

## RAILWAYS CLASSIFICATION BOARD.

26° GEO. V., No. XXXIII.

---

No. 33 of 1935.

**AN ACT to make provision in the Railways Classification Board Act, 1920, for the enforcement of awards and decisions of the Railways Classification Board.**

[Assented to 6th January, 1936.]

**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 *Railways Classification Board Act Amendment Act, 1935*, and shall be read as one with the Railways Classification Board Act, 1920 (No. 38 of 1920), hereinafter referred to as the principal Act.

New sections.

2. Sections are inserted in the principal Act after section twenty-two, as follows:—

Effect to be given to awards and decisions of the Board.

22A. Effect shall be given to every award and decision of the Board, according to the tenor thereof.

Enforcement of awards and decisions of the Board.

22B. (1.) Where, in the opinion of the executive committee of the Railways and Tramway Officers' Industrial Union of Workers the Commissioner is not complying with the provisions of any award of the Board, for the time being in force, in relation to any

matter provided for in such award in respect whereof an appeal does not lie to the Board by an officer or class of officers under paragraph (d) of subsection (1) of section fifteen of this Act, or where any officer or class of officers has appealed to the Board under the said paragraph (d) of subsection (1) of section fifteen, and is aggrieved by any alleged failure on the part of the Commissioner to give due effect to the decision of the Board given on the hearing of such appeal, the said union or the said appellant, as the case may be, may in accordance with regulations make application to the Board for the enforcement against the Commissioner of the said award or the said decision, and the Board may hear and determine such application.

(2.) Sections seventeen and nineteen of this Act shall apply *mutatis mutandis* to the hearing of an application under this section.

(3.) If on the hearing of an application under this section the Board finds that the Commissioner is not complying with the provisions of the award, or is not giving effect to the decision of the Board, the Board shall submit a report of its finding, together with particulars of the manner in which the Commissioner is in default, to the Governor, and on receipt of such report the Governor shall cause any breach or dereliction by the Commissioner as mentioned in the report to be corrected, and the Commissioner shall forthwith obey and comply with any directions received by him from the Governor under this section.

3. The principal Act as amended by this Act may be cited as the Railways Classification Board Act, 1920-1935.

Citation of  
Principal Act  
as amended.