispute.
- (2.) If there are more than two parties to any such dispute, one Assessor shall be nominated by the parties whose interests are with the employers, and the other by the parties whose interests are with the workmen.
- (3.) The Assessors shall be nominated in the prescribed manner and subject to the prescribed conditions.

5 Provision where dispute relates to employment or wages.

Where an industrial dispute relates to employment or wages, the jurisdiction of the Board or Court to deal therewith shall not be voided or affected by the fact that the relationship of employer and employed has ceased to exist, unless it so ceased at least six weeks before the industrial dispute was first referred to the Board or to the Court, if there has been no prior reference to the Board.

6 If members of Board or Court not elected Governor to appoint.

If and as often as for any reason the prescribed number of members of the Board is not duly elected, or the prescribed number of members of the Court is not duly recommended, as provided by the principal Act, the Governor shall, by notice in the *Gazette*, appoint as many fit persons to be members of the Board or Court as may be necessary in order to make the prescribed number. The *Gazette* notice of such appointment shall be conclusive evidence of the happening of the events entitling the Governor to make such appointment.

7 Amendments of principal Act.

The principal Act is hereby amended as follows:—

- (1.) By substituting the word “workers” for “workmen” wherever the latter word occurs throughout the Act;
- (2.) By adding to section thirteen the following, paragraph:—
“Each such list shall specify the names of all the officers (including trustees) of each such association or union.”