

97D. Responsibility of members and organizations

- (1) For the purposes of this Part, where a member of an organization of employees who is also a member of its related Federal body participates in a strike then, unless the contrary is proved, the member is taken to have participated in that strike as a member of the organization of employees.
- (2) An organization of employees is taken to have contravened or failed to comply with section 97C(2) if an officer or employee of the organization —
 - (a) incites, encourages or assists a member of the organization to participate in a strike in contravention of section 97C(1); or
 - (b) is in any way by act or omission and directly or indirectly knowingly concerned in or party to a contravention of section 97C(1),

unless it is proved that —

- (c) the officer or employee acted without the organization's consent or connivance; and
- (d) the organization took all reasonable precautions and exercised due diligence to prevent the officer or employee so acting, having regard to all the circumstances.

[Section 97D inserted by No. 3 of 1997 s.10.]