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INDUSTRIAL ARBITRATION ACT, 1912-1952.

Crown Law Department,
Perth, 30th September, 1952.

HIS Excellency the Governor in Executive Council has been pleased to approve of the following Regulations made under the Industrial Arbitration Act, 1912-1952.

H. SHEAN,
Under Secretary for Law.

The Court of Arbitration, with the approval of His Excellency the Governor, and in pursuance of the provisions of the Industrial Arbitration Act, 1912-1952, hereby makes the following Regulations:—

REGULATIONS UNDER THE INDUSTRIAL ARBITRATION ACT, 1912-1952.

APPLICATION FOR REGISTRATION.

Industrial Union (Secs. 8, 9, 11 and 16).

1. An application to register a society as an industrial union shall be in Form No. 1.
2. The application shall be signed by the secretary of the society and shall be lodged with the Registrar accompanied by—
 - (1) a list in Form No. 2 of the names of members and officers of the society with their addresses;
 - (2) two printed copies of the rules of the society;
 - (3) a statutory declaration in Form No. 3 made by one of the officers of the society verifying the application and the documents mentioned in subclauses (1) and (2) hereof;
 - (4) a copy of the newspaper containing the advertisement calling the general meeting of the society.

Company (Sec. 17).

3. A company may, in pursuance of a resolution duly passed by its board of directors, make application for and may be granted registration as an industrial union of employers. The application shall be in Form No. 4 and shall be under the seal of the company and signed by the manager or other principal officer or the secretary thereof in Western Australia.
4. The application shall be accompanied by—
 - (1) a certified copy of the certificate of incorporation, or of any act of incorporation of the company, or other evidence satisfactory to the Registrar of incorporation or registration of the company;

- (2) two copies of the memorandum and articles of association (if any) or rules of the company;
- (3) a list in Form No. 5 containing the names of the directors and of the manager or other principal executive officer of the company in Western Australia;
- (4) a statutory declaration in Form No. 6 made by one of the officers of the company verifying the application and the documents mentioned in subclauses (2) and (3) of this Regulation.

Industrial Association (Sec. 33).

5. Application for registration of any council or other body as an industrial association shall be made in Form No. 7.

6. The application shall be accompanied by—

- (1) a list in Form No. 8 of the names of the industrial unions which are represented on the council or other body, and of the members of the council or other body representing such unions, and of the officers of the council or other body;
- (2) two copies of the rules of the council or other body;
- (3) a copy of the newspaper containing the advertisement calling the general meeting of the council or other body;
- (4) a statutory declaration in Form No. 3 made by one of the officers of the council or other body verifying the application and the documents mentioned in subclauses (1) and (2) of this Regulation.

Amalgamation of Unions (Sec. 10).

7. An application to register as one union any two or more industrial unions consisting of employers or workers in the same industry or in related industries shall be made to the Registrar in Form No. 9.

8. The application shall be accompanied by—

- (1) a list in Form No. 2 showing the names of the members and officers of the proposed new union;
- (2) two copies of the rules of such proposed union;
- (3) a copy of the newspaper containing the advertisement calling the general meeting of the society;
- (4) a statutory declaration in Form No. 3 verifying the documents lodged therewith.

Application to Disallow Rule of Industrial Union (Sec. 9 (4g)).

9. There shall be filed with an application to disallow a rule of an industrial union a statutory declaration in support which shall set forth—

- (1) the rule or rules sought to be disallowed;
- (2) the grounds upon which the application is made; and
- (3) a short statement of the reasons relied on by the applicant.

10. The applicant shall cause a copy of the application mentioned in the preceding Regulation and of the statutory declaration in support to be served on the industrial union concerned as soon as practicable after the filing thereof.

Application for Directions for Performance or Observance of Rules of Industrial Union (Sec. 9 (4i)).

11. There shall be filed with an application under section 9 (4i) of the Act a statutory declaration in support which shall set forth—

- (1) the rule or rules the performance or observance of which is in question;
- (2) the nature of the order sought; and
- (3) a short statement of the grounds relied on by the applicant, including the facts relied on by the applicant as establishing the obligation of the person against whom the order is sought to perform or observe the rule or rules in question.

12. The President shall give directions as to the persons to be served with an application mentioned in the preceding Regulation. As soon as practicable thereafter, the applicant shall cause a copy of the application and of the statutory declaration in support to be served on such persons.

Amendment of Rules (Sec. 23).

13. (1) An application to add to, amend, or rescind the rules of an industrial union shall be made to the Registrar in Form No. 15, accompanied by the documents referred to in that form.

(2) The application shall be verified by a statutory declaration in Form No. 16.

(3) Upon being satisfied that the constitution of the industrial union is not affected and that the application is not in conflict with the Act, the Registrar shall register same and issue a memorandum of such registration in Form No. 17.

(4) When an application is referred by the Registrar to the President under subsection (4) of section 23, the President shall cause to be furnished to the applicant union a list of industrial unions to whom he requires notice to be given pursuant to the third paragraph of that subsection.

(5) The applicant shall thereupon serve on each of such industrial unions a notice in Form No. 18. Service shall be effected at least 14 days before the application is heard by the President. Proof of such service shall be given in Form No. 51, at the hearing of the said application.

(6) Any industrial union desiring to object to the application must serve notice thereof in Form No. 19 upon the applicant at least two days before the hearing or any adjourned hearing and file a copy with the Clerk of the Court.

Procedure by Registrar (Secs. 12 and 33).

14. On receipt of an application for the registration of a union or association under any of the foregoing regulations the Registrar shall give at least 14 days' notice in Form No. 10 to every industrial union formed and registered in connection with the same industry, or any one or more of the same industries, of his intention to effect the registration of the society, council, or other body as an industrial union or association, or the amalgamation of two or more industrial unions; provided always that where the registration sought is in respect of more than one industry the Registrar shall first submit the application, together with all files, documents and papers in his possession relating thereto, to the President of the Court for his directions thereon.

15. Any industrial union desiring to object to the registration of the proposed union shall, within 14 days from the receipt of notice, file notice of such objection and serve a copy thereof on the proposed union. If any objection be lodged, the Registrar shall proceed to hear and determine the same. He shall, at least seven days prior to the hearing, give notice of hearing to the applicant and objectors. For the purpose of determining the application the Registrar may summon any person to appear before him and give evidence, and may administer oaths and take affidavits.

16. The Registrar on being satisfied that the applicant society, council, or other body, or industrial unions, is or are qualified to register and should be registered shall register the same accordingly, and in such case shall issue a certificate of registration in Forms Nos. 11 or 12. The Registrar shall at the same time register the rules and endorse upon a copy thereof, if provided by the applicant, a memorandum stating the fact and date of such registration. He shall also register the address of the office of the industrial union and, if requested, issue in Form No. 13 a certificate of the address of the registered office of the applicant.

Appeal (Sec. 22).

17. Notice of appeal, under section 22 of the Act, shall be in Form No. 14. The appellant shall, within three months from the date of the decision appealed against, file such notice at the office of the Clerk of the Court and shall serve upon the Registrar a copy thereof and shall, at the same time, cause a copy of the said notice to be served upon any other party affected.

18. The notice and all other papers shall be laid before the President for his directions. The President shall fix the date and place for the hearing of the appeal, and notice thereof in Form No. 55 shall be forwarded by the Clerk of the Court to all parties concerned.

Registered Office (Sec. 24).

19. An application for registration of the address of a branch office shall be made to the Registrar in Form No. 20.

20. Every change of address of the registered office or of a branch office shall be forthwith notified to the Registrar by the secretary of the union in Form No. 21.

Filing of Records of Industrial Union (Secs. 25 and 26).

21. (1) The statement required to be filed under subsection (3) of section 25 of the Act shall be in Form No. 22.

(2) The prescribed time under subsection (4) of section 25 of the Act for filing with the Registrar a copy of the records required to be kept by an industrial union under paragraph (b) of subsection (1) of that section shall be during the month of January in each year.

(3) The statutory declaration under subsection (4) of section 25 of the Act shall be in Form No. 23 and may be made by the president of an industrial union in lieu of the secretary.

(4) Notification of changes in the holding of offices in an industrial union pursuant to subsection (5) of section 25 of the Act shall be filed in Form No. 24 within 14 days of the date of the change.

(5) All documents filed with the Registrar under section 25 of the Act may be inspected at the office of the Registrar during office hours on payment of the prescribed fee.

(6) A certificate of exemption under subsection (1) of section 26 of the Act shall be in Form No. 25.

Annual Balance Sheet (Sec. 28).

22. The balance sheet of the assets and liabilities and the statement of the receipts and expenditure of the union required to be delivered to the Registrar under section 28 of the Act shall be in Form No. 26.

Change of Name (Sec. 13).

23. An application under section 13 of the Act by an industrial union for the consent of the Court to change its name shall be made in Form No. 27 and shall be lodged with the Clerk of the Court, and the industrial union shall

cause a copy thereof to be forthwith served upon the Registrar. The application shall be accompanied by a statutory declaration in Form No. 28 made by the secretary or other officer of the industrial union.

24. A notice in terms approved of by the Clerk of the Court intimating the intention of the applicant union to make the said application shall be published in a newspaper circulating in the city, town, or locality in which the head office of the applicant union is situated.

25. Unless the Court otherwise directs, the Registrar shall attend at the hearing of the said application. By leave of the Court, any person interested may be heard in opposition to the application.

26. Should the Court decide to accede to the request contained in the application, the Registrar shall cause a memorandum of such decision to be entered in his register, and if required by an officer of the applicant union, shall issue a certificate in Form No. 29, with such modification as he may deem necessary.

Cancellation of Registration (Sec. 29).

27. An application to the Registrar by an industrial union for cancellation of the registration thereof shall be made in Form No. 30.

28. On being satisfied that the application is in compliance with the provisions of the Act and Regulations, the Registrar shall, after having given six weeks' notice in Form No. 31 in the *Government Gazette* and in a newspaper circulating in the city, town, or locality in which the head office of the applicant union is situated, cancel such registration by notice in the *Government Gazette*.

29. In all other cases applications for cancellation of the registration of an industrial union shall be made to the President of the Court in Form No. 32. Such form shall be prepared in triplicate and one part shall be filed with the Clerk of the Court, one shall be served upon the Registrar (in cases where the Registrar is not the applicant), and one upon the industrial union the registration of which is sought to be cancelled.

30. The President shall appoint a time and place for the hearing of the application and notice thereof in Form No. 55 shall be sent by the Clerk of the Court to the Registrar, the applicant, and to the industrial union concerned.

31. The Registrar shall attend or be represented at the hearing and he shall, if required, cause to be produced all files, records, and papers under his control relating to the registration and conduct of the industrial union and he shall enter upon his register a memorandum of any order made by the President directing cancellation.

Disputed Election (Sec. 36A-36N).

32. (1) An application under section 36A of the Act shall be in Form No. 33 and shall be lodged in duplicate.

(2) The time after the completion of an election within which an application under section 36A of the Act in respect of the election may be lodged shall be three months.

33. An appeal to the Court pursuant to subsection (6) of section 36B of the Act from an act or decision of the Registrar may be brought by the applicant or by the industrial union concerned, and shall be by notice of motion setting out the grounds of the appeal and filed with the Clerk of the Court within 14 days of the act or decision complained of, and served on the other party or parties concerned.

34. (1) For the purposes of section 36M of the Act the number of members of an industrial union by whom a request for the conduct of an election under that section may be made is five hundred, or one-tenth of the total number of the members of the industrial union, whichever is the less.

(2) Subject to this Regulation, a request for the conduct of an election under section 36M of the Act shall be made not less than one month, nor more than three months, before the last day on which persons may become candidates at the election.

(3) The Registrar may, in his discretion, accept a request made less than one month before the date specified in the last preceding sub-regulation if he is satisfied that it is practicable for the election to be conducted under section 36M of the Act in pursuance of the request, and a request so accepted shall be deemed to have been made in due time.

35. Where the Registrar has, in pursuance of subsection (5) of section 36M of the Act, informed an industrial union that he has decided that a request in relation to an election has been duly made under that section, a person other than the person conducting the election in pursuance of that section shall not, except with the authority or at the direction of the person so conducting the election, do or purport to do any act in the conduct of the election.

Penalty: Twenty Pounds.

Industrial Agreements (Sec. 38).

36. The Clerk of the Court upon being presented with an industrial agreement and upon being satisfied that the said agreement is in accord with the provisions of the Act shall cause the duplicate original thereof to be filed in his office. At the same time he shall number the industrial agreement and note thereon the date of the filing thereof. He shall endorse upon the original agreement, if produced, a memorandum in Form No. 34.

Mode of Retirement (Sec. 37).

37. The notice signifying intention to retire from an industrial agreement shall be in Form No. 35 and shall be filed with the Clerk of the Court. A copy of such notice shall at the same time be forwarded by the party retiring, by ordinary prepaid post, to each of the other parties to the agreement, directed to their usual or last known addresses.

Common Rule (Agreement)—Application to Vary or Cancel (Sec. 41).

38. (1) Application for leave to vary or cancel an industrial agreement which has been made a common rule may be made to the Court ex parte, and shall set forth in detail how the original agreement is required to be dealt with. Upon the hearing of this application the Court may grant an order in the first instance for such leave subject to the condition that it may be rescinded upon cause being shown to the satisfaction of the Court.

(2) Upon obtaining the order mentioned in (1) the proposed variation or cancellation signed by all necessary parties shall be lodged in duplicate with the Clerk of the Court who shall forthwith give notice as prescribed by Regulation 42, in Form No. 36.

(3) Objections to the application may be filed in manner prescribed by Regulation 43.

(4) After the expiration of the period mentioned in the notice, any party to the application may move the Court to have the order referred to in (1) hereof made absolute or rescinded.

Concurrence with Industrial Agreement (Sec. 39).

39. The notice signifying concurrence with an industrial agreement shall be in Form No. 37 and shall be filed with the Clerk of the Court.

Application to have Agreement Declared a Common Rule (Sec. 42).

40. An application to the Court for a declaration that an industrial agreement shall have the effect of an award and be a common rule of the industry or industries to which it relates, shall be in Form No. 38. Where such application is made by or on behalf of an industrial union it shall be accompanied by a certificate in Form No. 39.

41. The Registrar shall peruse the industrial agreement and submit same with any comments he may deem necessary to the Court or the President who shall thereupon if it or he deem advisable, grant and order calling upon any party interested to show cause why the said agreement should not be made a common rule.

42. The Clerk of the Court shall cause notice of the said order and of the proposed date and place of hearing thereof, in Form No. 40, to be advertised in a newspaper circulating in the locality specified in the said agreement or to be forwarded by prepaid registered post to all parties likely in the opinion of the Court to be affected.

43. Any person desiring to be heard in opposition to the said application must, within 14 days of the publication of the said notice, or from the date of the receipt thereof, file with the Clerk of the Court a notice in Form No. 41.

THE COURT OF ARBITRATION.

Appointment of Members (Sec. 47).

44. The request by the Registrar and the recommendation by an industrial union under section 47 of the Act shall be in Form No. 42 and shall be signed on behalf of the industrial union by the president and secretary thereof, or as prescribed by the rules of the union.

Oath of Office and Secrecy (Sec. 59).

45. The oath prescribed under section 59 of the Act shall be in Form No. 43. The record of the oath when administered as herein prescribed shall be lodged by the Clerk of the Court with the Registrar.

Seal of Court (Sec. 44).

46. There shall be a seal of the Court bearing the Royal Arms with the words "The seal of the Court of Arbitration, Western Australia." The seal shall be in the custody of the Clerk of the Court and shall be affixed by him to awards, writs, warrants, processes, and orders as hereinafter provided, and to such other documents as the Court or the President thereof may direct.

Rules for the conduct of Proceedings before Court (Sec. 179).

47. (1) All applications made to the Court or to the President of the Court shall be lodged with the Clerk of the Court who shall issue all processes out of the Court, keep a register of all proceedings in and orders made by the Court, and affix the seal of the Court to all necessary documents. Except where otherwise provided by these Regulations or where otherwise directed by the Registrar, all documents for the use of the Court shall be lodged in triplicate, but one copy only need be lodged of all documents for use before the President, the Conciliation Commissioner or the Registrar.

(2) Every matter brought into the Court under the Act shall be marked by the Clerk of the Court with some distinguishing number, and all documents filed and subsequent proceedings taken in the Court with reference to such matter shall be distinguished by the same number, and the entries in the records kept with regard to each such matter shall be entered together and shall be kept separate from the entries with respect to any other matter.

(3) Any act or thing required by these Regulations to be done by the Clerk of the Court may be done on his behalf by the Assistant Clerk or the person for the time being performing the duties of the Clerk of the Court.

(4) Every proceeding in the Court shall be entitled as in Form No. 44.

(5) When no form of motion, summons, complaint, application, order, or other document or instrument is prescribed, or when no adequate form is prescribed, the form shall be such as the Registrar, under the direction of the Court, directs or approves.

(6) When anything is required to be in any of the forms prescribed it shall be sufficient if it is to the like effect. Any such forms may be modified by the authority of the Registrar to meet any particular case.

Applications to the Court.

48. Applications to the Court, except where some other method or form is prescribed, shall be by notice of motion in Form No. 46 filed with the Clerk of the Court.

49. (1) An application to the Court for a declaration under sub-sections (c) or (d) of section 61 of the Act shall be supported by a statutory declaration by the applicant or by some person on his behalf, setting out the facts on which the applicant relies.

(2) The President may give directions as to the persons on whom and the time within which the application and statutory declaration in support shall be served.

(3) Any person desiring to oppose the application shall, not less than two clear days before the hearing, file notice of intention in that behalf in Form No. 47, together with a statutory declaration in support setting out the facts on which he relies.

(4) A copy of such notice and statutory declaration shall be served on the applicant forthwith after filing.

Applications to the President.

50. (1) Applications to the President, except where some other method or form is prescribed, shall be by summons in Form No. 45, supported by a statutory declaration of the facts, which shall be filed with the summons.

(2) The summons shall be presented to the Clerk of the Court in duplicate, and the said Clerk shall affix the seal of the Court thereto and shall sign a memorandum thereon setting forth the fact and date of such sealing, and shall return one duplicate summons to the person having charge thereof, who shall forthwith cause a copy thereof, together with a copy of the declaration in support, to be served upon the other party or parties affected.

Ballot (Sec. 107).

51. The prescribed time and manner for holding the ballot required under section 107 of the Act shall be as follows:—

(1) The taking of the ballot shall not extend beyond a period of seven days or such extended period as the President may order, and shall be commenced subsequently to the passing of the resolution of the special meeting.

(2) A returning officer shall be appointed by the governing body of the union whose duty it shall be to generally supervise the conduct of the ballot and perform the other duties hereinafter prescribed.

(3) Ballot papers shall be prepared by the union and initialled by the returning officer. One such paper, initialled as aforesaid, shall be supplied to or posted out to each member, addressed to him or her at his or her address, in such time if possible as to allow the member a reasonable opportunity to vote, and to no other person; and not more than one ballot paper shall be supplied to each voter.

(4) The ballot paper shall not when issued indicate in any manner the name or identity of the voter; provided that if a voter signs or initials a ballot paper it shall not thereby be invalidated.

(5) The ballot shall be taken by means of a ballot box. The ballot box shall be provided with a lock and the returning officer alone shall have the key thereof.

(6) Before the ballot, the returning officer shall inspect the ballot box, and having ascertained that the same is empty, shall thereupon lock the said box and retain the key in his possession until the close of the ballot.

(7) Should a voter be unable conveniently to attend at the voting place, he may post or forward his ballot paper to the returning officer during or prior to the period fixed for taking the ballot; but every ballot paper so posted or forwarded shall be accompanied under separate cover by a separate paper containing the voter's name. The envelope containing the ballot paper shall be securely closed by the voter and shall have the words "Ballot paper" written thereon.

(8) The returning officer shall mark off on the roll of members the name of each member who votes either in person or by means of a ballot paper posted or forwarded as aforesaid, and he shall, during the period fixed for taking the ballot, place in the ballot box each envelope received purporting to contain a ballot paper, after detaching, if necessary, the separate accompanying paper containing the voter's name, which he may thereupon destroy.

- (9) A vote shall be invalid if the ballot paper is received by the returning officer subsequently to the time fixed for the close of the ballot, or if the ballot paper is posted or forwarded without the accompanying paper containing the voter's name or if any one of the foregoing provisions is infringed or not complied with.
- (10) At the expiration of the time decided upon for the taking of the ballot, the returning officer shall, in the presence of such members of the union as may be present, open the ballot box, count the votes indicated on the ballot papers therein, and shall report the result of such count to the union. The result of such ballot shall be recorded on the minutes of the union.

Reference to Court of Industrial Matters (secs. 66 and 107).

52. (1) An application to the Court for the reference of an industrial dispute shall be lodged in Form No. 48.

(2) The following documents shall be lodged with the reference:—

- (a) A certificate in Form No. 49;
- (b) a copy of the newspaper in which the said resolution has been published;
- (c) in the case of an industrial union, when the request mentioned in section 107 (3) has been made, a further certificate in Form No. 50.

(3) When filing the reference as prescribed by this Regulation there shall at the same time be produced to the Clerk of the Court as many copies as there are respondents, and the said Clerk shall sign a memorandum at the foot of each such copy setting forth the fact and date of the lodging of the original and shall then return to the applicant the signed copies for service on each of the respondents. The applicant shall cause the reference to be served upon each respondent within a reasonable time after the lodging thereof.

Service.

53. Service of any notice or other document under the Act or these Regulations may be effected:—

- (1) in the case of an industrial union, in accordance with section 15(3) of the Act;
- (2) in the case of a company or other corporation, by leaving it at, or sending it by post in a prepaid registered letter to the registered office of the company or corporation.
- (3) in the case of a partnership, firm or unincorporated company or body, by leaving it at, or sending it by post in a prepaid letter to the partnership, firm or unincorporated company or body at the principal place of business thereof in the State;
- (4) in the case of any other person, by delivering it to him personally, or by leaving it for him at his usual or last known place of abode, or if he is in business, at his usual or last known place of business, or sending it by post in a prepaid letter addressed to him at his usual or last known place of abode, or if he is in business, at his usual or last known place of business: Provided that no place shall be deemed the place of business of any person unless he is a principal in the business.

Proof of Service.

54. Service may be proved by a statutory declaration made before the Registrar, a Justice of the Peace, or Commissioner for Declarations, in Form No. 51, and filed with the Clerk of the Court.

Answer.

55 (1) Each respondent upon whom the copy reference is served, and each person, firm, or corporation who, or which, considers himself or itself directly affected by the proceedings shall, if he or it desire to contest the claims, or any of them, made in the reference, file in the office of the Clerk of the Court an answer thereto, and shall at the same time produce to the Clerk of the Court as many copies thereof as there are applicant parties to the reference: Provided always that it shall be permissible for any number of respondent parties to file one conjoint answer. The said Clerk shall sign at the foot or end of each such copy a memorandum setting forth the fact and date of the lodging of the original, and shall then return to the respondent the signed copies. The respondent shall forthwith cause one such copy to be served upon each applicant.

(2) Any person, firm or corporation not named as a respondent in the reference shall (unless the Court otherwise orders), upon filing an answer as herein prescribed, be deemed thenceforward to be a respondent.

(3) An answer shall be in Form No. 52. The answer shall either admit or dispute (either with or without qualifications) every claim appearing in the reference, or in any schedule attached thereto.

(4) The respondent shall be entitled to put forward any counter-proposal. To which the applicant shall reply within ten days, in Form No. 53, filed with the Clerk of the Court and served on the respondent.

Time for Filing Answer.

56. The time within which an answer may be filed and served as aforesaid shall be limited to the following interval from the date of service of the reference:—

- (1) Where the whole of the area affected by the reference is situated within 25 miles of Perth, fourteen days;

- (2) where the said area or some portion thereof is situated at a greater distance than 25 miles from Perth but is within the South-West Land Division, twenty-one days;
- (3) in any other case, thirty days.

Default of Answer.

57. Should no answer be filed within the prescribed time, or within such extended time as may have been allowed, the applicant may apply to the Court for a date of hearing.

Further Particulars.

58. Either party may apply to the Court or the President in Chambers for an order that fuller or more complete particulars of claims or answer or reply be furnished.

Settling of Issues.

59. An applicant or respondent may, at any time after the service of the answer, take out an appointment with the Registrar for the settlement of issues in dispute, and shall give to the other parties at least twenty-four hours' notice of the time appointed for such purpose.

The Registrar shall preside at the meeting of the parties and shall settle the issues, which shall subsequently be drawn up for the use of the members of the Court and supplied to the representatives of such of the parties as take part in the proceedings.

Extension of Time (Sec. 71(ix)).

60. Any party to the proceedings, or any party intending to become a party thereto, and desiring an extension of time within which to file an answer or do any other act or thing required by these Regulations, may apply to the Court, or to the President, if the Court is not sitting, for such extension upon giving at least twenty-four hours' previous notice of such application in Form No. 54, to all parties concerned.

Hearing.

61. At any time after the settlement of issues, any party may apply in writing to the Clerk of the Court for a date and place to be fixed for the hearing of the dispute. The Clerk of the Court shall give to each party at least seven days' notice (or such less notice as the Court may direct) of the date and place of hearing, the notice to be in Form No. 55.

Application to Extend Operation of Award (Sec. 84).

62. An application for the extension of the operation of an award shall be in Form No. 56. Where the application is made on behalf of an industrial union, it shall be accompanied by the certificate in Form No. 49.

63. The application shall be lodged with the Clerk of the Court, who shall cause fourteen days' notice of the said application and of the proposed place and date of hearing thereof, in Form No. 57, to be advertised in a newspaper circulating in the locality specified in the application.

64. Any person or body objecting to the making of any such order and desiring to be heard must, two clear days before the proposed date of hearing, lodge with the Clerk of the Court, and serve upon the applicant, a written notice signed by him signifying his intention to appear at the hearing and to urge his objection.

Interpretation of Award (Sec. 90).

65. (1) An application for the interpretation of an award under section 90 of the Act shall be in Form No. 58. If the applicant is an industrial union, the application shall be accompanied by a certificate in Form No. 49.

(2) The applicant shall, seven clear days before the hearing of the application, serve a copy thereof upon each other party directly affected by the application.

Amendment of Award (Sec. 92).

66. (1) Where leave of the Court is required under the second proviso to section 92 of the Act, application for such leave shall be by notice of motion to which shall be annexed particulars of the amendments to the award which the applicant seeks.

(2) On the filing of such notice of motion, the applicant shall obtain from the President in Chambers directions as to:—

(a) the parties or persons on whom the notice of motion shall be served, and

(b) a date for the hearing of the application for leave.

(3) The applicant shall comply with the directions given by the President pursuant to the preceding paragraph of this Regulation.

(4) The Court may hear such application in Chambers and, if the application is granted, may make such incidental orders as it thinks fit, including the following:—

(a) as to the parties on whom an application to amend the award shall be served;

(b) as to whether such parties shall file and serve answers to the claims for amendment, and if so the time within which that shall be done;

- (c) whether such parties shall have leave to file and serve counter-claims to the claims for amendment, and if so the time within which that shall be done.

67. (1) An applicant to whom leave has been granted pursuant to regulation 66 shall apply for amendment of the award by notice of motion setting out particulars of the amendments sought, which shall be filed and served on such parties as the Court directed under paragraph 4 (a) of regulation 66.

(2) After such parties have filed their answers and counterclaims (if any) the Registrar may, if in his opinion it is desirable, require the parties to attend before him to settle the issues.

68. In any case where the parties desire to amend an award by consent, the procedure set out in regulations 66 and 67 may be dispensed with. The applicant may file and serve on the other parties concerned, a notice of motion for amendment of the award and obtain the leave of the Court on the hearing of such application.

Applications under Section 98A.

69. (1) An application to the Court for an order under section 98A shall be supported by a statutory declaration setting out—

- (a) the facts on which the applicant relies;
- (b) where the applicant is not the Registrar or an industrial union, facts to show that he has a sufficient interest to make the application.

(2) A copy of the application and of the statutory declaration in support shall be served on the industrial union concerned at least seven days before the hearing, or such shorter time as the President, in an urgent case, may direct.

Enforcement Proceedings (Secs. 99 and 100).

70. Application to the Court for the enforcement of any award, industrial agreement, or order of the Court made under the Act by reason of any breach thereof by act or default, shall be in Form No. 59 and filed with the Clerk of the Court. The party or person making the application (hereinafter called "the complainant") shall at the same time produce for endorsement by the Clerk of the Court, as hereinafter provided, as many copies of the said application as there are parties to be served. The Clerk of the Court shall endorse and sign upon each such application and copies, a memorandum of the fact and date of the filing of the said application, and shall hand the said copies to the complainant for service.

71. When an industrial union is the applicant for enforcement, the application shall be accompanied by a certificate in Form No. 49.

72. The Clerk of the Court shall, at least seven days (or such less period as the Court may direct) before the hearing, cause notice of the date and place of hearing to be served in Form No. 55 upon each of the parties to the application.

73. An order made on an application for enforcement of an award, industrial agreement, or order, may be in Form No. 60.

Proceedings before Industrial Magistrates (Sec. 103).

74. (1) Subject to the Act, proceedings before an Industrial Magistrate, including the making of a complaint, the issue of a summons, the summoning of witnesses, the fees to be paid, the taking of evidence, the hearing and determination of the complaint, and the costs and allowances to parties and witnesses, shall be the same mutatis mutandis as those laid down and prescribed by the Justices Act, 1902-1948, in respect of proceedings before Justices for a simple offence: Provided that the complaint may be made before and summonses issued by the Clerk of the Court or the Clerk to the Industrial Magistrate or any Justice of the Peace or Clerk of Petty Sessions, irrespective of his jurisdiction. Forms Nod. 61, 62 and 63 are prescribed for general use.

(2) When the complainant is an industrial union, the complaint shall be accompanied by the certificate in Form No. 64.

(3) The provisions of the Act as to representation of parties before the Court shall apply to proceedings before an Industrial Magistrate.

Appeal from Decision of Industrial Magistrate (Sec. 103A).

75. An appeal to the Court from an Industrial Magistrate under section 103A of the Act shall be instituted by filing a notice of appeal at the office of the Clerk of the Court within 14 days of the date of the decision appealed against.

76. The notice of appeal shall be in Form No. 65 and shall specify—

- (1) whether the appeal is against the decision of or the penalty imposed by the Industrial Magistrate;
- (2) whether the whole or part only of the decision is complained of;
- (3) the grounds upon which the appeal is brought.

77. Forthwith after filing the notice of appeal, the appellant shall serve a copy thereof on the respondent.

78. At least two clear days prior to the date of hearing of the appeal, the appellant shall file at the office of the Clerk of the Court three certified copies of—

- (1) the complaint instituting the proceedings before the Industrial Magistrate; and
- (2) the notes of evidence taken by the Industrial Magistrate on the hearing of the complaint; and
- (3) the reasons for his decision given by the Industrial Magistrate.

79. If requested to do so by either party to the appeal, the Clerk to the Industrial Magistrate shall forward to the Clerk of the Court all exhibits tendered in evidence before the Magistrate on the hearing of the complaint.

80. On the hearing of the appeal, no further evidence shall be adduced except by special leave of the Court.

81. The institution of an appeal shall operate as a stay of proceedings on the judgment or order the subject of the appeal: Provided that the President may, on application made to him in Chambers by either party to the appeal, direct that proceedings shall not be so stayed.

Appeal from Decision, Award or Order of Conciliation Commissioner
(Sec. 108C).

82. Notice of appeal under section 108C of the Act shall be in Form No. 66 and shall be filed at the office of the Clerk of the Court within six weeks next following the date of the decision, award or order appealed against.

83. The appellant shall state in the notice, the part or parts of the decision, award or order appealed against and the grounds upon which the appeal is based.

84. Forthwith after filing the notice, the appellant shall serve a copy of the notice on each of the other parties to the decision, award or order.

Offences.

85. All charges of offences against the Act or the Regulations made thereunder may be brought before the Court on complaint in writing in Form No. 67, signed by or on behalf of the complainant.

The provisions of Regulations 70, 71 and 72 ante shall mutatis mutandis apply to complaints mentioned in this Regulation in so far as the said Regulations are applicable. An order made on a complaint may be in Form No. 68.

Appeal from the Western Australian Coal Industry Tribunal Under
Section 323 of the Mining Act, 1904-1948.

86. (1) Applications to the President to permit any decision or settlement given or effected by the Tribunal to be reviewed by the Court shall be by summons pursuant to Regulation 50.

(2) The statutory declaration in support shall annex a copy of the decision or settlement and shall set out—

- (a) the part or parts of the decision or settlement of which a review is sought;
- (b) the grounds on which a review is sought.

87. (1) If the President permits the decision or settlement of the Tribunal to be reviewed by the Court, the applicant shall apply to the Court by notice of motion in Form No. 46.

(2) The applicant shall cause a copy of the order made by the President and a copy of the notice of motion to be served on the Tribunal and on all other parties affected.

Certiorari (Sec. 104.)

88. Every application for a writ of certiorari, under Section 104 of the Act, shall be in Form No. 69 and shall be filed with the Clerk of the Court and served upon all other parties and persons to the proceedings, at least 24 hours before the hearing of the application thereon.

There shall be filed and served with the application a statutory declaration setting forth the facts upon which it is grounded.

89. Any party served as aforesaid may show cause, and may file and serve upon the applicant a statutory declaration of facts upon which he intends to rely.

90. The writ of certiorari in Form No. 70 shall, unless the Court or President otherwise directs, be served upon the other party to the complaint and also upon the Clerk of the Court of Petty Sessions.

91. On being served with the copy of the writ, the Clerk of the Court of Petty Sessions shall forthwith transmit or cause to be transmitted to the Clerk of the Court of Arbitration, either the original records in connection with the said charge, or a copy thereof duly certified to by him as being correct.

Applications Under Section 137.

92. An application to the Court under section 137 of the Act shall be supported by a statutory declaration setting out—

- (1) the facts on which the applicant relies;
- (2) facts to show that the applicant has a sufficient interest to make the application.

93. (1) In urgent cases, the application may, by leave of the President, be heard by the Court ex parte in Chambers. On the hearing, the Court may give directions as to service (or notice in lieu thereof) of the application and statutory declaration in support and of any order made ex parte.

(2) Any person named in or affected by an ex parte order may move the Court on 24 hours' notice to the applicant to vary, suspend or cancel the order.

94. (1) In other cases, the applicant shall, after filing the application and statutory declaration in support, apply to the President in Chambers for directions as to service of the application and for a date of hearing.

(2) Any party or person desiring to be heard in opposition to such application, or applying to vary, suspend or cancel an order made thereon, shall file a statutory declaration setting out the facts on which he relies and shall serve a copy thereof on the applicant as soon as practicable thereafter.

Application for Penalty Against Industrial Union (Sec. 141 (5)).

95. (1) An application for a penalty against an industrial union under subsection (5) of section 141 of the Act may be made by—

- (a) the Registrar; or
- (b) any industrial union whose members are concerned in or affected by the lock-out; or
- (c) any employer whose employees take part in the strike.

(2) Such application shall be supported by a statutory declaration setting out the facts relied on.

(3) Copies of the application and statutory declaration in support shall be served on the industrial union against which the penalty is sought.

(4) If the industrial union concerned disputes or desires to qualify or add to the facts disclosed in the applicant's declaration, or desires to raise facts in support of a defence under paragraph (b) of the abovementioned subsection, it shall file a statutory declaration in reply and serve a copy thereof on the applicant, not less than two days before the date of hearing of the application.

Industrial Boards.

96. Nominations for representatives of employees or employers as members of an Industrial Board shall be lodged with the Registrar within 14 days of the constitution of the Board by the Governor, or such shorter period as the Court may order.

97. Nominations of representatives of employees by an industrial union shall be in Form No. 71. Nominations of representatives of employers shall be in Form No. 72 and be signed by at least three employers in the calling or callings to which the Board applies and, where there are less than three employers, by the actual number of employers.

98. The nomination of Chairman shall be in Form No. 73 and lodged with the Registrar not later than 21 days from the date of the constitution of the Board by the Governor, or such shorter period as the Court may order.

99. Upon failure to nominate representatives of employees or employers, as the case may be, the Registrar shall so certify to the Court in Form No. 74.

100. Each member of a Board shall, upon his appointment, take an oath in Form No. 75.

101. Payment of members:—

- (1) The fee payable to the chairman of an Industrial Board for the time occupied by him in presiding at meetings of the Board shall be at the rate of 24s. per hour, with a minimum of £2 2s. for each meeting at which he shall preside.
- (2) The fee payable to every other member of an Industrial Board for the time occupied by him in attendance at meetings of the Board shall be at the rate of 14s. per hour, with a minimum of £1 11s. 6d. for each meeting at which such members shall attend.
- (3) First-class return fares shall be allowed to the chairman or any other member of an Industrial Board or Board of Reference obliged to travel by railway, ship, or coach, from his residence in order to attend a meeting of the Board (railway fares to include sleeping berths were necessary).
- (4) The chairman and any other member of an Industrial Board or Board of Reference who attends a meeting of the Board held at a place distant not less than 20 miles from his place of residence shall be paid travelling allowance for the time actually and necessarily absent from such place of residence through such attendance, in accordance with the Public Service Regulations and at the appropriate rate prescribed from time to time for senior public servants.

102. A member of a Board may resign at any time by notification in writing signed by him and served upon the Registrar.

103. All meetings of the Board shall be convened by the chairman by notice served upon the members thereof.

104. All parties to any remission to the Board and other persons concerned, shall be summoned to attend the meetings of the Board by the chairman. Such summons shall be in Form No. 76.

Demarcation of Calling (Sec. 74).

105. The provisions of these Regulations relating to the nomination of members of Industrial Boards, the summoning of meetings and the resignation of a member of a Board shall, *mutatis mutandis*, apply to the Special Board constituted under section 74 of the Act. The chairman and members of a Special Board shall receive the same payment as a chairman and members respectively of a Board of Reference.

Boards of Reference.

106. Unless the award or order of the Court otherwise prescribes—
- (1) the provisions of Regulations 97, 102 and 103 and the forms referred to shall, *mutatis mutandis*, extend and apply to Boards of Reference;
 - (2) each Board shall consist of a chairman and two or four other representatives nominated by the parties;
 - (3) the parties shall have the right to submit the name or names of persons from whom the chairman is to be chosen but without restriction on the right of the Court to choose the chairman or to appoint any other person as chairman;
 - (4) the Board shall hold its deliberations in private unless the majority of the representatives of the parties or the chairman otherwise decides;
 - (5) a majority of the members one of whom must be the chairman, shall constitute a quorum;
 - (6) the Board may sit at such times and places as the majority may decide and may adjourn from time to time and place to place;
 - (7) the decision of the Board shall be the decision of the majority of the members and shall be signed by the chairman and forwarded to the Clerk of the Court who shall forthwith notify the parties.
 - (8) the decision of the Board may be reviewed and altered by the Court on the application of any of the parties, provided that notice of an application to the Court to review such decision shall be given within seven days from the date thereof to the chairman and the opposite party, and the application lodged with the Registrar asking for such review within fourteen days of such decision: Provided further that all parties abide by the decision unless and until the same is altered by the Court.
 - (9) with the consent of the Court, either party may at any time vary its nomination of representative member.
 - (10) the fees payable to every representative member of a Board of Reference for the time occupied by him in attendance at meetings of the Board shall be at the rate of ten shillings per hour with a minimum of thirty shillings for each meeting at which such member shall attend, or, in any case, such amount not exceeding £3 3s. per day as may be approved by the Registrar in consideration of the special circumstances of the case. The fee payable to the chairman of such Board for the time occupied by him in presiding at meetings of the Board shall be at the rate of 15s. per hour with a minimum of £2 2s. for each meeting at which he shall preside.

107. (1) The chairman or any member of a Special Board or Board of Reference may require any person (including a member) giving evidence before a Board to give his evidence on oath or affirmation, and for such purpose may administer an oath or take an affirmation.

(2) For the purpose of obtaining evidence, and compelling the attendance of persons to give evidence, and the punishment of persons failing to attend when summoned, or refusing to give evidence or produce documents, and for making any order as to the payment of the expenses of witnesses, the Board shall have all the powers and authorities of the Court.

(3) Any question of costs arising during or incidental to the hearing shall be referred to the Court.

Conciliation Committees (Part VI., Secs. 120-122).

108. (1) After the notification mentioned in section 120 of the Act, the constitution of a Conciliation Committee shall be made by a notification signed by the Minister and published in the *Government Gazette*, that he proposes to constitute such committee and containing such further information as the Minister may think fit. The appointment of such committee shall take effect from a date to be specified in such notification.

(2) The provisions of these Regulations relating to the nomination of members of Industrial Boards, the oath to be taken by a member of a Board, the payment of members of a Board, the summoning of meetings of a Board and the resignation of a member of a Board shall apply, *mutatis mutandis*, to Conciliation Committees.

(3) The agreement referred to in section 122 of the Act shall be certified by the chairman in writing under his hand as in Form No. 77.

Recovery of Fines, Penalties, or Subscriptions (Sec. 176).

109. An application to the Court under section 176 of the Act shall be lodged with the Clerk of the Court in Form No. 79 and a copy thereof, signed by the Clerk of the Court, shall be served upon the person against whom the order is sought, together with a notice of the date and place of hearing.

Application to Strike off Member (Sec. 177).

110. An application under section 177 of the Act for an order that any member of an industrial union shall cease to be a member shall be in Form No. 80. Except as aforesaid, the provisions of Regulation 109 shall apply to applications under this Regulation.

Representatives before Court (Sec. 67).

111. Where a person other than a legal practitioner proposes to appear as agent for any party to a reference or other matter he shall, before being entitled to be officially recognised as such agent, file with the Clerk of the Court a warrant in Form No. 81.

Procedure before Court.

112. The procedure before the Court shall be as follows:—

- (1) Upon the case or matter being called on, the applicant or complainant, or his agent (hereinafter in this Regulation included under the term "the applicant") shall state the facts of the case and shall thereupon call his witnesses and produce such documentary evidence as he may desire.
- (2) Unless the Court otherwise permits, the examination-in-chief may be conducted by not more than one person on behalf of the applicant, and the cross-examination may be conducted by not more than one person on behalf of each respondent (or defendant).
- (3) The applicant shall be allowed to re-examine, but the re-examination shall be confined to matters arising out of the cross-examination.
- (4) The case for the applicant shall then close.
- (5) The respondent (or defendant) shall then be at liberty to open his case, call his witnesses, and the subclauses (2), (3) and (4) hereof shall mutatis mutandis apply to the case of the respondent.
- (6) Where counter-proposals are made in the answer, the witnesses, if any, in support thereof shall be called before the close of the respondent's case.
- (7) The applicant may then, by leave of the Court, call witnesses in reply to the counter-proposals.
- (8) The Court may request either party at the close of the case to address it on the facts adduced. No concluding addresses shall otherwise be made.

Withdrawal.

113. A reference, or any other application to the Court, may be withdrawn by the applicant or complainant with the consent of the Court or upon a consent in writing to that effect being signed by or on behalf of each of the parties and filed with the Clerk of the Court; provided always that applications of a quasi-criminal character may be withdrawn only by consent of the Court.

Notice to Produce.

114. In the case of a reference, after the settling of the issues, or in the case of any other proceeding before the Court or the President, at any time after proceedings have been duly initiated, any party may, by notice in Form No. 82, served upon the opposing party, require him to produce at some reasonable time and place, for inspection by the party giving the notice, any book, paper, or other document in his possession, power, or control, relating to, or containing anything relative to the matters in issue between them. Failing compliance with such notice within seven days from the service thereof, the party giving the same may apply to the Court or to the President in Chambers under the provisions of Regulation 50 ante.

Notice to Admit.

115. Any party may at any time at least seven days before the date fixed for hearing, give notice to any opposing party in Form No. 83 requiring him to admit any fact or facts relative to the issue. The party giving such notice shall file any admission or answer thereto with the Clerk of the Court forthwith after receipt thereof.

Failure to comply with such notice within seven days shall render the party in default liable to pay the costs of establishing any such facts unless the Court shall be of opinion that the fact was not material or that there was reasonable ground for not making the admission.

Subpoena, etc. (Sec. 77).

116. A summons to witness shall be in Form No. 84. Each summons may contain the names of not more than five witnesses. The document shall be prepared in duplicate and presented to the Clerk of the Court, who shall file the original and sign and seal the duplicate and issue it to the party applying. A copy of the duplicate so issued shall be served.

Examination of Witness (Sec. 77(4)).

117. Application for an order for the examination of any witness or person, under section 77(4) of the Act, shall be made to the Court or President in Chambers.

118. Any such examination shall take place in the presence of the parties or their agents, or of such of them as shall appear, and the witnesses shall be subject to cross-examination and re-examination. The deposition taken on any such examination shall be taken down in writing by or in the

presence of the examiner so as to represent as nearly as may be the statement of the witness, and when completed shall be read over to the witness and signed by him in the presence of the parties or such of them as may think fit to attend.

119. If any person duly summoned by subpoena to attend for examination shall refuse to attend, or if having attended he shall refuse to be sworn or affirmed, or shall refuse to answer any lawful question, application may be made to the Court or to the President in Chambers *ex parte*, or on notice, for an order directing such witness to pay the costs occasioned by his refusal or objection.

120. The original depositions authenticated by the signature of the examiner shall be transmitted by him to the office of the Clerk of the Court and there filed.

121. Unless otherwise directed by the Court, no deposition shall be given in evidence at the hearing without the consent of the party against whom the same may be offered unless the Court is satisfied the deponent is dead or beyond the jurisdiction of the Court, or, although within Western Australia, resides at a spot so remote as in the opinion of the Court to warrant the admission in evidence of the depositions, or unable from sickness or other causes to attend the hearing; in any of which cases the depositions certified under the hand of the person taking the examination shall be admissible in evidence without proof of the signature to such certificate.

Evidence.

122. (1) The Court and the President shall have the power to summon, by writing under the hand of the President, any person whose evidence shall in the judgment of the Court or President be material to the subject matter, to attend the Court or the President at such place and time as shall be specified therein; and such person may be required by such summons to bring any books, papers, writings, deeds and documents which the Court or President may believe to be material, and any member of the Court may examine such person upon oath or otherwise touching the matter to be inquired into.

(2) If any person on whom such summons shall have been served shall neglect or fail to appear according to the tenor of the summons requiring his attendance or being present, shall refuse to be sworn or to give evidence or to make answer to such questions as shall be put to him by any member of the Court touching the subject matter of the inquiry, or if any person having the custody or control of such books, papers, documents and writings, shall upon being summoned as aforesaid, fail or neglect to produce them at the time and place named in such summons, such person so offending shall, unless subject to any other penalty by the Act, be deemed to commit a breach of these Regulations and punishable accordingly.

Penalty: Twenty Pounds.

(3) Any witness attending in pursuance of any such summons shall be entitled to expenses for travelling and maintenance according to the scale prescribed in these Regulations.

Recovery of Penalties, etc. (Sections 99, 102, 105, 141(5) and 179(2) (iv)).

123. When any person has been convicted by the Court or the President of any offence or of any breach of an award, order, or industrial agreement, and a fine or penalty has been imposed (with or without costs) or where the Court or the President has ordered the payment of a penalty or costs the Court or the President may—

- (1) direct the enforcement and recovery of the fine or penalty and costs (if any) by execution in manner hereinafter provided; or
- (2) subject to the provisions of paragraph (iv) of sub-section (2) of section 179 of the Act, commit the offender to prison in default of payment of the fine or penalty.

A direction under paragraph (1) of this Regulation shall not preclude the Court or the President thereof from making an order or giving directions under section 102 of the Act. An application under that section may be made *ex parte* at any time to the Court or the President in Chambers.

Execution.

124. (1) Any fine, penalty, or costs directed to be levied by execution, and also any sum of money or costs payable under any award, order, or judgment of the Court, shall be recoverable by warrant of execution in Forms Nod. 85 and 86 directed to the sheriff.

(2) The sheriff, under a warrant of execution, may seize and take and cause to be sold any goods (which term shall include cheques, bills of exchange, promissory notes, specialties, or other securities for money) which the person against whom the warrant was issued is or may be possessed of or entitled to or which he has power to assign or dispose of. Provided that the following goods to the value of £30 shall be protected from seizure:—

Wearing apparel of such person and of his wife and family dependent on him; bedding of such person and of each member of his family dependent upon him; his implements of trade and family photographs and portraits.

(3) The sheriff shall hold any cheques, bills of exchange, promissory notes, specialties, or other securities for money which are seized or taken under the warrant of execution, as a security for the amount directed to be levied under the warrant, or so much thereof as has not been otherwise levied or raised for the benefit of the execution creditor, and may receive any moneys payable by virtue of any such instrument from the person liable under it.

The sheriff may sue in the name of the person against whom the warrant of execution was issued, or in the name of any person in whose name the debtor might sue, for the recovery of the sums secured or made payable by any such instrument when the time of payment thereof arrives.

Any money paid to the sheriff or recovered in an action brought by him in respect of any such instrument shall be paid into the Court of Arbitration by him.

(4) A sale of goods which are taken in execution shall not, unless the goods are of a perishable nature, be made until after the expiration of the five days at least next following the day on which the goods were taken, except upon the request in writing of the person whose goods are taken.

Until the sale, the goods must be deposited by the sheriff in some fit place or they may remain in the custody of a fit person approved by the sheriff to be put in possession by the sheriff.

(5) The sheriff may deduct out of the amount realised by such sale, the costs incurred in the execution of any warrant of execution and all costs and charges actually incurred in effecting such sale, and shall render to the owner the surplus (if any) after retaining the amount of the sum for which the warrant was issued and the proper costs and charges of the execution of the warrant.

(6) A written account of the costs and charges incurred in respect of the execution of any warrant of execution shall be sent by the sheriff to the Clerk of the Court, and the person against whom the warrant was issued may, at any time within one month after the levy, inspect such account at any reasonable time and take a copy thereof.

(7) (a) A writ or warrant of execution issued under the Act shall have the same effect against any property (including land under "The Transfer of Land Act, 1893-1950") as a writ of fieri facias issued out of the Supreme Court.

(b) Section 133 of "The Transfer of Land Act, 1893-1950" shall apply to a sale under a writ or warrant of execution issued under the Act, and that section and the schedules therein referred to shall, in relation to any such sale, be read as if the words "warrant of execution issued out of the Court of Arbitration" were inserted in place of "writ of fieri facias issued out of the Supreme Court."

Commitment.

125 (1) When the sheriff has returned that he can find no goods or no sufficient goods to satisfy a warrant of execution issued under the preceding Regulation, and that the sum to be levied remains wholly or partially unsatisfied, then a warrant may be issued in Form No. 87 for the imprisonment of the offender in accordance with the scale set forth in section 167 of "The Justices Act, 1902-1948."

(2) Where the Court has ordered that a person be committed to prison, then a warrant shall be issued in Form No. 88.

(3) The person to whom a warrant is directed shall convey the person therein named or described to the prison or other place mentioned in the warrant and there deliver him, together with the warrant, to the superintendent or keeper of such prison or place, who shall thereupon give the person delivering the prisoner into his custody a receipt for such prisoner in Form No. 89, setting forth the state and condition in which such prisoner was when he was delivered into the custody of such superintendent or keeper.

(4) The superintendent of any prison to which any person has been committed under a warrant in Form No. 87 shall discharge such person—

- (a) on payment to him of the fine or penalty, or such part thereof as remains unpaid;
- (b) on receipt of a certificate from the Clerk of the Court that the fine or penalty, or the part remaining unpaid, has been paid or realised;
- (c) if the fine or penalty or any part thereof remains unpaid or unrealised after he has suffered the period of imprisonment set forth in the warrant of commitment or such portion thereof corresponding with the unpaid part of the fine or penalty.

126. All warrants of execution and commitment shall be prepared by the person seeking to issue same, and shall be presented in duplicate to the Clerk of the Court who shall procure the necessary signature, or sign the same, and shall affix the seal of the Court thereto, and issue a duplicate for lodgment with the Sheriff, police officer, or other official to whom the same may be directed.

127. Nothing in the foregoing Regulations, numbered 123 to 126 inclusive, shall be deemed to apply to the Crown.

128. Where an order is made by the President of the Court directing the payment of any sum of money or costs, he may direct that such order shall be enforced in the manner provided by Regulation 124 and thereupon the proceedings provided for in the said Regulation may be taken.

129. Whenever it shall be made to appear to the Court or the President that the party entitled to payment has made all due efforts by the methods of execution hereinbefore provided to recover payment of a fine, penalty, sum of money or costs adjudged to be paid by an industrial union, the Court or the President may, on application, if satisfied that the party so applying is entitled to execution, make an order in such terms as may appear to it or him to be proper, granting leave to the applicant to proceed under any of the foregoing Regulations against any member or members of the industrial union

(or the members of an industrial union represented on an association) or may order any issue or question necessary to determine the rights of the parties to be tried as may to him appear best.

Provided always that no member shall be made liable under any such order to a contribution of more than £10.

130. Any order under the foregoing Regulation 129 shall be enforced in the same way as if such member or members had been convicted by the Court of an offence and ordered to pay a fine or penalty of the amount mentioned in the order, and the Court or the President may make all orders and give all directions necessary for this purpose.

Rules of Court (Sec. 105).

131. These Regulations shall, for the purpose of section 105 of the Act, be deemed to be Rules of the Court as far as same may be necessary for the purpose of that section.

Appeal Against Conviction (Sec. 108).

132. Any person desiring to appeal against any conviction by the Court to the Court of Criminal Appeal shall, within 10 days after the conviction complained of, serve on every party directly affected by the appeal a notice of appeal which shall be according to Form No. 90, and shall also within a like time serve a copy of such notice on the Clerk of the Court.

As soon as may be after the service of such notice on him, the Clerk shall forward all proceedings connected with the conviction, or a transcript thereof, to the Registrar of the Court of Criminal Appeal, and shall give the appellant notice that the same have or has been forwarded.

Evidence.

133. In all appeals from convictions under the Act and in all matters referred to the Court, a typewritten copy of the transcribed shorthand notes of the official reporter of the evidence taken before the Court or Board respectively (or when no shorthand note is taken a copy of the notes of the President or Chairman of the Board respectively in the matter certified by the Clerk of the Court) shall be receivable in evidence of the matters referred to therein.

Allowances to Witnesses (Sec. 179 (1) (iv) (c)).

134. Allowances may be made to witnesses, including the parties to the proceedings if personally attending the Court, for their attendance at Court according to the scale in force for the time being under the rules of the Supreme Court.

135. There may also be allowed to all witnesses and to parties, if personally attending the Court, for travelling expenses, the sums actually and reasonably paid by them.

136. If witnesses attend in more than one case or matter they shall be allowed a proportionate part of their allowances in each case or matter.

137. The costs of witnesses, whether they have been examined or not, may, unless otherwise ordered, be allowed though they have not been summoned.

138. Any expert or scientific witness may be allowed for qualifying to give evidence such sum (in addition to travelling expenses to attend the trial, and attendance fee previously mentioned) as the Court may think fit.

Exhibits.

139. No party to any proceeding before the Court, the President, or the Conciliation Commissioner, shall be at liberty to remove any exhibits without first obtaining the leave of the Court, the President, or the Conciliation Commissioner, as the case may be.

Declarations.

140. (1) All declarations intended to be used on any interlocutory or other proceeding shall, before being used, be filed with the Clerk of the Court.

(2) Any declaration required to be made in pursuance of the provisions of these Regulations may be declared before the Registrar, a Justice of the Peace, or a Commissioner for Declarations.

(3) Any party intending to adduce as evidence an affidavit or declaration shall furnish the opposing party or parties with a copy thereof within a reasonable time, and in the case of a reference, at least three days before the date fixed for hearing.

Orders.

141. All orders issued by the Court shall be signed by the President and shall be sealed with the seal of the Court, and all orders issued by the President or by the Conciliation Commissioner shall be signed by the President or by the Conciliation Commissioner respectively, and in each case shall be filed in the office of the Clerk of the Court. An order obtained on an ex parte application shall as soon as practicable be served by the applicant on all other parties thereto.

Where no Procedure Prescribed.

142. Where no procedure has been prescribed by the Act or under these regulations, any party or person concerned may make application ex parte to the President for directions, and the President may direct the procedure to be followed.

Fees (Sec. 179 (1) (v)).

143. (1) The following fees shall be paid to the Clerk of the Court on the filing of applications and documents under the Act or these regulations and for the supply of documents, authentications or other services hereinafter specified:—

Agreements, Industrial—	s. d.
On filing duplicate original	10 0
On filing application for common rule	5 0
On filing application for enforcement	5 0
Answer—	
On filing answer to reference of dispute or other application	5 0
Awards—	
Applications for amendment, interpretation, extension of operation, revision, revocation, or enforcement	5 0
Any other application	5 0
Complaint—	
On offence against Act or regulations	5 0
Declarations or Other Documents—	
For filing statutory declaration or any other document not otherwise herein provided for	2 0
Notice of Motion—	
Where not otherwise specified	5 0
Reference of Dispute—	
On filing reference of dispute	10 0
Sealing Orders	10 0
Summons—	
On issue of chamber summons	5 0
On issue of summons to witness	5 0
Unions—	
Application for registration of society	10 0
Application for amendment of rules	5 0
Application for cancellation of registration	5 0
Application for consent to change name	5 0
Warrants—	
Of commitment	5 0
Of execution	5 0
Writ—	
Of certiorari	10 0

(2) For every document required to be authenticated by the Registrar or other officer—5s.

For every inspection on same day of one or more documents in the custody of the Registrar or Clerk of the Court—2s.

For certifying copy of award, agreement, or order—5s.

For supplying certified copy of award, agreement, order or other document not exceeding 216 words, 2s. and if exceeding 216 words, 6d. per folio of 72 words in addition to certification fee.

(3) No fee shall be payable for any of the following matters:—

- (a) The registration of treasurer, trustee, secretary or any other officer of a union.
- (b) The cancellation or withdrawal of certificate of registration.
- (c) Notice of change of registered office.
- (d) Warrant to appear as agent.
- (e) Any document in respect of which a fee is already chargeable under or by virtue of the Act or any other statute.

(4) The Registrar may dispense with the fee for inspection of documents where considered necessary.

(5) All fees which may be received by the Registrar, Clerk of the Court, or any other officer, under or by virtue of the Act and these regulations, shall be paid into the Treasury to the credit of the general revenue.

Costs.

144. Where the Court or the President orders any costs of any proceedings to be paid to a party thereto, there shall be allowed to such party—

- (1) the amount of Court fees paid by such party;
- (2) witnesses' expenses in accordance with the rates prescribed by regulations 134 to 138 inclusive;
- (3) further sums in respect of the trouble and loss of time of the party as indicated by the following items:—
 - (a) For preparing any document, 6d. per folio, with a minimum of 2s.
 - (b) Copies thereof, 3d. per folio, with a minimum of 1s.
 - (c) Attendance filing documents, 2s.
 - (d) Service of any document, where personal service necessary, in addition to necessary fares, 2s.
 - (e) Such further allowances as in the opinion of the President may reasonably be charged in respect of convening and holding meetings, including the hire of a hall in which to hold the meeting of the executive of the union and the out-of-pocket expenses allowed to the executive for attending the meeting.

Compulsory Conference.

145. (1) A summons to a conference issued by the President under section 171 of the Act may be by telegram or according to Form No. 91.

(2) Commissioners appointed under section 172 of the Act may require the attendance of any person at a conference under that section by summons according to Form No. 91 *mutatis mutandis*.

(3) When the President or Commissioners desire to refer to the Court matters in dispute between the parties summoned to attend a conference under the said section 171 or 172, as to which no agreement has been arrived at, he or they may do so by transmitting to the Clerk of the Court a notice according to Form No. 92.

(4) As soon as may be after the receipt of the said notice, the Clerk of the Court shall, if the President so directs, require by notice all or any of the parties concerned to file statements of their respective claims with him within a time to be limited in the notice; but failure of all or any of the parties to file claims or a claim shall not prevent the Court from dealing with the reference.

The President may fix a date for the hearing, and the Clerk of the Court shall thereupon send notice thereof to the parties.

The Court may allow the intervention of any person at the hearing if it shall appear to the Court to be just so to do.

(5) If any party fails to appear or be represented at the hearing, the Court may proceed in the absence of such party.

(6) The Court may require any notes of the proceedings at any conference held before the President or Commissioner to be produced to the Court, and may make such use of them as shall seem just.

Consent to Dispute being Referred to President or Commissioners.

146. Where all parties to a dispute agree, in accordance with section 173, to the dispute or the matters in difference being heard and determined by the President or the Commissioners, they shall sign a consent in Form No. 93.

Fees Payable to Examiners of Apprentices.

147. (1) The fee payable to each examiner of apprentices appointed by the Court shall be on the following basis:—

Two guineas for every five or fraction of five apprentices examined. Provided that the minimum payment for any one day shall be not less than three guineas, and the maximum payment for any one day shall not exceed four guineas. Provided further that the fee for conducting a special examination approved by the Registrar shall be one guinea for each apprentice examined, which the Registrar may direct to be paid by the apprentice or the union concerned.

(2) In addition to the foregoing fees, where an examiner in the performance of his duties is required to travel he will be entitled to reimbursement of all fares and other *bona fide* expenses actually incurred, particulars of which must be submitted to and approved by the Registrar.

GENERAL AND SUPPLEMENTARY.

Court-practice.

148. Where there is no established practice or usage of the Court and where none of the regulations now made is applicable, then, the practice for the time being of the Supreme Court shall, as far as is practicable, regulate the practice of the Court.

Power to Waive Procedural Requirements.

149. (1) The Court may, in relation to any proceeding before it, and the President or the Registrar may, in relation to any proceeding before him, in special circumstances, and either absolutely or subject to conditions, exempt any person from compliance with any procedural requirement of these regulations.

(2) Non-compliance with any of these regulations shall not render void any proceedings before the Court, the President or the Registrar, but the proceedings may be set aside either wholly or in part as irregular, or amended, or otherwise dealt with in such manner and upon such terms as the Court, the President or the Registrar, as the case may be, thinks fit.

Forms.

150. The forms in the schedule may be modified to meet the special circumstances of any case. Any reference in these regulations to a form shall be read as a reference to a form in the schedule hereto.

Reference to Industrial Unions to include Industrial Associations.

151. All references in these regulations and the forms in the schedule hereto to an industrial union shall, where the context permits, be taken to extend and apply to an industrial association.

Commencement of these Regulations.

152. These regulations and the forms in the schedule hereto shall come into force on the 1st day of November, 1952. All matters and proceedings pending on that date shall be continued under these regulations.

Repeal of Previous Regulations.

153. All regulations made heretofore under the Act are hereby repealed as from the 31st day of October, 1952, save and except the Building Trades Apprenticeship Regulations gazetted on the 31st day of December, 1926.

By the Court of Arbitration.

(Sgd.) L. W. JACKSON,
President.

(Sgd.) E. B. McKENNA,
Member.

(Sgd.) T. G. DAVIES,
Member.

Form 1 (Reg. 1).

Industrial Arbitration Act, 1912-1952.

APPLICATION TO REGISTER A SOCIETY AS AN INDUSTRIAL UNION.

Name of Society*

To the Registrar.

Application to register a society as an industrial union of workers or employers under the abovenamed Act, under the above name, is made by an officer thereof, whose name is subscribed at the foot hereof.

1. The number of members of the society (other than honorary) is not less than 15 (or, in case of an employers' union, exceeds one).

2. The members of the society are associated for the purpose of protecting or furthering the interests of workers (or employers) in or in connection with the following specified industry (or in connection with the following divers industries) in Western Australia, namely†

3. To the best of my belief there is no industrial union in the same locality in which this society exists and connected with the aforesaid industry or industries, or any of them, to which the members or the bulk of the members of this society may conveniently belong.

4. The locality in respect of which this registration is sought is and the registered office of the society is at

5. The matters hereinafter mentioned are provided for in the rules of the society as follow, that is to say:—

- (1) The name of the society, in Rule No.
- (2) The registered office of the society, at which place the business shall be conducted, in Rule No.
- (3) The whole of the purposes for which the society is formed, in Rule No.
- (4) The appointment and removal of a committee of management (by the name of), in Rule No., and the powers and duties of the said committee, in Rule No.
- (5) The appointment and removal, and powers and duties of a trustee or trustees (if any), in Rule No.
- (6) The appointment of a chairman, in Rule No.; the appointment of a secretary, in Rule No.; and the appointment of a treasurer, in Rule No.
- (7) The appointment of other officers, in Rule No.
- (8) The supplying of any vacancy occurring in each of the positions or offices included in subclauses (4) to (7) above inclusive, by death, resignation, or other cause, in Rules Nos.
- (9) The powers, duties, and removal of the chairman, in Rule No.; of the secretary, in Rule No.; of the treasurer, in Rule No., and of other officers, in Rules Nos.
- (10) The manner of calling general or special meetings, in Rule No., and the quorum thereat, in Rule No.
- (11) The manner of voting at general or special meetings, in Rule No.
- (12) The manner of amending, repealing, and altering the rules, and the making of additional rules, in Rule No.
- (13) The mode in which industrial agreements and all deeds and instruments shall be made and executed on behalf of the society, in Rule No., and the manner in which the society shall be represented in proceedings before the Court of Arbitration, in Rule No.
- (14) The device, custody, and use of the seal of the society, in Rule No.
- (15) The control of the property belonging to the society, in Rule No.
- (16) The investment of the funds, in Rule No.
- (17) The keeping of the accounts, in Rule No.
- (18) The audit of the accounts at least once every year, in Rule No.

*The name of the society must contain the words "union of employers" or "union of workers" and the locality in which the majority of its members reside or exercise their calling.

†Insert the industry or industries in which the members are engaged.

- (19) The inspection of the books and register of members of the society by every person having an interest in the funds of the society, in Rule No.
- (20) The keeping by the society of a register of the members, in Rule No.; the purging of such register by striking off members in arrears of dues for not exceeding 12 months, in Rule No.; and that such members when struck off, shall not be free from arrears due, in Rule No.
- (21) The mode in which and the terms and qualifications on which persons shall become or cease to be members, in Rule No.
- (22) That no person shall be a member (except in the capacity of honorary member) of the society who is not a worker within the meaning of the Act, and is under 14 years of age, in Rule No.; (or that no person shall be a member of the society, except in the capacity of honorary member, who is not an employer within the meaning of the Act, in Rule No.).
- (23) That no member shall discontinue his membership without giving at least three months' previous written notice to the secretary of his intention so to do, or paying a sum equal to three months' contributions in lieu of notice, nor until such member has paid all fees, fines, levies or other dues, payable by him to the society under its rules, to the end of the period covered by such notice, or has obtained a clearance card duly issued in accordance with the Rules, in Rule No.
- (24) Every dispute between the society and any of its members shall be decided as provided in Rule No.
- (25) That no part of the funds or property of the society shall be paid or applied for, or in connection with, or to aid or assist any person engaged in any strike or lockout within Western Australia, in Rule No.
- (26) That all industrial disputes in which the society or any of its members may be concerned shall, unless settled by mutual consent, be referred for settlement pursuant to the Act, in Rule No.
- (27) The furnishing to the Registrar by the secretary, within one calendar month after the completion of the yearly audit of the accounts, of a duly audited statement of receipts and expenditure and balance-sheet of the assets and liabilities of the society made up to the date of closing such accounts, in Rule No.
- (28) Rules relating to elections for office in Rules No.
6. The society has throughout the six months next preceding this date employed on an average, taken per month, not less than 15 workers (in the case of an employers' union).
7. On the.....day of.....19 , the abovenamed society (or council or other body or union) caused to be published a notice in the following terms convening a special general meeting of its members:—‡
8. The said notice was published in the.....newspaper, a newspaper circulating in the district in which the office of this society (or council or other body or union) is situate, and a copy of the said notice was posted in a conspicuous place outside the said office.
9. On the.....day of.....19 , a general meeting of the said society (or council or other body or union) specially called for the purpose duly took place in accordance with the terms of the said notice and a resolution was passed by a majority of the members of the abovenamed society (or council or other body or union) present in person.
10. The following is a true copy of the said resolution:—
That the.....desires to be registered as an industrial union under the Industrial Arbitration Act, 1912-1952, and that the secretary (or other specified officer) be, and he is hereby directed to make application for such registration.
11. Accompanying this application are—
(a) a list of the names of the members and officers of the society with their addresses;
(b) two copies of the rules of the society;
(c) a copy of the newspaper calling a general meeting of the society;
(d) a statutory declaration in Form No. 3 by an officer of the society verifying such list, copies of the rules and copy of resolution.
12. (a) It is desired that the limitation of the purposes of the society to a specified industry shall not apply to the applicant society.
(b) The right of membership in the applicant society is limited to persons whose interests in regard to industrial matters are in the main identical or of a kindred nature (or whose vocations have characteristics in common, or whose interests are of like composite character).

¶.....Chairman or President.
¶.....Secretary.

Dated this.....day of.....19 . This application was lodged at my office on the.....day of....., 19 .
.....Registrar.

‡Here copy out notice which must distinctly specify the time, place and object of the meeting.

¶Signature of at least one officer of the society.

Form 2 (Regs. 2, 8 and 21).

Industrial Arbitration Act, 1912-1952.

LIST OF OFFICERS AND MEMBERS OF SOCIETY
(OR INDUSTRIAL UNION).

Name of Industrial Union.....

To the Registrar:

The following is a complete list of the officers and members, with their addresses, of the abovenamed society (or industrial union) as at the..... day of....., 19.....

	Name.	Address.
Chairman
Vice-Chairman
Treasurer
Secretary
Trustee
"
"
Other Officers
" "
" "
" "
Member
"
"
"

Signature of Secretary.....

Received at my office this..... day of....., 19.....

Registrar.

Form 3 (Regs. 2, 6 and 8).

Industrial Arbitration Act, 1912-1952.

DECLARATION VERIFYING DOCUMENTS ON APPLICATION
FOR REGISTRATION.

Name of Society (or Council or other Body or Union).....

I,....., of....., do solemnly and sincerely declare as follows, that is to say:—

(1) That I am..... of the abovenamed society (or council or other body or union).

(2) That to the best of my knowledge and belief the documents accompanying the application for registration attached hereto are correct and complete, and particularly that—

(a) the list in Form No. 2 discloses the correct names and addresses of all the officers and members of the abovenamed society (or other body, or proposed new union);

(or in the case of a council or other body applying for registration as an industrial association)—

the lists contained in Form No. 8 accompanying this application disclose a true statement of—

(i) the names of the officers of the council (or other body) with their addresses;

(ii) the names of the industrial unions represented on the said council (or other body); and

- (iii) the names and addresses of the members of the council (or other body) representing such unions;
- (b) the two copies of rules are true copies of the rules duly passed by the society (council or other body, or proposed new union);
- (c) the resolution desiring registration was duly passed by the society (council or other body, or proposed new union).

And I make this solemn declaration by virtue of section 106 of the Evidence Act, 1906.

Declared at.....in the State of Western Australia
this.....day of....., 19....., before....., J.P.
(or Registrar or Commissioner for Declarations).

Received at my office this.....day of....., 19.....

.....
Registrar

Form 4 (Reg. 3).

Industrial Arbitration Act, 1912-1952.

APPLICATION TO REGISTER A COMPANY UNDER THE
ABOVENAMED ACT.

Name of Company.....

To the Registrar:

1. Application to register a company as an industrial union of employers under the abovenamed Act, under the above name, is made under the seal of the company, and pursuant to a resolution of the Board of Directors, by the manager or other principal executive officer thereof in Western Australia, whose name is subscribed at the foot hereof.

2. The company is incorporated under the Companies Act, 1943-1949 (or is a foreign company within the meaning of the Companies Act, 1943-1949).

3. The memorandum, articles of association, or rules of the company do not expressly forbid the registration of the company as an industrial union of employers.

4. The address of the registered office of the company in Western Australia is.....

5. On the.....day of....., at a meeting of the Board of Directors of the abovenamed company duly convened and held in accordance with the articles of association or rules of the company, the following resolution was passed:—

That this company be registered as an industrial union of employers under the Industrial Arbitration Act, 1912-1952, and that the manager (or other principal executive officer, or the secretary) thereof in Western Australia be and he is hereby authorised and directed to make application for such registration.

(or as the case may be)

6. With this application are sent—

- (a) a copy of the resolution of the Board of Directors described in clause 1 of this application;
- (b) a certified copy of the certificate of incorporation (or other evidence satisfactory to the Registrar of the incorporation or registration of the company);
- (c) two copies of the memorandum and articles of association (if any) or rules of the company;
- (d) a list containing the names of the directors and of the manager or other principal executive officer of the company in Western Australia;
- (e) a statutory declaration by the applicant verifying such list, copies of memorandum and articles of association, or rules and copy of resolution.

Dated this.....day of....., 19.....

.....
Manager (or other principal executive officer in Western Australia).

(Seal of Company).

Postal Address of Company.

This application was lodged at my office this.....day of....., 19.....

.....
Registrar.

Form 5 (Regs. 4 and 21).

Industrial Arbitration Act, 1912-1952.

LIST OF THE NAMES OF THE DIRECTORS AND MANAGER
IN W.A. OF A COMPANY.

Name of Company.....

To the Registrar:

The following is a complete list of the names of the directors and of the manager or other principal executive officer in Western Australia, with their addresses, of the abovenamed company, as at the.....day of....., 19.....

	Name.	Address.
Director
"
"
Manager or other principal executive officer in W.A.

.....
Signature of Secretary or Manager.

Received at my office this.....day of....., 19.....

.....
Registrar.

Form 6 (Reg. 4).

Industrial Arbitration Act, 1912-1952.

DECLARATION ON APPLICATION FOR REGISTRATION OF A COMPANY.

Name of Company.....

I*....., of†.....
do solemnly and sincerely declare as follows, that is to say:—

(1) That I am‡.....in Western Australia of the abovenamed.....

(2) That to the best of my knowledge and belief the documents accompanying the application for registration attached hereto are correct and complete, and particularly that—

- (a) the resolution desiring registration accompanying the application for registration of the Company as an Industrial Union of Employers was duly passed by the Board of Directors of the Company;
- (b) the two copies of the Memorandum and Articles of Association (if any) are true copies of the existing Memorandum and Articles of Association respectively of the Company;
- (c) the list in Form No. 5 discloses the correct names and addresses of the Directors and of the Manager or other principal executive officer of the Company in Western Australia;
- (d) the statements contained in paragraphs 2, 3, 4 and 5 of the application forwarded herewith are true in every particular.

And I make this solemn declaration by virtue of Section 106 of the Evidence Act, 1906.

Declared at in the State }
of Western Australia, this..... }
day of.....19.... before me, }
.....

.....J.P.;

Registrar or Commissioner for Declarations.

Received at my office this.....day of.....19.....

.....Registrar.

* Name in full. † Address and occupation. ‡ Manager or other principal Executive Officer or Secretary. ¶ Signature.

Form 7 (Reg. 5).

Industrial Arbitration Act, 1912-1952.

APPLICATION TO REGISTER A COUNCIL (OR OTHER BODY) AS AN INDUSTRIAL ASSOCIATION *

Name of Council (or Body).....

To the Registrar.

Application to register a Council (or other body) as an Industrial Association of Employers (or Workers) under the abovenamed Act, under the above name is made by the officer thereof whose name is subscribed at the foot hereof.

1. The Council (or Body) represents not less than two Industrial Unions of Employers (or Workers).

2. The Registered office of the Association is at.....
3. The matters hereinafter mentioned are provided for in the Rules of the Council (or Body), as follows, that is to say:—
- (1) The name of the Council (or Body) in Rule No.....
 - (2) The registered office of the Council (or Body) at which place the business shall be conducted, in Rule No.....
 - (3) The whole of the purposes for which the Council (or body) is formed, in Rule No.
 - (4) The appointment and removal of a Committee of Management (by the name of), in Rule No..... and the powers and duties of the said Committee, in Rule No.....
 - (5) The appointment and removal and powers and duties of a trustee or trustees (if any), in Rule No.
 - (6) The appointment of a chairman, in Rule No.....; the appointment of a Secretary, in Rule No.....; and the appointment of a Treasurer, in Rule No.
 - (7) The appointment of other officers, in Rule No.....
 - (8) The supplying of any vacancy occurring in each of the positions or offices included in subclause (4) to (7) above, inclusive, by death, resignation, or other cause, in Rules Nos.
 - (9) The powers, duties, and removal of the Chairman, in Rule No..... of the Secretary, in Rule No.....; of the Treasurer, in Rule No.....; and of other officers, in Rules Nos.....
 - (10) The manner of calling General or Special Meetings, in Rule No.; and the quorum thereat, in Rule No.....
 - (11) The manner of voting at General or Special Meetings, in Rule No.....
 - (12) The manner of amending, repealing, and altering the rules, and the making of additional rules, in Rule No.....
 - (13) The mode in which industrial agreements and all deeds and instruments shall be made and executed on behalf of the Council (or Body), in Rule No., and the manner in which the Council (or Body) shall be represented in proceedings before the Court of Arbitration, in Rule No.....
 - (14) The device, custody, and use of the Seal of the Council (or Body) in Rule No.....
 - (15) The control of the property belonging to the Council (or Body), in Rule No.....
 - (16) The investment of the funds, in Rule No.....
 - (17) The keeping of the accounts, in Rule No.....
 - (18) The audit of the accounts at least once every year, in Rule No.....
 - (19) The inspection of the books of the Council (or Body) and register of members by any person authorised in that behalf by an industrial union represented on the Council (or Body), in Rule No.....
 - (20) The keeping by the Council (or Body) of a register of the Industrial Unions represented thereon and of the members of the Council (or Body) respectively representing such unions, in Rule No....., the purging of such register by striking off unions and members in arrears of dues for not exceeding 12 months, in Rule No..... and that such unions and members when struck off shall not be free from arrears due, in Rule No.....
 - (21) The mode in which and the terms and qualifications on which such Industrial Unions shall be entitled to be or cease to be represented, in Rule No.....
 - (22) That every dispute between the Council (or Body) and any union represented thereon shall be decided in the manner directed by Rule No.....
 - (23) That no part of the funds or property of the Council (or Body) shall be paid or applied for or in connection with or to aid or assist any person or persons engaged in any strike or lock-out within Western Australia, in Rule No.....
 - (24) That all industrial disputes in which the Council (or Body) or any of its members may be concerned shall, unless settled by mutual consent, be referred for settlement pursuant to the Act, in Rule No.....
 - (25) The furnishing to the Registrar by the Secretary, within one calendar month after the completion of the yearly audit of the accounts, of a duly audited statement of receipts and expenditure balance sheet of the assets and liabilities of the Council (or Body) made up to the date of closing such accounts, in Rule No.....
 - (26) Rules relating to elections for office, in Rules No.....
4. (a) On the..... day of.....19..... the above-named council (or body) caused to be published a notice in the following terms convening a special general meeting of its members:—†
- (b) The said notice was published in the “.....” newspaper, a newspaper circulating in the district in which the office of this council (or body) is situate, and a copy of the said notice was posted in a conspicuous place outside the said office.

(c) On the..... day of..... 19....., a general meeting of the said council (or body) specially called for the purpose duly took place in accordance with the terms of the said notice and a resolution was passed by a majority of the members of the abovenamed council (or body) present in person.

(d) The following is a true copy of the said resolution:—

That the..... desires to be registered as an industrial association under the Industrial Arbitration Act, 1912-1952, and that the secretary (or other specified officer) be, and he is hereby directed to make application for such registration.

5. With this application are sent:—

- (a) a list in Form No. 8 of the names of the industrial unions represented on the council (or body), and of the members and officers of the council (or body) with their addresses;
- (b) two copies of the rules of the council (or body);
- (c) a copy of the newspaper calling a general meeting of the council (or body).
- (d) a statutory declaration in Form No. 3 by an officer of the council (or body) verifying such list, copies of rules, and copy of resolution.

‡ 1..... Chairman or President.
 ‡ 2..... Secretary.

Postal address of Secretary.....

Dated this day of..... 19.....

This application was lodged at my office this..... day of..... 19.....

.....Registrar.

* This form is to be use when applying for registration of any "Council or other Body" included under Section 33 of the Act.

† Here copy out notice which must distinctly specify the time, place, and object of the meeting.

‡ Signature of at least one officer of the council (or body).

Form 8 (Regulations 6 and 21).

Industrial Arbitration Act, 1912-1952.

LIST OF THE INDUSTRIAL UNIONS REPRESENTED ON, AND OF THE OFFICERS AND THE REPRESENTATIVES OF AN INDUSTRIAL ASSOCIATION OR COUNCIL.

Name of Industrial Association (or Council or other Body).....
 To the Registrar:

The following is a complete list of the officers with their addresses, of the abovenamed industrial association (or council or other body) and of the industrial unions which are represented on the abovenamed association (or council or other body), and of the members of the association (or council or other body) representing such unions as at the..... day of..... 19.....

Officers, etc.	Name.	Address.
Chairman
Vice-Chairman
Treasurer
Secretary
Trustee
"
"
Other Officers
" "
" "

The industrial unions which are represented on the abovenamed association (or council or other body) are as follow:—

Industrial Union.	Member representing Union on Council.	Address of Member.
.....

Signature of Secretary.....

Received at my office this..... day of..... 19.....

.....Registrar.

Form 9 (Reg. 7).

Industrial Arbitration Act, 1912-1952.

APPLICATION TO REGISTER AMALGAMATION.

Name of proposed new union.....

To the Registrar.

Application to register as one industrial union of workers (or employers) the industrial unions hereinafter mentioned is hereby made on behalf of the said industrial unions.

1. The applicant unions consist of workers (or employers) engaged in the same industry (or in related industries).

2. The members of each of the applicant unions are associated for the purpose of protecting or furthering the interests of workers (or employers) in connection with the following specified industry in Western Australia, namely..... (or in connection with the following related industries in the State, namely.....)

3. The locality over which the proposed new union (hereinafter referred to as "the Society") will have its scope is.....

4. (a) On the..... day of..... 19....., the abovenamed society (or council or other body or union) caused to be published a notice in the following terms convening a special general meeting of its members:—*

(b) The said notice was published in the "....." newspaper, a newspaper circulating in the district in which the office of this society (or council or other body or union) is situate, and a copy of the said notice was posted in a conspicuous place outside the said office.

(c) On the..... day of..... 19....., a general meeting of the said society (or council or other body or union) specially called for the purpose duly took place in accordance with the terms of the said notice and a resolution was passed by a majority of the members of the abovenamed society (or council or other body or union) present in person.

(d) The following is a true copy of the said resolution:—

That this union authorises and approves of—

- (i) an amalgamation being effected between itself and the..... union of workers (employers) the new union so created to be known as.....;
- (ii) the rules of the said new union as submitted to and marked by the chairman and secretary of this union, and
- (iii) that..... be and he is hereby authorised and empowered on behalf of this union to take all necessary steps and do all things requisite to secure the due registration of the new union created as aforesaid under the Industrial Arbitration Act, 1912-1952.

5. The registered office of the society is at.....

6. The matters hereinafter mentioned are provided for in the rules of the society as follows, that is to say:—

- (1) The name of the society, in Rule No.....
- (2) The registered office of the society at which place the business shall be conducted, in Rule No.....
- (3) The whole of the purposes for which the society is formed, in Rule No.....
- (4) The appointment and removal of a committee of management (by the name of.....), in Rule No..... and the powers and duties of the said committee, in Rule No.....
- (5) The appointment and removal, and powers and duties of a trustee or trustees (if any), in Rule No.....
- (6) The appointment of a chairman, in Rule No.....; the appointment of a secretary, in Rule No.....; and the appointment of a treasurer, in Rule No.....
- (7) The appointment of other officers, in Rule No.....
- (8) The supplying of any vacancy occurring in each of the positions or offices included in subclauses (4) to (7) above, inclusive, by death, resignation, or other cause, in Rules Nos.....
- (9) The powers, duties and removal of the chairman, in Rule No.....; of the secretary, in Rule No.....; of the treasurer, in Rule No.....; and of other officers, in Rules Nos.....
- (10) The manner of calling general or special meetings, in Rule No....., and the quorum thereat, in Rule No.....
- (11) The manner of voting at general or special meetings, in Rule No.....
- (12) The manner of amending, repealing, and altering the rules, and the making of additional rules, in Rule No.....
- (13) The mode in which industrial agreements and all deeds and instruments shall be made and executed on behalf of the society, in Rule No.....; and the manner in which the society shall be represented in proceedings before the Court of Arbitration, in Rule No.....

* Here copy out notice which must distinctly specify the time, place, and object of the meeting.

- (14) The device, custody, and use of the seal of the society, in Rule No.....
 - (15) The control of the property belonging to the society, in Rule No.....
 - (16) The investment of the funds in Rule No.....
 - (17) The keeping of the accounts, in Rule No.....
 - (18) The audit of the accounts at least once every year, in Rule No.....
 - (19) The inspection of the books and register of the members of the society by every person having an interest in the funds of the society, in Rule No.....
 - (20) The keeping by the society of a register of the members, in Rule No.....; the purging of such register by striking off members in arrears of dues for not exceeding 12 months, in Rule No....., and that such members when struck off shall not be free from arrears, in Rule No.....
 - (21) The mode in which and the terms and qualifications on which persons shall become or cease to be members, in Rule No.....
 - (22) That no person shall be a member (except in the capacity of honorary member) of the Society who is not a worker within the meaning of the Act or is under 14 years of age, in Rule No.....; or that no person shall be a member of the society (except in the capacity of honorary member) who is not an employer within the meaning of the Act, in Rule No.....
 - (23) That no member shall discontinue his membership without giving at least three months' previous written notice to the secretary of his intention so to do, or paying a sum equal to three months' contributions in lieu of notice, nor until such member has paid all fees, fines, levies, or other dues payable by him to the society under its rules, or to the end of the period covered by such notice, or has obtained a clearance card duly issued in accordance with the rules, in Rule No.....
 - (24) Every dispute between the society and any of its members shall be decided as by Rule No.....
 - (25) That no part of the funds or property of the society shall be paid or applied for, or in connection with, or to aid or assist, or for the benefit of any person engaged in any strike or lockout within Western Australia, in Rule No.....
 - (26) That all industrial disputes in which the society or any of its members may be concerned shall, unless settled by mutual consent, be referred for settlement pursuant to the Act, in Rule No.....
 - (27) The furnishing to the Registrar by the secretary within one calendar month after the completion of the yearly audit of the accounts, of a duly audited statement of receipts and expenditure and balance sheet of the assets and liabilities of the society made up to the date of closing such accounts, in Rule No.....
 - (28) Rules relating to elections for office, in Rules No.....
7. Accompanying this application are—
- (a) A list showing the names of the members and officers of the society;
 - (b) two copies of the rules of the society;
 - (c) a copy of the newspaper calling a general meeting of the society.
 - (d) a statutory declaration in Form No. 3 verifying the documents mentioned in subclauses (a), (b) and (c) hereof.

Dated this.....day of.....19
 For and on behalf of the.....Union.
Chairman.
Secretary.
 For and on behalf of the.....Union.
Chairman.
Secretary.

Received at my office this.....day of.....19
Registrar.

Form 10 (Reg. 14).
 Industrial Arbitration Act, 1912-1952.

NOTICE OF APPLICATION FOR REGISTRATION.

Notice is hereby given that the Registrar has received an application for registration as an industrial union under the abovenamed Act from the following society:—

The locality in respect of which registration is sought is.....

The constitution of the said society provides for the admission to membership of the following class (or classes) of persons, namely, (quote from rule).
 Any industrial union desiring to object to such registration must send to the Registrar, at his office, in Perth, a notice of objection, on the form provided at the foot hereof, which must, in order to be considered by him, be delivered to him before the expiry of 14 days from the date of service of this notice.

In the absence of any such objection it is proposed to proceed with and effect the registration sought.

Dated this.....day of.....19 .
.....Registrar.

Objection to Registration.*

Name of objecting union.....

To the Registrar.

The abovenamed union being an industrial union duly registered in pursuance of the above Act, desires to oppose the registration of.....as an industrial union of workers (or employers) on the following grounds, viz:—

(State particulars and reasons for objection.)

A copy of this objection has been served upon the applicant society.
Dated this.....day of.....19 .

For the.....union.
.....Secretary.

Received at my office this.....day of.....19 .
.....Registrar.

*This part should be detached and returned to the Registrar when there is an objection to the registration. When there is no objection no reply is necessary.

Form 11 (Reg. 16).

Industrial Arbitration Act, 1912-1952.

CERTIFICATE OF REGISTRATION AND INCORPORATION.

I hereby certify that the society called the.....
.....whose registered office is at.....
has this day been duly registered and incorporated as an industrial union of workers/employers under the Industrial Arbitration Act, 1912-1952.

Given under my hand this.....day of.....19 .
.....Registrar.

Form 12 (Reg. 16).

Industrial Arbitration Act, 1912-1952.

CERTIFICATE OF REGISTRATION AND INCORPORATION.

I hereby certify that the industrial unions of workers (or employers) formerly registered under the names (1).....
(2)....., have this day, in pursuance of an application duly made on behalf of the said industrial unions been registered as one industrial union under the name and title of.....

The new union is registered in respect of the.....
district (or locality) and the registrations of the aforementioned unions, namely, (1).....(2).....
shall be deemed to have been cancelled as from this date.

Given under my hand this.....day of.....19 .
.....Registrar.

Form 13 (Reg. 16).

Industrial Arbitration Act, 1912-1952.

CERTIFICATE OF ADDRESS OF REGISTERED OFFICE.

I hereby certify that the address of the office of the.....
.....as registered with me, is situate at.....

Given under my hand this.....day of.....19 .
.....Registrar.

Form 14 (Reg. 17).

Industrial Arbitration Act, 1912-1952.

APPEAL AGAINST DECISION OF REGISTRAR.

Appellant.....

To the President of the Court of Arbitration and to the Registrar.

1. At a special meeting of the appellant society (or trade union or company) duly convened and held at.....on the.....day of.....19 , the following resolution was passed:—

That this society (or trade union or company), considering itself aggrieved by the decision of the Registrar, given on the.....day of.....19 , whereby he refused to register the appellant society (or trade union or company) as an industrial union under the said Act, bearing the title.....

Or that this society (or trade union or company) considering itself aggrieved by the decision of the Registrar, given on the..... day of.....19 , whereby he decided to register as an industrial union under the said Act a society (or trade union or company) bearing the title.....

(Or in the case of an application for the registration of an amalgamation of unions.)

The following is a copy of a resolution passed by the majority of the members of each of the abovenamed industrial unions present at a special meeting thereof called in accordance with the respective rules and held on the.....day of.....19 .

That the abovenamed industrial unions considering themselves aggrieved by the decision of the Registrar, given in the..... day of.....19 , whereby he refused to register the said unions as one industrial union under the denomination of.....under the provisions of section 10 of the Industrial Arbitration Act, 1912-1952, appeals (or appeal) to the President with a view of having the said decision reversed (or modified), and that.....of.....be and he is hereby authorised to take all necessary steps to carry this resolution into effect.

2. Notice is therefore hereby given that the abovenamed appellant (or appellants) being aggrieved by the said decision, appeals (or appeal) to the President for an order directing that the decision of the Registrar refusing (or granting) registration herein be reversed on the following grounds:—

- 1. } Set out grounds of appeal.
2. }
3. }
4. }

Dated this.....day of.....19 .

For and on behalf of.....(the appellant). (Seal.)

This application was received at my office on the.....day of.....19 .

.....Clerk of the Court.

Form 15 (Regulation 13).

Industrial Arbitration Act, 1912-1952.

APPLICATION TO REGISTER AN AMENDMENT OF RULES.

Name of Industrial Union.....

To the Registrar:

1. Application is hereby made for the registration of an amendment of rules of the abovenamed industrial union by the person whose name is subscribed at the foot hereof. The application does/does not affect the constitution of the industrial union.

2. On the.....day of.....19....., the abovenamed industrial union caused to be published a notice in the following terms convening a general meeting of its members:—

The said notice was published in the “.....” newspaper a newspaper circulating in the district in which the office of the industrial union is situate and a copy of the said notice was posted in a conspicuous place outside the said office.

3. On the.....day of.....19....., a general meeting of the said industrial union specially called for the purpose duly took place in accordance with the terms of the said notice and the resolution (s) referred to in the succeeding paragraph hereof was/were passed by the necessary majority (required by the Rules) of the members of the abovenamed industrial union present in person.

4. Annexed hereto—marked with the letter “A”—signed by me for identification is a true copy of the resolution (s) passed at the said general meeting amending the rules of the abovenamed industrial union and authorising this application.

5. With his application are forwarded—

- (a) a copy of the registered rules showing in distinctive characters the amendments of which registration is sought;
(b) two printed copies of the amendments;
(c) a copy of the newspaper containing the advertisement calling the general meeting of the industrial union;
(d) a statutory declaration by the secretary of the industrial union verifying this application.

Dated this.....day of.....19.....

.....Signature (Title)

Received in my office this.....day of.....19.....

Registrar.

Form 16 (Reg. 13).
Industrial Arbitration Act, 1912-1952.

DECLARATION VERIFYING APPLICATION FOR AMENDMENT OF RULES.

Name of Industrial Union.....

I,.....of.....
do solemnly and sincerely declare as follows:—

- (1) That I am the secretary of the abovenamed industrial union.
- (2) That the statements contained in paragraphs (2) and (3) of the application attached hereto are true and correct.
- (3) That the documents attached to and accompanying the said application are correct and complete.

And I make this solemn declaration by virtue of section 106 of the Evidence Act, 1906.

Declared at.....
 in the State of Western Australia }
 this.....day of.....19..... }
 before me }
 J.P. }
 (or Registrar or Commissioner }
 for Declarations) }

Received at my office this.....day of.....19.....

Registrar.

Form 17 (Reg. 13).
Industrial Arbitration Act, 1912-1952.

MEMORANDUM OF REGISTRATION OF AMENDMENT OF RULES.

I hereby certify that the foregoing amendment of rules of the.....
has this day been duly registered at my office under the provisions of the
Industrial Arbitration Act, 1912-1952.

Given under my hand this.....day of.....19.....

Registrar.

Form 18 (Reg. 13).
Industrial Arbitration Act, 1912-1952.

NOTICE OF APPLICATION TO AMEND CONSTITUTION AND RULES.

To.....

Take notice that I, the undersigned, secretary of the.....
industrial union have filed with the Registrar an application for amendment of
the constitution and rules of the said union.

Annexed hereto and marked with the letter "A" is a copy of the existing
constitution and the proposed new constitution respectively. The application
has been set down for hearing by the President of the Court of Arbitration at
Perth, on.....the.....day of.....19....., at a.m./p.m.
in the.....noon.

Objections to the application must be filed with the Clerk of the Court and
a copy thereof served upon the applicant union at least two days before the
hearing.

Dated at.....this.....day of.....19.....

Secretary.

Form 19 (Reg. 13).
Industrial Arbitration Act, 1912-1952.

OBJECTION TO REGISTRATION OF RULES ALTERING THE CONSTITU-
TION OF AN INDUSTRIAL UNION.

Name of objecting union.....

The abovenamed registered industrial union hereby objects to the registra-
tion of rules altering the constitution of the.....industrial
union, on the following grounds:—

(Set out grounds of objection.)

A copy of this objection has been served upon the applicant industrial
union.

Dated this.....day of.....19.....

For the.....
(Industrial Union.)

Secretary.

Received at my office this.....day of.....19.....

Clerk of the Court.

Form 20 (Reg. 19).

Industrial Arbitration Act, 1912-1952.

APPLICATION FOR REGISTRATION OF BRANCH OFFICE.

Name of industrial union.....

To the Registrar.

Application is hereby made that, in addition to the registered office of the abovenamed industrial union situated at....., the following branch office of the said union, situated at....., may be registered, viz:—

Dated this.....day of....., 19 . President (or Secretary).

Address of branch office registered this.....day of.....19 . Registrar.

Form 21 (Reg. 20).

Industrial Arbitration Act, 1912-1952.

NOTICE OF CHANGE OF REGISTERED OFFICE.

Name of Industrial Union.....

To the Registrar.

Notice is hereby given that the address of the registered office (or branch office) of the abovenamed industrial union is changed from.....and is now.....

Dated this.....day of.....19 . Secretary.

Registered this.....day of....., 19 . Registrar.

Form 22 (Reg. 21).

Industrial Arbitration Act, 1912-1952.

STATEMENT OF PARTICULARS OF ALTERATIONS IN REGISTER OF MEMBERS OF AN INDUSTRIAL UNION.

Name of Industrial Union.....

I,of.....Secretary of the abovenamed industrial union hereby certify that the following is a true statement giving, in respect of the period of three months ending on.....19 , particulars of the alterations made in the register of members of the said industrial union:—

- 1. Particulars of new members. Name Postal Address.
2. Particulars of persons ceasing to be members:— Name Date on which membership ceased.
3. Particulars of other alterations in the register of members:—
DATED at.....this.....day of.....19 . (Signature).
Filed at my office this.....day of.....19 . Registrar.

Form 23 (Reg. 21).

Industrial Arbitration Act, 1912-1952.

DECLARATION VERIFYING RECORDS OF INDUSTRIAL UNION.

Name of Industrial Union.....

I,of....., do solemnly and sincerely declare as follows:—

- (1) That I am the Secretary (or, President) of the abovenamed industrial union.
(2) That annexed hereto and signed by me are true copies of the records required to be kept by the said union under Section 25 (1) (b) of the Act.
(3) That I certify that the said annexures are a correct statement of the information contained therein.

And I make this solemn declaration by virtue of Section 106 of the Evidence Act, 1906.

Declared at..... } in the State of Western Australia } this..... day of.....19 } before me:— }

.....J.P. (or Registrar or Commissioner for Declarations).

Filed at my office this.....day of.....19..... Registrar.

Form 24 (Reg. 21).

Industrial Arbitration Act, 1912-1952.

NOTICE OF CHANGE IN OFFICE OF INDUSTRIAL UNION.

Name of Industrial Union.....
 To the Registrar of Industrial Unions, Perth.
 I....., of.....
 Secretary of the abovenamed industrial union, hereby notify you of the following change in the holding of an office in the said union:—
 Title or descripton of office.....
 Full name of previous holder.....
 Postal address.....
 Occupation.....
 Full name of present holder.....
 Postal address.....
 Occupation.....
 Date of change.....
 Dated this.....day of.....19.....
 Signature.....
 Filed at my office this.....day of.....19.....
 Registrar.

Form 25 (Reg. 21).

Industrial Arbitration Act, 1912-1952.

CERTIFICATE OF EXEMPTION OF INDUSTRIAL UNION.

Name of Industrial Union.....
 I....., of.....
 Registrar of Industrial Unions, do hereby exempt the abovenamed industrial union from the application of the provisions of Subsections (2), (3) and (6) of Section 25 of the Act.
 This certificate shall remain in force until cancelled by me under Sub-section (3) of Section 26 of the Act.
 Dated at Perth this.....day of....., 19.....
 Registrar.

Form 26 (Reg. 22).

INDUSTRIAL ARBITRATION ACT, 1912-1952.

The.....(Name of Union).

(a) STATEMENT OF RECEIPTS AND PAYMENTS FOR THE YEAR ENDED.....19.....

Receipts.		Payments.	
	£ s. d.		£ s. d.
<u>Members—</u>		<u>Salaries—</u>	
Entrance fees		Secretary	
Contributions		Others (give list)	
Levies		<u>Management—</u>	
Fines		Delegates' fees	
Donations		Capitation dues	
<u>Interest—</u>		(State to whom)	
Bank		Printing stationery	
Commonwealth Loans		Postages	
Other investments		Advertising	
(Give list)		Rent	
<u>Other Receipts—</u>		Rates and taxes	
Rentals or hire of		Legal expenses	
premises		Arbitration expenses	
Socials or picnics		Interest	
		Bank charges	
		Auditor's fee	
		Committee's expenses	
		Insurances	
		<u>Other payments—</u>	
		Donations	
		Socials or picnics	
		Repairs to plant or	
		buildings	
		Purchase of plant, pro-	
		perty or goods (give	
		list)	
Balance (if any)—		Balance (if any)—	
Transferred to General		Transferred to General	
Fund		Fund	

(b) BALANCE SHEET AS AT.....19.....

Liabilities.			Assets.		
	£	s. d.		£	s. d.
<u>Mortgages (if any)—</u> (Show amounts to whom owing and rate of interest.)			<u>Cash in Bank (state name of Bank)—</u> On fixed deposit £ ... On current account £		
<u>Debentures (state amount owing and rate of interest)</u>			<u>Cash in Hand (secretary, treasurer, others)</u>		
<u>Other Liabilities (give particulars)</u>			<u>Investments (annex a schedule giving full particulars)</u>		
<u>Contributions paid in advance</u>			<u>Land (give particulars of title, i.e., Loc. Vol. Fol., etc.)</u>		
<u>Bank Overdraft (if any)</u>			<u>Buildings (give particulars)</u>		
<u>General Fund of Union (exclude Death Benefit Fund where separately kept)</u>			<u>Office Furniture (give list at cost price less depreciation)</u>		
			<u>Vehicles (at cost less depreciation)</u>		
			<u>Contributions in arrears</u>		
			<u>Other Assets (give particulars)—</u>		

Certificate of Secretary.

I, the Secretary of the abovenamed Industrial Union, hereby certify:—

- (a) That this statement is in every particular to the best of my knowledge and belief correct and complete.
- (b) That the Auditor who has signed this statement was duly appointed in accordance with the rules.
- (c) That all securities, deeds, documents, books, papers and accounts of the Union were placed at the disposal of the Auditor.

Date.....19 .

Secretary.

Address.....

Certificate of Auditor-(s).

I/We hereby certify:—

- (a) That the securities, deeds and bank account of the abovenamed Union have been inspected.
- (b) That the books, papers, vouchers and accounts have been examined.
- (c) That the statement of Receipts and Payments and the Balance Sheet have been examined and verified with the aforesaid securities, deeds, bank account, books, papers, vouchers and accounts and found to be correct.
- (d) That the said statement of Receipts and Payments and the Balance Sheet have been properly drawn up so as to exhibit the true and complete state of the affairs of the Union as at

.....19 .

Auditor(s).

Form 27 (Reg. 23).

Industrial Arbitration Act, 1912-1952.

APPLICATION FOR CONSENT TO CHANGE NAME.

Name of applicant union.....

To the Court of Arbitration.

Application is hereby made to the Court on behalf of the abovenamed industrial union for the Court's consent to the said union's proposal to change its name to.....

(1) The applicant union was duly registered under its present title as an industrial union of workers (or employers) on the.....day of.....19 .

(2) The Registrar's certificate of such registration is lodged herewith.

(3) At a meeting of the said union duly convened and held at..... on the..... day of....., 19 , a resolution was passed by a majority of the members present, in the following terms:—

That the name of this union be changed so as to read..... and that the secretary of the union or other specified person be, and he is hereby authorised and empowered to sign all documents and to do everything necessary to obtain the consent of the Court to the said change of name.

(4) Attached hereto is a copy of the “.....” newspaper issued on the..... day of....., 19 , a newspaper circulating in the city (town or locality) of..... where the head office of the applicant union is situated.

(5) On page..... of the said newspaper can be found a notice in terms which have been approved of by the Clerk of the Court, intimating the intention of the applicant union to make the said application.

(6) A statutory declaration in the prescribed form is also lodged herewith. Dated this..... day of..... 19 . For and on behalf of.....

Secretary (or person authorised in resolution).

Filed in my office this..... day of..... 19 .

Clerk of Court.

Form 28 (Reg. 23).

Industrial Arbitration Act, 1912-1952.

DECLARATION VERIFYING APPLICATION FOR CONSENT TO CHANGE NAME.

Name of union.....

I, *..... of †..... do solemnly and sincerely declare as follows, that is to say:—

- (1) That I am ‡..... of the abovenamed union.
(2) That the resolution set forth in clause 3 of the accompanying application produced to me at the time of making this declaration was passed at a meeting of the said union duly convened and held at..... on the..... day of....., 19 .
(3) That notice of intention to make this application in terms approved by the Clerk of the Court was published in the “.....” newspaper, which circulates in....., that being the city (town or locality) in which the head office of the applicant union is situated.

And I make this solemn declaration by virtue of the Evidence Act, 1906. Declared at....., this..... day of....., 19 .

Before me—..... J.P. (or Registrar, or Commissioner for Declarations.)

*Name in full. †Address and Occupation. ‡Secretary, President, or other officer. ¶Signature.

Form 29 (Reg. 26).

Industrial Arbitration Act, 1912-1952.

CERTIFICATE OF REGISTRATION OF CHANGE OF NAME.

I hereby certify that on the..... day of....., 19 , on the hearing of an application duly made on behalf of the industrial union formerly registered under the title..... the Court of Arbitration consented to the name of the said union being altered to read and the said name is accordingly now registered in my Register as.....

Dated this..... day of..... 19 . Registrar.

Form 30 (Reg. 27).

Industrial Arbitration Act, 1912-1952.

APPLICATION BY UNION, ETC., TO CANCEL REGISTRATION THEREOF UNDER SECTION 29(1) OF ACT.

Name of Industrial Union.....

To the Registrar.

1. The abovenamed industrial union desires that its registration under the abovenamed Act may be cancelled on the following grounds, viz.:—

.....

At a special general meeting duly held on the.....day of.....19....., it was resolved by a majority of the members present and entitled to vote, as follows:—

That the secretary (or other officer) be authorised to apply to the Registrar for cancellation of the registration of this industrial union under the Industrial Arbitration Act, 1912-1952.

2. The number of members whose names are at present lawfully on the register kept by the said industrial union is.....

3. A subsequent ballot of all the members of the said union was taken and the result of such ballot was that the said resolution was confirmed by the votes of..... or a majority of the whole of the members of the said union qualified to vote.

4. This application is made by the secretary (or other officer) accordingly. Dated this.....day of....., 19..... Secretary (or other officer).

Address of Secretary..... Lodged at my office this.....day of.....19..... Registrar.

N.B.—This form may be used for the application to cancel registration of a branch but in that case a certificate under the hand of the secretary of the society that its consent has been given thereto must be appended.

Form 31 (Reg. 28).

Industrial Arbitration Act, 1912-1952.

NOTICE BEFORE CANCELLATION OF REGISTRATION.

Notice is hereby given that it is the intention of the Registrar to proceed on the.....day of....., 19....., to cancel the registration of the..... under the above-named Act unless cause be shown to the contrary in the meantime.

The ground of such proposed cancellation is as follows:—

Dated this.....day of....., 19.....

Registrar of Industrial Unions.

Form 32 (Reg. 29).

Industrial Arbitration Act, 1912-1952.

APPLICATION TO CANCEL REGISTRATION UNDER SECTION 29(2) OF ACT.

To the President of the Court of Arbitration.

Application is hereby made by (or on behalf of) the undersigned for an order directing cancellation of the registration of the industrial union registered under name of.....

The application is based upon the following grounds, namely:—

- 1..... }
2..... }
3..... }
4, etc..... }

(set forth grounds.)

Dated this.....day of.....19.....

Signature of Applicant.

Address for Service

Lodged at my office this.....day of....., 19.....

Clerk of Courts.

Form 33 (Reg. 32).

Industrial Arbitration Act, 1912-1952.

APPLICATION FOR INQUIRY CONCERNING AN ELECTION.

Name of Industrial Union.....

I, of..... being a member (or, a person who, within the period of twelve months preceding the date of this application, has been a member) of the abovenamed industrial union, hereby apply for an inquiry by the Court of Arbitration into the matter of the alleged irregularities specified hereunder which I claim have occurred in or in connection with the election specified hereunder. I rely on the facts stated hereunder.

Particulars of Election.

Name of Industrial Union.....

Office or offices for which election held.....

Is election complete?.....

If election complete, date of completion.....

Particulars of Alleged Irregularities.

(Set out in numbered paragraphs.)

Facts Relied On.

(Set out in numbered paragraphs the facts relied on in support of the application).

Dated at.....this.....day of.....19 .

Applicant.

Lodged at my office this.....day of.....19 .

Registrar.

Note:—The application must be lodged in duplicate with the Registrar and be supported by a statutory declaration of the applicant declaring that the facts stated in the application are, to the best of the applicant's knowledge and belief, true.

Form 34 (Reg. 36).

Industrial Arbitration Act, 1912-1952.

MEMORANDUM OF REGISTRATION OF INDUSTRIAL AGREEMENT.

A duplicate original of the within industrial agreement was filed in my office on the.....day of.....19 , and was registered No..... in the Register of Industrial Agreements kept by me.

Dated this.....day of.....19 .

Clerk of the Court.

Form 35 (Reg. 37).

Industrial Arbitration Act, 1912-1952.

NOTICE OF RETIREMENT FROM INDUSTRIAL AGREEMENT.

To the Clerk of the Court of Arbitration.

Take notice that the following industrial union or employer, namely..... one of the parties to the industrial agreement dated the..... day of.....19 , made between.....and.....and filed at your office, and numbered.....and which expires (or expired) on the.....day of.....19 , will retire from such agreement and cease to be a party thereto at the expiration of 30 days from the date of the filing hereof.

Dated this.....day of.....19 .

Signed on behalf of the above firstnamed union.

(Seal).

Signed as prescribed by the rules of Industrial Union.

(or signed by the abovenamed.....employer).

Filed at my office this.....day of.....19 .

Clerk of the Court.

Form 36 (Reg. 38).

Industrial Arbitration Act, 1912-1952.

NOTICE OF APPLICATION TO AMEND INDUSTRIAL AGREEMENT DECLARED TO BE A COMMON RULE.

Notice is hereby given that an application has been made by..... asking the Court for leave to amend (or to cancel) the industrial agreement dated the.....day of.....19 , made between..... and....., and registered No....., which agreement was declared to be a common rule in the.....industry in the.....locality on the.....day of.....19 .

Any person likely to be affected by any order or declaration to be made on the said application and desiring to be heard in opposition must within fourteen days from the date hereof lodge with the Clerk of the Court and serve on the applicant notice of objection.

This application will be heard at.....on the.....day of.....19 , or as soon thereafter as the parties may be heard.

Particulars may be obtained from the undersigned.

Dated this.....day of.....19 .

Clerk of the Court.

Form 37 (Reg. 39).

Industrial Arbitration Act, 1912-1952.

NOTICE OF CONCURRENCE IN INDUSTRIAL AGREEMENT.

To the Clerk of the Court of Arbitration.

Take notice that*....., the undersigned, hereby signify†.....
concurrency as..... is an industrial agreement, dated
the..... day of..... 19....., made between..... and.....
and filed at your office and numbered..... in the Register of Industrial
Agreement kept by you.

Signature. Occupation Address

We, the undersigned, being the original parties to the said industrial
agreement, hereby consent to the abovenamed..... becoming
a party thereto.

Dated this..... day of..... 19.....
Signature of original parties

Filed this..... day of..... 19.....
Clerk of the Court.

*I or We. †My or Our. ‡Employer or employers, or industrial Union.

Form 38 (Reg. 40).

Industrial Arbitration Act, 1912-1952.

(Heading.)

APPLICATION TO HAVE AGREEMENT MADE A COMMON RULE.

Application is hereby made to the Court of Arbitration for a declaration
under section 42 of the Industrial Arbitration Act, 1912-1952, that the industrial
agreement dated the..... day of....., 19....., entered into between
..... of the one part, and..... of the
other part, and a duplicate original of which agreement was duly filed with
the Clerk of the Court and registered No..... in the industrial agreements
register, shall have the effect of an award and be a common rule of the
..... industry (or industries) having effect over.....
district (or locality).

2. The applicant is (or is not) a party to the said industrial agreement.

3. The applicant being an industrial union lodges herewith a certificate
in Form No. 39 showing that this application is made under the authority
of the governing body of the industrial union.

Dated this..... day of....., 19.....
Applicant.

Address for Service.
Filed this..... day of....., 19.....
Clerk of the Court.

Form 39 (Reg. 40).

Industrial Arbitration Act, 1912-1952.

(Heading.)

CERTIFICATE TO ACCOMPANY APPLICATION UNDER SECTION 42.

I....., hereby certify that I am the.....
of the abovenamed applicant.

1. On the..... day of....., 19....., at a meeting of the
governing body of the..... union the following resolution
was carried:—

That this union make application to the Court to declare that
the industrial agreement made between..... and
..... dated the..... day of.....,
19....., and registered No..... shall have the effect of an award
and be a common rule in the..... industry (or
industries) within the..... locality, and that
..... secretary (or other specified person) be and he is
hereby empowered to do all things necessary on behalf of the union
to carry the terms of this resolution into effect.

2. I was chairman of the meeting referred to.
Dated this..... day of....., 19.....
(Signature)

Filed this..... day of....., 19.....
Clerk of the Court.

Form 40 (Reg. 42).

Industrial Arbitration Act, 1912-1952.

In the Court of Arbitration.

NOTICE OF APPLICATION TO HAVE INDUSTRIAL AGREEMENT
MADE A COMMON RULE.

Notice is hereby given that an application has been made by..... asking the Court to declare that the industrial agreement dated the..... day of....., 19....., made between..... and....., and registered No..... shall have the effect of an award of the Court and be a common rule of the..... industry (or industries) in the..... locality.

And whereas it is the intention of the Court to extend the operation of the said agreement in pursuance of the said application unless cause is shown to the contrary, any person therefore likely to be affected by any order or declaration made or to be made in the said application and desiring to be heard in opposition is hereby called upon to show cause why the said agreement should not be made a common rule, and within fourteen days from the date hereof to lodge with the Clerk of the Court and serve upon the applicant a notice of objection.

Particulars may be obtained from the undersigned.

Dated this..... day of....., 19.....

Clerk of the Court.

Form 41 (Reg. 43).

Industrial Arbitration Act, 1912-1952.

(Heading.)

NOTICE OF OBJECTION TO APPLICATION THAT AGREEMENT
BE MADE A COMMON RULE.

Take notice that on the hearing of the application above referred to objection will be offered by the undersigned to any order being made in the terms of the said application.

Dated this..... day of....., 19.....

Objector.

Address.

Filed this..... day of....., 19.....

Clerk of the Court.

Form 42 (Reg. 44).

Industrial Arbitration Act, 1912-1952.

RECOMMENDATION FOR MEMBER OF COURT.

To....., registered under the abovenamed Act as an industrial union of*.....

I hereby request the abovenamed industrial union to recommend through me to His Excellency the Governor in Council, in accordance with section 47 of the abovenamed Act, the name of a person to be a member of the Court of Arbitration. The name of the person recommended should be entered in the Form below.

Dated this..... day of....., 19.....

Registrar of Industrial Unions.

To the Registrar of Industrial Unions:

The..... industrial union of*..... hereby recommends..... as a member of the Court of Arbitration under the abovenamed Act.

For and on behalf of the abovenamed industrial union.

†.....
President.

Secretary.

*Workers or employers. †Signature of President and Secretary of Union, or as prescribed by rules of union.

Form 43 (Reg. 45).

Industrial Arbitration Act, 1912-1952.

OATH OF OFFICE AND SECRECY.

I,....., of..... make oath and say as follows:—

1. That I have, as appears by notice in the *Government Gazette* of Western Australia, of the..... day of....., 19....., been appointed to the office of..... of the Court of Arbitration under the abovenamed Act.

2. That I will faithfully and impartially perform the duties of the said office, and will not, except in the discharge of such duties, disclose to any person any evidence or other matter brought before the Court.

Sworn at....., in the State of }
Western Australia, this..... day }
of....., 19....., before me }

Judge of the Supreme Court of W.A.

Form 44 (Reg. 47).
Industrial Arbitration Act, 1912-1952.

TITLE OF PROCEEDINGS.

In the Court of Arbitration of Western Australia.

No.....of 19.....
In the matter of (state matter in which the proceedings are taken)
or
Between.....Applicant (or Complainant) and
.....Respondent (or Defendant).

Form 45 (Regs. 50 and 87).
Industrial Arbitration Act, 1912-1952.
(Heading.)

SUMMONS.

To.....of.....:

You are hereby summoned to appear before the President of this Honourable Court at.....on.....the.....day of....., 19....., at.....o'clock in the.....noon or so soon thereafter as the President may hear this summons upon the application of.....for an order that.....

Dated this.....day of....., 19.....

.....
Clerk of the Court.

Form 46 (Reg. 48).
Industrial Arbitration Act, 1912-1952.
(Heading.)

NOTICE OF MOTION.

To.....of.....
Take notice that this Honourable Court will be moved by.....acting herein on behalf of.....on.....the.....day of.....19....., or so soon thereafter as he may be heard for an order that.....(state nature of application).

Dated this.....day of....., 19.....

.....Applicant.

Form 47 (Reg. 49).
Industrial Arbitration Act, 1912-1952.
(Heading.)

NOTICE OF INTENTION TO OPPOSE APPLICATION UNDER SECTION 61 (c) or (d).

To the Registrar of Industrial Unions, Perth, and to the abovenamed applicant:
Take notice that I (full name of objector).....of (address)....., (occupation).....intend to appear before the Court of Arbitration to oppose the application by the abovenamed applicant filed on the.....day of.....19.....

Dated this.....day of....., 19.....

.....Objector.

Filed at my office this.....day of....., 19.....

Form 48 (Reg. 52).
Industrial Arbitration Act, 1912-1952.
(Heading.)

Registrar.

REFERENCE OF INDUSTRIAL DISPUTE.

1. Application is hereby made to the Court for the settlement of the matters in dispute hereinafter referred to between the abovementioned parties.
2. The applicant is an Industrial Union of Workers (or Employers) duly registered in accordance with the provisions of the said Act.
3. The particulars of the matters claimed are set forth in the attached schedule.
4. The applicant requests that this matter may be inquired into by the Court sitting at.....and that an award may be made:—
 - (a) operating over the.....locality, area or district, and
 - (b) having effect from the.....day of....., 19....., for a period of.....
5. The applicant Union is (or is not) represented on an Industrial Association.

Dated this.....day of....., 19.....

.....Applicant

.....Address for service

Filed this.....day of....., 19.....

.....
Clerk of the Court.

Form 49 (Regs. 52, 62, 65, 66 and 71).

Industrial Arbitration Act, 1912-1952.

(Heading.)

CERTIFICATE ACCOMPANYING REFERENCE OF INDUSTRIAL DISPUTE
(OR OTHER APPLICATION).I, of (address)
..... (occupation) do hereby certify as follows:—

1. I am the of the abovenamed applicant.
2. On the day of, 19....., a meeting of the governing body of the applicant union was duly held at at which the following resolution was submitted to and passed by a majority of the members thereof qualified to vote who were present at the said meeting:—

(Insert copy of resolution.)

3. The number present at the said meeting constituted a quorum of the governing body as prescribed by the rules.

4. (In the case of the reference of an industrial dispute). The said resolution was published in the issue of the newspaper on the day of 19....., which said newspaper circulates in the district in which the registered office of the applicant union is situated.

5. A request in writing (signed by not less than ten per centum of the members of the union) pursuant to section 107 (3) of the Act was (or, was not) made to the governing body of the union.

Dated this day of, 19.....

(Signature)

Filed this day of, 19.....

..... Clerk of the Court.

I, the abovenamed do solemnly and sincerely declare that the facts and matters set forth in paragraphs are within my own knowledge and are true and correct. And I make this solemn declaration by virtue of section 106 of the Evidence Act, 1906.

Declared at this day of, 19.....

(Signature)

Before me J.P. (or Registrar, or Commissioner for Declarations).

Form 50 (Reg. 52).

Industrial Arbitration Act, 1912-1952.

(Heading.)

I, of (address)
..... (occupation) do hereby certify as follows:—

1. I am the of the abovenamed applicant union.
2. On the day of, 19..... a request in writing signed by ten per centum of the members of the said union was made to the governing body thereof to submit the matter of the intended reference to a ballot of the members.

3. Pursuant to the said request a ballot of the members was held in the manner prescribed by Regulation with the following result:—

In favour of the proposed reference (number).

Against the proposed reference (number).

Dated this day of, 19.....

Signature

I, the abovenamed do solemnly and sincerely declare that the facts and matters set forth in paragraphs are within my knowledge and are true and correct: And I make this solemn declaration by virtue of Section 106 of the Evidence Act, 1906.

Declared at this day of, 19.....

(Signature)

Before me J.P. (or Registrar, or Commissioner for Declarations).

Filed this day of, 19.....

..... Clerk of the Court.

Form 51 (Reg. 54).

Industrial Arbitration Act, 1912-1952.

(Heading.)

DECLARATION OF SERVICE.

I, of in the State of Western Australia do solemnly and sincerely declare that I did on the day of, 19..... serve upon the respondent.

(describe document served.)

by (insert details of method and place of service).

And I make this solemn declaration by virtue of section 106 of the Evidence Act, 1906.

Declared before me at this

..... day of, 19.....

..... J.P. (or Registrar or
Commissioner for Declarations)

Form 52 (Regs. 55 and 66).
Industrial Arbitration Act, 1912-1952.
(Heading.)

ANSWER.

The respondent, in answer to the applicant's claim, says as follows:—

- 1.....
- 2.....
- 3.....
- 4.....

The respondent submits the following counter proposals:—

- (a).....
- (b).....
- (c).....

Dated this..... day of....., 19.....
(Signature and address).....

Filed this..... day of....., 19.....
..... Clerk of the Court.

Form 53 (Reg. 55).
Industrial Arbitration Act, 1912-1952.
(Heading.)

REPLY.

The applicant, in reply to the counter-proposals in the respondent's answer, says as follows:—

- 1.....
- 2.....
- 3.....

Dated this..... day of....., 19.....
..... Applicant.

Filed this..... day of....., 19.....
..... Clerk of the Court.

Form 54 (Reg. 60).
Industrial Arbitration Act, 1912-1952.
(Heading.)

NOTICE OF APPLICATION FOR EXTENSION OF TIME.

Take notice that on the..... day of....., 19....., or so soon thereafter as a hearing can be obtained the applicant (or respondent or the undersigned being an intending applicant or respondent party to these proceedings) intends to apply to the Court of Arbitration for..... days' extension of the time allowed for filing an Answer to the Reference herein (or as the case may be).

Dated this..... day of....., 19.....

To.....
Lodged at my office this..... day of....., 19.....
(Sgd.).....
..... Clerk of the Court.

Form 55 (Regs. 18, 30, 61, 72 and 109).
Industrial Arbitration Act, 1912-1952.
(Heading.)

NOTICE OF HEARING.

To....., one of the parties to the above dispute (or application).

Take notice that the Court President/Conciliation Commissioner will sit at..... on the..... day of....., 19....., at..... o'clock in the..... noon to hear the abovementioned matter.

Dated at..... this..... day of....., 19.....
..... Clerk of the Court

Form 56 (Reg. 62).
Industrial Arbitration Act, 1912-1952.
(Heading.)

APPLICATION TO EXTEND OPERATION OF AWARD.

Name of Applicant.....

1. The applicant is an industrial union of workers (or employers), duly registered under the said Act, in the..... locality—or

The applicant is an employer (or firm of employers) carrying on business as..... at.....

2. On the..... day of....., 19....., the Court of Arbitration made an Award prescribing the wages and general conditions of employment for workers therein mentioned. The operation of the said Award was expressly limited to the..... locality (or area).

3. The same class of workers is also employed at places outside the said locality (or area) to wit, at.....

4. The applicant hereby applies to the Court for an order or direction extending the operation of the said Award (or extending the operation of those portions of the said Award as are comprised within clauses..... and thereof) so that the said Award (or the said clauses of the Award) shall have effect over the locality (or area) described or referred to in paragraph 3 hereof.

Dated this..... day of....., 19.....

Applicant.

Address for service.

Filed this..... day of....., 19.....

Clerk of the Court.

Form 57 (Reg. 63).

Industrial Arbitration Act, 1912-1952.
(Heading.)

NOTICE OF APPLICATION HAVING BEEN FILED.

Take notice that on the..... day of....., 19....., the abovenamed applicant caused to be lodged at my office an application for an order extending the operation of the Award referred to above.

The applicant proposes that the operation of the Award (or that the operation of clauses..... and..... of the said Award) should be extended so as to apply to the..... locality (or area).

The said application is open for inspection at my office by all persons interested.

And further take notice that the Court proposes to deal with the application at Perth on..... day, the..... day of....., 19....., at..... o'clock in the..... noon.

A person (or body) objecting to the making of any such order and desiring to be heard must, two clear days before the said proposed date of hearing, lodge with the Clerk of the Court and serve upon the applicant a written notice signed by him, signifying his intention to appear at the hearing and to urge his objection.

Dated this..... day of....., 19.....

Clerk of the Court.

To.....

Form 58 (Reg. 65).

Industrial Arbitration Act, 1912-1952.
(Heading.)

APPLICATION FOR INTERPRETATION.

Clause..... of the Award referred to above reads as follows:—
(Set out clause or portion thereof in question.)

The following question, which has arisen under the said clause, is submitted for the interpretation of the Court. Question:

Dated this..... day of....., 19.....

Applicant.

This application was lodged in my office this..... day of....., 19.....

Clerk of the Court.

Form 59 (Reg. 70).

Industrial Arbitration Act, 1912-1952.
(Heading.)

APPLICATION FOR ENFORCEMENT OF AWARD (OR ORDER OF COURT OR INDUSTRIAL AGREEMENT).

Whereas by an award (or order) of the Court of Arbitration (or industrial agreement) No....., dated the..... day of....., 19....., it was directed *inter alia*, that*.....

And whereas a breach of the said award (or order or industrial agreement) has been committed by†..... of....., he being a person upon whom the said award (or order or industrial agreement) is binding, in that‡.....

Now, the undersigned, being the Registrar or an Industrial Inspector (or an Industrial Union or Employer, being one of the parties to the said award or order or industrial agreement) hereby applies to the said Court for the enforcement of the said award (or order or industrial agreement) pursuant to the provisions of the abovenamed Act.

Dated this..... day of....., 19.....

Complainant.

Complainant's address for service.....

This application was filed in my office this..... day of....., 19.....

Clerk of the Court.

* Set out the particular provision of the award, order or industrial agreement.

† Set out full name and address.

‡ Set out particulars of breach.

Form 60 (Reg. 73).

Industrial Arbitration Act, 1912-1952.

(Heading.)

ORDER ON APPLICATION FOR ENFORCEMENT.

The day of, 19.....

The Court of Arbitration of Western Australia (hereinafter called "the Court") having taken into consideration the matter of an application for enforcement of an award of the Court (or industrial agreement or order of the Court) dated the day of, 19....., applying to in which application the complainant charged the defendant with a breach of the said award (or industrial agreement or order) inasmuch as (set out charge)..... doth hereby order and adjudge that the defendant is guilty of the said charge and that he shall for his said offence forfeit and pay the sum of to and also that the defendant do pay to the complainant the sum of his costs herein and in default of payment that the amount be recovered by execution against the goods of the defendant or where no goods or not sufficient goods to defray the said penalty can be found, then and in such case that the defendant be imprisoned for the period of.....days/or—

Whereupon it appears to the Court that the complaint is not proved (or the complainant did not appear) and the Court therefore dismisses the complaint and adjudges that the complainant do pay to the defendant the sum of for the costs incurred by him in his defence, and in default of payment that the amount be recovered by execution against the goods of the complainant.

By the Court, President.

Form 61 (Reg. 74).

Industrial Arbitration Act, 1912-1952.

Before the Industrial Magistrate at..... No.....
..... Complainant,
and
..... Defendant.

COMPLAINT.

The Complaint of of, in the State of Western Australia made this day of, 19....., before..... one of Her Majesty's Justices of the Peace (or the Clerk of the Court of Arbitration or a Clerk of Petty Sessions or Clerk to Industrial Magistrate) who says that on the day of, 19....., at.....* off....., being a party bound by Award (or Industrial Agreement) No..... of, 19....., has committed a breach thereof in that

(here set out breach complained of)

Now, therefore, the Complainant hereby applies to the Industrial Magistrate sitting at..... for the enforcement of the said Award (or Industrial Agreement).

Signed by or on behalf of the abovenamed Complainant.

Made before me the day and year first abovementioned at..... in the said State.

..... Justice of the Peace.

(or the Clerk of the Court of Arbitration or a Clerk of Petty Sessions or Clerk to Industrial Magistrate).

* Name in full and occupation of Defendant to be stated.

† Set out full address of Defendant.

Form 62 (Reg. 74).

Industrial Arbitration Act, 1912-1952.

Before the Industrial Magistrate at..... No.....
Between Complainant,
and
..... Defendant.

SUMMONS TO DEFENDANT.

To of

Whereas a Complaint has on the day of, 19....., been made before the undersigned, one of Her Majesty's Justices of the Peace (or the Clerk of the Court of Arbitration or a Clerk of Petty Sessions or Clerk to Industrial Magistrate), by..... that you being a party bound by Award (or Industrial Agreement) No..... of, on the day of, 19....., at..... committed a breach thereof in that (here set out breach complained of) and the Complainant applies for the enforcement of the said Award (or Industrial Agreement).

These are therefore to command you in Her Majesty's name to appear at..... on the..... day of....., 19....., at..... o'clock in the..... noon before the Industrial Magistrate to answer the said Complaint and to be further dealt with according to law.

Given under my hand at..... this..... day of....., 19.....

Justice of the Peace. (or the Clerk of the Court of Arbitration or a Clerk of the Petty Sessions or Clerk to Industrial Magistrate).

ENDORSEMENT OF SERVICE.

On the..... day of....., 19....., at....., I served the within named..... with the within Summons by delivering a duplicate of it to him personally (or by leaving a duplicate of it for him with..... at....., his last known place of abode).

Dated this..... day of....., 19..... (Signature)

Form 63 (Reg. 74). Industrial Arbitration Act, 1912-1952.

Before the Industrial Magistrate at.....

SUMMONS OF A WITNESS.

To..... of.....

Whereas a Complaint was on the..... day of....., 19....., made before one of Her Majesty's Justices of the Peace (or the Clerk of the Court of Arbitration or a Clerk of Petty Sessions or Clerk to Industrial Magistrate) by..... that..... of....., committed a breach of Award (or Industrial Agreement) No..... of....., in that

(here set out breach complained of)

These are therefore to require you to appear at..... on the..... day of....., 19....., at..... o'clock in the..... noon before the Industrial Magistrate to testify what you know concerning the matters of the said Complaint: And you are further required to bring with you and produce at the same time and place abovenamed the following documents:—

Given under my hand at..... in the said State this..... day of....., 19.....

Justice of the Peace. (or the Clerk of the Court of Arbitration or a Clerk of the Petty Sessions or Clerk to Industrial Magistrate).

Form 64 (Reg. 74). Industrial Arbitration Act, 1912-1952.

Before the Industrial Magistrate at.....

CERTIFICATE.

I....., of....., do hereby certify as follows:—

- 1. I am the..... of the..... Industrial Union. 2. On the..... day of....., 19....., a meeting of the governing body of the said union was duly held at..... at which the following resolution was submitted and passed by a majority of the members thereof qualified to vote who were present at the said meeting:—

(Here insert copy of resolution.)

Dated this..... day of....., 19..... (Signature)

Form 65 (Reg. 76). Industrial Arbitration Act, 1912-1952. (Heading.)

NOTICE OF APPEAL FROM INDUSTRIAL MAGISTRATE].

1. TAKE notice that the Appellant hereby appeals to the Court of Arbitration against the judgment of Mr..... Industrial Magistrate, given at..... on the..... day of....., 19....., in proceedings No..... of....., 19....., whereby the Complaint was dismissed and the Complainant was ordered to pay £..... costs to the Defendant (or, whereby the Defendant was convicted and fined £..... and was ordered to pay £..... costs to the Complainant).

(Add if applicable, and was ordered to pay to..... the sum of £..... under section 99 (5) of the Act.)

2. The appeal is brought in respect of.....
 (Set out whether the appeal is against the decision itself (and whether the whole or part) or against the penalty imposed.)
 3. The grounds upon which the appeal is brought are as follows:—

 Dated this..... day of....., 19.....
 (Appellant, or Appellant's Solicitor.)
 This notice of appeal was received in my office on the..... day of....., 19.....
 Clerk of the Court.

Form 66 (Reg. 82.)
 Industrial Arbitration Act, 1912-1952.
 (Heading.)

NOTICE OF APPEAL FROM DECISION, AWARD OR ORDER
 OF CONCILIATION COMMISSIONER.

1. TAKE notice that the abovenamed Appellant hereby appeals against the decision/award/order of the Conciliation Commissioner dated the..... day of....., 19....., given in the abovementioned matter.
 2. The following are the matters appealed against:—
 (Here set out whether the appeal is against the whole of the decision, award or order, or against only part thereof, in the latter case specifying the part or parts appealed against.)
 3. The grounds on which this appeal is made are as follows:—
 (Here set out with particularity the grounds of the appeal.)
 Dated this..... day of....., 19.....
 Appellant.
 This notice of appeal was received at my office on the..... day of....., 19.....
 Clerk of the Court.

Form 67 (Reg. 85).
 Industrial Arbitration Act, 1912-1952.
 (Heading.)

COMPLAINT CHARGING OFFENCE AGAINST THE ACT
 OR REGULATIONS.

The complainant, (name) of....., in the said State, charges the defendant with that on the..... day of....., 19....., at..... (set out charge) contrary to the provisions of Section..... of the Act (or of Clause..... of the Regulations under the Act).
 Dated this..... day of....., 19.....
 Signature of Complainant.
 Address.
 Filed at my office this..... day of....., 19.....
 Clerk of the Court.

Form 68 (Reg. 85).
 Industrial Arbitration Act, 1912-1952.
 (Heading.)

ORDER ON COMPLAINT.

The..... day of....., 19.....
 The Court of Arbitration of Western Australia (hereinafter called "the Court") having taken into consideration the matter of a complaint wherein the complainant charged the defendant with that on the..... day of....., 19....., at..... (set out charge) doth hereby adjudge that the defendant is guilty of the said charge and that he shall for his said offence forfeit and pay the sum of..... to consolidated revenue, and also that the defendant do pay to the complainant the sum of..... for his costs herein, and in default of payment that the amount be recovered by execution against the goods of the defendant.

OR

Whereupon it appears to the Court that the said complaint is not proved (or the complainant did not appear) and the Court therefore dismisses the said complaint and adjudges that the complainant do pay to the defendant the sum of..... for the costs incurred by him in his defence, and in default of payment, that the amount be recovered by execution against the goods of the defendant.

By the Court,
 President.

Form 69 (Reg. 88).

Industrial Arbitration Act, 1912-1952.
(Heading.)

NOTICE OF MOTION FOR CERTIORARI.

Take notice that on the.....day of....., 19..... or so soon thereafter as a hearing can be obtained, application will be made on behalf of the undersigned to the Court of Arbitration or if the Court be not sitting to the President thereof for a writ of certiorari directed to.....the Police Magistrate, and to the Justices of the Peace for the Magisterial District of.....commanding the removal into the Court of Arbitration of all proceedings now pending in the Court of Petty Sessions at.....relating to a complaint pending between the parties above referred to, wherein the said.....is charged with (here state nature of charge).

Dated this.....day of....., 19..... Applicant.

This notice was lodged at my office this.....day of....., 19.....

.....Clerk of the Court.

Form 70 (Reg. 90).

Industrial Arbitration Act, 1912-1952.
(Heading.)

WRIT OF CERTIORARI.

To the Police Magistrate and to the Justices of the Peace for the Magisterial District of.....and every one of them.

Under the power conferred by section 104 of the Industrial Arbitration Act, 1912-1952, you are hereby required to forthwith send to the Clerk of the Court of Arbitration all and singular whatever charges of whatever offences against the said Act whereof.....is before you charged with all things touching the same by whatsoever name the said.....may be called therein, that the same may be dealt with by the said Court of Arbitration.

Dated this.....day of....., 19.....

By the Court,President.

Form 71 (Reg. 97).

Industrial Arbitration Act, 1912-1952.
(Heading.)

INDUSTRIAL BOARD—NOMINATION OF EMPLOYEES' REPRESENTATIVE.

We, the Secretary and President (or Chairman) of the.....Industrial Union hereby nominate.....of.....as an employees' representative member of the.....Industrial Board.

Dated this.....day of....., 19.....

.....Signature of Secretary.
.....Signature of President.
Consent of Nominee.

I, the abovenamed.....hereby consent to such nomination.

(Signature).....

To the Registrar,
Court of Arbitration, Perth.

Form 72 (Reg. 97).

Industrial Arbitration Act, 1912-1952.
(Heading.)

INDUSTRIAL BOARD—NOMINATION OF EMPLOYERS' REPRESENTATIVE.

We, the undersigned employers in the calling or callings within the jurisdiction of the.....Industrial Board hereby nominate.....of.....as an employers' representative member of the said Industrial Board.

Dated this.....day of....., 19.....

Signatures.

Name.	Occupation.	Address.
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....

Consent of Nominee.

I, the abovenamed.....hereby consent to such nomination.

(Signature).....

To the Registrar,
Court of Arbitration, Perth.

Form 73 (Reg. 98).

Industrial Arbitration Act, 1912-1952. (Heading.)

INDUSTRIAL BOARD—NOMINATION OF CHAIRMAN.

We, the undersigned members of the.....Industrial Board hereby nominate.....of.....as chairman of such Industrial Board.

Dated this.....day of....., 19.....

Signatures of Members.....

Consent of Nominee.

I, the abovenamed, consent to such nomination. (Signature.).....

To the Registrar, Court of Arbitration, Perth.

Form 74 (Reg. 99).

Industrial Arbitration Act, 1912-1952. (Heading.)

INDUSTRIAL BOARD—FAILURE TO NOMINATE MEMBERS.

This is to certify that the employers (or employees) in the calling or callings concerned have failed to nominate representative members of the.....Industrial Board.

Dated this.....day of....., 19.....

(Signature.).....

Registrar.

Form 75 (Reg. 100).

Industrial Arbitration Act, 1912-1952. (Heading.)

INDUSTRIAL BOARD—OATH OF OFFICE.

I,....., of....., in the State of Western Australia.....member of the.....Industrial Board make oath and say that I will faithfully exercise and discharge the powers and duties of my office without fear or favour to any person, and will not therein make any false or inaccurate statement, or disclose any matter or evidence before the Board or the Court relating to—

- (a) trade secrets; or
(b) the profits or losses or the receipts and outgoings of any employer; or
(c) the books of an employer or witness produced before the Board or the Court; or
(d) the financial position of any employer or of any witness.

Sworn before me at.....this.....day of....., 19..... Signature of member.

..... President.

Form 76 (Reg. 104).

Industrial Arbitration Act, 1912-1952. (Heading.)

BOARD SUMMONS—GENERAL FORM.

To.....of.....

You are hereby summoned to appear before the above Board at..... on the.....day of.....19....., at.....o'clock in the.....noon or as soon thereafter as the Board may hear the summons on the application of.....that (state nature of application).

Dated this.....day of....., 19.....

Chairman.

Form 77 (Reg. 108).

Industrial Arbitration Act, 1912-1952. (Heading.)

I,....., the Chairman of the Conciliation Committee constituted for....., hereby certify that the within written agreement has been come to under the provisions of Part VI of the Industrial Arbitration Act, 1912-1952, by the members of such committee and has been signed by such members on behalf of the employers and the industrial union(s) concerned.

Dated at.....this.....day of....., 19.....

(Signature).....

Form 78.

Industrial Arbitration Act, 1912-1952.

CERTIFICATE CERTIFYING AWARD.

I hereby certify that the.....preceding pages of typewritten (or manuscript) matter bearing my signature in the margin thereof, contain a true and exact copy of an award delivered by the Court of Arbitration on the.....day of....., 19.....

Dated this.....day of....., 19.....

Clerk of the Court.

Form 79 (Reg. 109).

Industrial Arbitration Act, 1912-1952.

(Heading.)

APPLICATION FOR RECOVERY OF CONTRIBUTIONS.

Application is hereby made to the Court on behalf of the applicant union for an order directing payment by the abovenamed defendant of the sum of being the amount of fine, penalty, or subscription (or contribution to a penalty incurred or money payable under an award or order of the Court) computed as in the particulars attached hereto, payable by the defendant to the applicant in pursuance of the rules of the applicant.

Dated this.....day of....., 19.....

Signed on behalf of the applicant union.....

Address for service.....

This application was lodged at my office this.....day of....., 19.....

.....Clerk of the Court.

Form 80 (Reg. 110).

Industrial Arbitration Act, 1912-1952.

(Heading.)

APPLICATION TO STRIKE OFF MEMBER.

Application is hereby made to the Court on behalf of the applicant union for an order that the abovenamed defendant who is at present a member of the applicant union shall for a period of.....from the.....day of....., 19....., cease to be a member thereof.

The grounds upon which this application are based are:—

- 1.....
2.....
3.....

Dated this.....day of....., 19.....

Signed on behalf of the applicant union.....

Address for service.....

This application was lodged at my office on the.....day of....., 19.....

.....Clerk of the Court.

Form 81 (Reg. 111).

Industrial Arbitration Act, 1912-1952.

(Heading.)

WARRANT TO APPEAR AS AGENT, ETC.

*.....of....., is hereby authorised to appear and act for†.....as Agent in the matter of this reference (or application).

Dated this.....day of....., 19.....

For the.....

.....Chairman (or as provided in Rules).

* Name in full of Agent.

† Name of party for whom Agent is appearing.

Form 82 (Reg. 114).

Industrial Arbitration Act, 1912-1952.

(Heading.)

NOTICE TO PRODUCE.

Take notice that.....the applicant (respondent or one of the applicants or respondents) to this dispute (or application) desires to inspect the following books, papers, or documents now in your possession or under your control, namely:—.....

and for this purpose you are hereby required to forthwith appoint some reasonable time and place when and where such inspection may be made by the said applicant (respondent), or his or its agent or representative, and to produce the same accordingly.

And further take notice that in the event of your failing to comply with the above requirement an application may be made to the Court or to the President thereof in Chambers for an order compelling compliance therewith.

Dated this.....day of....., 19.....

(Signature).....

To.....

Form 83 (Reg. 115).
Industrial Arbitration Act, 1912-1952.
(Heading.)

NOTICE TO ADMIT.

To.....
Take notice that you are required, within seven days after the service of this notice upon you, to admit in writing the following facts:—

- 1.....
- 2.....
- 3.....
- 4.....
- 5.....

Should you fail to make such admission, you will be liable to pay the applicant's costs in proving the same before the Court.

Dated this.....day of....., 19.....
(Signature).....

Form 84 (Reg. 116).
Industrial Arbitration Act, 1912-1952.
(Heading.)

SUMMONS TO WITNESS.

Name in Full. Occupation and Address.
To of.....;
..... of.....;
..... of.....;
..... of.....;
and..... of.....

You are hereby summoned to appear before the abovenamed Court of Arbitration at..... on..... the..... day of....., 19....., at..... o'clock in the..... noon, and thereafter from day to day until discharged from attendance, to give evidence concerning the abovementioned industrial dispute on behalf of the applicant (respondent).

And you are also required to have and produce at the same time and place all books, papers, or other documents in your possession or under your control in any way relating to the proceedings in the said dispute, and in particular (but not exclusively) the following:—*

If you fail or neglect to comply with this summons you are liable to a penalty not exceeding £20, or to imprisonment for any term not exceeding one month.

Dated at....., this.....day of....., 19.....
Issued in the name of and on behalf of the Court of Arbitration.

.....
Clerk of the Court.

* Stating them.

Form 85 (Regulation 124).
Industrial Arbitration Act, 1912-1952.
(Heading.)

WARRANT OF EXECUTION (AGAINST RESPONDENT OR DEPENDANT).

To the Sheriff of Western Australia:

Whereas on the..... day of....., 19....., the*..... obtained an award, order, judgment, conviction, or sentence in this Court against the†..... for payment of the sum of £..... for fine (penalty, subscription, contribution, or as the case may be) and costs, and it was thereupon ordered by the Court that the†..... should pay the same to the*..... forthwith (or on the..... day of....., 19.....). And whereas default has been made in payment according to the said award (order, judgment, conviction or sentence), these are therefore to require and order you forthwith to make and levy by distress and sale of the goods of the†..... wheresoever they may be found (excepting so much of the goods of the†..... as are protected by section 102 of the Act†) the sum stated at the foot of this warrant being the amount due to the*..... under the said award (order, judgment, conviction or sentence) including the costs of this execution; and to pay what sum you shall have so levied to the Clerk of the Court, and make return of what you have done under this warrant immediately upon the execution thereof.

Dated this.....day of....., 19.....

By the Court,
..... Clerk of the Court.

£ . s . d.

Amount directed to be paid under award, order, judgment, etc.	
Paid into Court
Remaining due
Fee for issuing this warrant
With Sheriff's fee for executing this warrant
Total amount to be levied	£.....

Notice.—The goods are not to be sold until after the end of five days next following the day on which they were seized, unless they be of a perishable nature, or at the request of the respondent.

Application was made to the Clerk of the Court for this warrant minutes past the hour of in the noon of the day of , 19..... Clerk of the Court

* Applicant or complainant.
† Defendant or respondent.
‡ The following goods to the value of £30 are protected from seizure by section 102:—

- (a) Wearing apparel of the debtor and his wife and family dependent upon him;
(b) bedding of such person and family dependent upon him;
(c) implements of trade;
(d) family photographs and portraits.

Form 86 (Regulation 124).
Industrial Arbitration Act, 1912-1952.
(Heading.)

WARRANT OF EXECUTION (AGAINST APPLICANT OR COMPLAINANT).

To the Sheriff of Western Australia:
Whereas on the day of , 19..... , on the hearing of an application for enforcement of the award (or industrial agreement) or on the hearing of a complaint made by the complainant against the defendant that (identify case) the Court dismissed the application (or complaint) and ordered that the * should pay the† forthwith (or on or before the day of , 19.....), the sum of £ for respondent's (or defendant's) costs in connection with the said application (or complaint). And whereas default has been made in payment according to the said order THESE ARE THEREFORE TO REQUIRE AND ORDER YOU FORTHWITH to make and levy by distress and sale of the goods of the * wheresoever they may be found within the State (excepting so much of the goods of the* as are protected by section 102 of the Act‡), the sum stated at the foot of this warrant being the amount due to the† under the said order, including the costs of this execution, and to pay what you shall have so levied to the Clerk of the Court, and make return of what you may have done under this warrant immediately upon the execution thereof.

Dated this day of , 19.....

By the Court,

..... Clerk of the Court

£ s. d.

Table with 3 columns: Description, £, s. d.
Amount for which judgment was obtained
Paid into Court
Remaining due
Fee for issuing this warrant
With Sheriff's fees for executing the warrant
Total amount to be levied

Notice.—The goods are not to be sold until after the end of five days next following the day on which they were seized, unless they be of a perishable nature or at the request of the.....

Application was made to the Clerk for this warrant minutes past the hour of in the noon of the day of , 19..... Clerk of the Court

* Applicant or complainant.
† Respondent or defendant.
‡ The following goods to the value of the £30 are protected by section 102:—

- (a) Wearing apparel of the debtor and his wife and family dependent upon him;
(b) bedding for such person and family dependent upon him;
(c) implements of trade;
(d) family photographs and portraits.

Form 87 (Reg. 125).
Industrial Arbitration Act, 1912-1952.
(Heading.)

WARRANT OF COMMITMENT FOR WANT OF EXECUTION.

To all police officers in the State of Western Australia, and to the Superintendent of Her Majesty's Prison at.....in the said State.

Whereas of in the State of Western Australia was on the day of , 19..... , convicted before the Court of Arbitration for that he did (state offence for which convicted) and it was adjudged that the said for his said offence should forfeit and pay the sum of , and should pay to the said.....the sum of costs.

And whereas a warrant of execution was issued against the said..... and the officer entrusted with its execution has returned the warrant with a report that he was unable to find sufficient goods and chattels of the said..... whereon to pay the sum therein mentioned, which said sums (or.....being portion thereof) still remain due and owing.

These are therefore to command you the said police officer to apprehend the said.....and convey him to the Prison at.....aforesaid and deliver him to the Superintendent thereof together with this warrant, and you the said Superintendent of the said Prison are hereby commanded to receive the said.....into your custody in the said prison there to imprison him (and keep him to hard labour) for the term of.....unless the said several sums and the costs and charges of conveying him to the said Prison amounting to the further sum of.....are sooner paid. Provided that if the said.....shall pay any portion of the total amount (namely, £.....) payable under this Warrant, then the period of imprisonment shall be thereby reduced by a period which shall bear the same ratio to the period of imprisonment as the portion paid bears to the total payable, and the prisoner is to be released on the expiry of the reduced period, and in calculating any such reduction fractional parts of days are to be disregarded.

Dated this.....day of....., 19.....

By the Court,

.....
President.

(Seal.)

Form 88 (Reg. 125).
Industrial Arbitration Act, 1912-1952.
(Heading.)

WARRANT OF COMMITMENT.

To all police officers in the State of Western Australia, and to the Superintendent of Her Majesty's Prison at....., in the said State.

Whereas....., of.....in the said State was on the.....day of....., 19....., convicted before the Court of Arbitration for that he did.....(state offence) and it was adjudged by the Court that the said.....for his said offence should be imprisoned for the term of..... These are therefore to command you the said police officers to apprehend the said.....and convey him to the Prison at.....aforesaid and deliver him to the Superintendent thereof together with this Warrant, and you the said Superintendent of the said Prison are hereby commanded to receive the said.....into your custody in the said Prison there to imprison him for the term of.....

Dated this.....day of....., 19.....

By the Court,

.....
President.

(Seal.)

Form 89 (Reg. 125).
Industrial Arbitration Act, 1912-1952.
GOALER'S RECEIPT FOR PRISONER.

I hereby certify that I have this day received from.....police officer of.....in the State of Western Australia, the body of.....in good health (or as the case may be) together with a warrant of commitment directing the imprisonment of the said.....issued out of the Court of Arbitration of the said State.

Dated this.....day of....., 19.....

.....
Superintendent of the Prison.

Form 90 (Reg. 132).
Industrial Arbitration Act, 1912-1952.
(Heading.)

NOTICE OF APPEAL FROM CONVICTION.

Take notice that the abovenamed defendant (appellant) intends to appeal to the Court of Criminal Appeal against the conviction by the Court of Arbitration made on the.....day of....., 19....., whereby the said defendant was held to have been guilty of.....(state substance of offence).....and for such offence was sentenced to a term of imprisonment without the option of a fine (or was ordered to pay a fine or penalty of.....(exceeding £20.))

Dated this.....day of....., 19.....

.....
Defendant (Appellant).

To

Form 91 (Reg. 145).

Industrial Arbitration Act, 1912-1952.

In the Court of Arbitration of Western Australia.

In the matter of the Industrial Arbitration Act, 1912-1952, and in the matter of an existing or impending industrial dispute between..... and..... at.....

SUMMONS TO ATTEND CONFERENCE.

In pursuance of the powers conferred by section 171 of the abovenamed Act you are hereby summoned to attend a conference presided over by the President of the said Court of Arbitration at the hour of..... o'clock in the..... noon on..... day, the..... day of....., 19....., at.....

Dated this..... day of....., 19.....

President (or Commissioners) of the Court of Arbitration.

To.....

Form 92 (Reg. 145).

Industrial Arbitration Act, 1912-1952.

IN THE COURT OF ARBITRATION OF WESTERN AUSTRALIA.

In the matter of the Industrial Arbitration Act, 1912-1952, and in the matter of an industrial dispute between..... and..... at.....

I, the undersigned, President of the Court of Arbitration (or Commissioners appointed under section 172 of the said Act), do hereby inform the Court that at a conference held pursuant to the said Act between the abovenamed parties at which..... presided, and which was convened by a summons issued by..... it appeared that the matters specified at the foot hereof, which were in dispute between the said parties, could not be settled at the said conference and no agreement was arrived at in respect thereof and..... do therefore, pursuant to the powers in this behalf vested in..... by the said Act, refer all the said matters to the said Court to be heard and determined in accordance with the said Act as an industrial dispute wherein..... shall be deemed to be the applicant and..... the respondent.

Dated the..... day of....., 19.....

President (or Commissioners)

Matters referred to the Court.

(Here set out the matters referred to the Court).....

Form 93 (Reg. 146).

Industrial Arbitration Act, 1912-1952.

In the matter of the Industrial Arbitration Act, 1912-1952, and in the matter of an Industrial Dispute between..... and.....

CONSENT BY PARTIES TO INDUSTRIAL DISPUTE BEING REFERRED TO PRESIDENT (OR COMMISSIONERS).

Whereas a conference has been held pursuant to section 171 (or 172) of the said Act, and an agreement as to the whole or part of the matters in dispute has not been reached, now we, being parties to the dispute specified at the foot hereof do hereby consent to the same being heard and determined by the President of the Court (or the Commissioners).

(Matters in dispute.)

Dated the..... day of....., 19.....

Parties.