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Friendly Societies' Office,
Perth, 10th May, 1909.

HIS Excellency the Governor in Executive Council has been pleased to make the following Regulations under "The Industrial Conciliation and Arbitration Act, 1902."

EDGAR T. OWEN,
Registrar of Friendly Societies.

THE INDUSTRIAL CONCILIATION AND ARBITRATION ACT, 1902.

Rules for the Conduct of Proceedings before the Court of Arbitration.

IN pursuance of the powers conferred by "The Industrial Conciliation and Arbitration Act, 1902," His Excellency the Governor in Executive Council has been pleased to make and approve of the following Rules for the conduct of proceedings before the Court of Arbitration:—

1. From and after the date of publication of these Rules in the *Government Gazette*, all rules and forms heretofore in existence in relation to the procedure in the said Court of Arbitration under the above-named Act shall be repealed, and the following Rules shall be observed in lieu thereof.

2. There shall be a seal of the Court bearing the Royal Arms and the words "The Seal of the Court of Arbitration, Western Australia," surrounded by a circle.

3. The Clerk of the Court shall receive all applications made to the Court, and issue all processes out of the Court, keep the register of all proceedings in and orders made by the Court, and affix the seal of the Court to all necessary documents.

4. An application to the Court for the reference of an Industrial Dispute shall be made in triplicate in the Form No. 58 hereto.

5. Where the applicant is an industrial union there shall be filed with the application a certificate in the Form No. 59 hereto and the consent in Form 60 hereto where required under the Act.

6. Forthwith upon the receipt of such application the Clerk of the Court shall lay the same before the President of the Court for his directions thereon.

7. The President may direct notice of the application to be given as well to the parties therein named as to such other persons as may appear necessary, or may refer the same back to the applicant for further particulars if required, which notice may be given in the Form 61 hereto.

8. The Clerk of the Court shall, in the Form No. 62 hereto, send by post to each respondent a citation bearing the seal of the Court.

9. Each respondent upon whom such citation is served shall, within the time therein mentioned, file in the office of the Court his answer thereto in triplicate. Such answer shall be in the Form 63 hereto. Where the place of service is within 100 miles from the General Post Office, Perth, ten days shall be allowed; beyond 100 miles therefrom, 30 days shall be allowed.

10. The answer shall state:—

(a.) What portion of the claim is admitted.

(b.) What portion is not admitted.

(c.) What counter-proposal, if any, the respondent intends to adduce.

11. The respondent shall also, on the day of filing his answer in the Court, serve a copy thereof upon the applicant.

12. The applicant may, at any time after the receipt of the answer, apply personally or by letter to the Clerk of the Court for an order to settle the issues in dispute.

13. Notice of such application shall be given to the respondent by the applicant at least 24 hours before the time fixed for settling the issues in dispute.

14. The Clerk of the Court shall settle the issues in dispute and set them forth in Form 64 hereto, and shall serve a copy thereof on each party. Any party may, if dissatisfied with the settlement of the issues made by the Clerk of the Court, appeal to the President therefrom within seven days from the making thereof. Twenty-four hours' notice of intention to appeal shall be given to the other parties.

15. The President shall hear the appeal and make an order therein.

16. The President may, at any time after the making of the order, fix the date and place for the hearing of the dispute, and at least seven days' notice of such hearing shall be given by the Clerk of the Court to each party in the Form 65 hereto.

17. After the settling of the issues, any party may by notice to any other in the Form 66 hereto require him to produce, at some reasonable time and place, for inspection of the party giving the notice, any book, paper, or other document in his possession, power, or control relating or containing anything relative to the matters in issue.

18. Failing compliance with such notice within seven days from the service thereof, the party giving the same may apply to the Court, under Section 100 of the Act, for an order in that behalf.

19. Any party may, at any time at least seven days before the date fixed for hearing, give notice to any opposing party in the Form 67 hereto, 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 of such admission or answer.

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

21. Any party intending to adduce as evidence affidavits or declarations shall furnish the opposing party or parties with a copy thereof at least three days before the date fixed for hearing.

22. When any time is fixed by these rules for doing any act, such time may be extended by consent of the parties or by an order of the Clerk of the Court.

23. All documents required by these rules to be served shall be served by the parties producing same.

24. Service may be either personal or by registered post.

25. Summonses to witnesses shall be in the Form 68 hereto, but not more than five persons shall be included in any one summons.



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