

## INDUSTRIAL ARBITRATION.

26° GEO. V., No. VI.

No. 6 of 1935.

### AN ACT to amend Sections six and twenty-one of the Industrial Arbitration Act, 1912-1925.

[Assented to 5th October, 1935.]

**B**E it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

Short title.

1. This Act may be cited as the *Industrial Arbitration Act Amendment Act*, 1935, and shall be read as one with the Industrial Arbitration Act, 1912-1925, as reprinted in the Sessional Volume of Statutes for the year 1925 (hereinafter called "the principal Act").

Amendment of s. 6 principal Act.

2. Section six of the principal Act is hereby amended by adding a further subsection, as follows:—

Validating the rules of certain unions.

(6.) (a) Any society or industrial union registered or purporting to have been registered prior to the commencement of this section under the Industrial Conciliation and Arbitration Act, 1902, or under the Industrial Arbitration Act, 1912, and its amendments, may apply in the prescribed manner to the Court or to the President for an order validating its registration, including the registration of any rules or amendments to rules of the society or industrial union registered, or purporting to have been registered prior to such commencement, and the Court or the President may make such order as it or he may think just.

(b) Without limiting the general provisions of the preceding paragraph, any such validating order may be made notwithstanding that the society or industrial union in question may, according to such rules

or amendments to rules, consist of persons who are not all employers or workers in or in connection with one specified industry, but in such case the Court or the President may impose such terms and conditions as the Court may think just under the circumstances to safeguard the interests of any other society or industrial union.

(c) When the Court or the President makes any order validating the registration or any amendment of rules of any society or industrial union under this section every award, judgment, order or decision of the Court, and every act, matter or thing which may have been done in the faith of such registration or amendment being valid shall be validated as from the date thereof.

3. Section twenty-one of the principal Act is hereby amended—

*Amendment of  
s. 21 principal  
Act.*

(a) by adding the following proviso at the end of subsection (1):—

Provided that the registrar shall not register any addition, amendment, or rescission of any rules which has or may have the effect of altering the constitution of a union.

(b) by adding further subsections to the section, as follows:—

(4.) When any industrial union desires to make any addition, amendment, or rescission of rules which has or may have the effect of altering the constitution of a union, it shall make application in the prescribed manner to the registrar for that purpose, and the registrar shall refer the matter to the President.

*Provisions for  
amendment of  
constitution of  
industrial  
union.*

The provisions of subsection (1) of section seven of this Act shall apply to any application under this section as if the terms “application to be registered” and “application” therein mentioned were construed as an application under this section.

Before proceeding to deal with such application, the President shall require notice to be served on any industrial union which in his opinion would be affected or likely to be affected by the granting of such application.

(5.) In this section the term “constitution” means—

- (a) the qualification of persons for membership of the union;
- (b) the objects of the union;
- (c) the area over which the union is authorised to operate.

Citation of  
principal Act  
as amended.

4. The principal Act as amended by this Act may be cited as the Industrial Arbitration Act, 1912-1935.

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