

INDUSTRIAL ARBITRATION.

No. 23 of 1977

AN ACT to amend sections eleven A, ninety-four A and ninety-eight A of the Industrial Arbitration Act, 1912-1976.

[Assented to 27th October, 1977.]

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

1. (1) This Act may be cited as the *Industrial Arbitration Act Amendment Act, 1977*.

Short title and citation.

(2) In this Act the Industrial Arbitration Act, 1912-1976 is referred to as the principal Act.

Reprinted as approved for reprint 16th May, 1974 and amended by Acts Nos. 79, 81, and 92 of 1975 and 11, 114 and 126 of 1976.

(3) The principal Act as amended by this Act may be cited as the Industrial Arbitration Act, 1912-1977.

Section 11A
amended.

2. Section 11A of the principal Act is amended—

(a) as to subsection (1)—

(i) by deleting the passage “Government department, State Trading Concern, State instrumentality or State agency” in lines two, three and four of paragraph (c) of the interpretation “Government officer” and substituting the words “public authority”;

(ii) by inserting immediately after the interpretation “Government officer” an interpretation as follows—

“public authority” means any Government department, State Trading Concern, State instrumentality or State agency or any public statutory body established by or under a law of the State; ;

(b) by adding after the word “section” in the last line of subsection (7) the passage “so as to include within, or exclude from, the operation of that order persons employed in any public authority”;

(c) by adding after subsection (7) a subsection as follows—

(7a) Where in any Act by or under which a public authority is established, it is provided that the terms and conditions of employment and related matters are or may be subject to any award or industrial agreement in force under this Act such provision shall not preclude the Commission in Court Session from amending or varying the order made by it under subsection (6) of this section so as to include within the operation of that order persons employed in the public authority and where that order is so amended or varied, the relevant reference to this Act in the Act

by or under which the public authority was established, shall be construed as a reference to the Public Service Arbitration Act, 1966 in so far as persons who are Government officers within the meaning of this section are concerned. ; and

(d) as to subsection (8)—

(i) by deleting the passage “1920.” in the last line of paragraph (c) and substituting the passage “1920;”; and

(ii) by adding after paragraph (c) a paragraph as follows—

(d) any officer or other servant appointed or employed by the State Energy Commission under the State Energy Commission Act, 1945. .

3. Section 94A of the principal Act is amended—

Section 94A
amended.

(a) by adding after the word “Act” in the last line of subsection (1) the passage ‘and “public authority” has the same meaning as that term bears in section eleven A of this Act’ ; and

(b) by deleting the passage “government department, State instrumentality, State trading concern or State agency” in lines two, three and four of paragraph (a) of subsection (3) and substituting the words “public authority”.

4. Section 98A of the principal Act is amended by adding after the word “the” in line three of subsection (1) the words “Attorney General or the”.

Section 98A
amended.
