

THE TERRITORY FOR THE SEAT OF GOVERNMENT.

No. 12 of 1937.

AN ORDINANCE

To amend the Industrial Board Ordinances 1936.

BE it ordained by the Deputy of the Governor-General in and over the Commonwealth of Australia, with the advice of the Federal Executive Council, in pursuance of the powers conferred by the *Seat of Government Acceptance Act 1909* and the *Seat of Government (Administration) Act 1910-1933*, as follows:—

1.—(1.) This Ordinance may be cited as the *Industrial Board Ordinance 1937*. Short title.

(2.) The *Industrial Board Ordinances 1936* is in this Ordinance referred to as the Principal Ordinance.

(3.) The Principal Ordinance, as amended by this Ordinance, may be cited as the *Industrial Board Ordinance 1936-1937*.

2. After section thirteen A of the Principal Ordinance, the following sections are inserted:—

“13B.—(1.) Any organization may make an agreement with any other organization or with the Commonwealth or any private employer relating to salaries, wages, rates of pay or terms or conditions of service or employment of employees in the Territory. Industrial agreements.

(2.) Every agreement made in pursuance of this section (in this Ordinance referred to as an ‘industrial agreement’) shall be in writing and for a term to be specified therein not exceeding five years from the date of the making thereof, and shall be in a form commencing as follows:—“This Industrial Agreement made pursuant to the *Industrial Board Ordinance 1936-1937*, this day of _____ Between _____”; and the date of the making of the agreement shall be the date when the agreement is first executed by any party thereto, and that date and the names of all organizations and persons parties to the agreement shall be truly stated therein.

(3.) The Chairman of the Board shall certify the agreement, unless he is of opinion that it is not in the public interest that it should be certified.

(4.) The agreement when so certified shall be filed with the Secretary and shall, thereupon, be of full force and effect according to its terms.

(5.) Every industrial agreement shall, during its continuance, be binding on—

(a) all parties thereto; and

(b) all members, at any time during such continuance, of any organization which is a party thereto.

Continuance of agreement unless terminated by notice.

"13c. In default of any express agreement to the contrary therein contained, an industrial agreement shall, unless rescinded, and subject to any variation, continue in force after the expiration of the term specified therein, until the expiration of one month after some party thereto has given written notice to the Secretary and to the other parties of his desire to determine it."

Constitution of the Board for exercise of its powers.

3. Section fourteen of the Principal Ordinance is amended by omitting the proviso thereto and inserting in its stead the following proviso:—

"Provided that where the matter for determination is—

- (a) the making of a common rule; or
- (b) the determination or variation of the basic wage or standard hours of work,

the Chairman may, at any stage of the proceedings, order that that matter be referred to the Full Board for determination."

Penalty for breach of determination or agreement.

4. Section nineteen of the Principal Ordinance is amended—

- (a) by inserting in sub-section (1.), after the word "Board", the words "or by an industrial agreement";
- (b) by inserting in that sub-section, after the word "determination", the words "or agreement"; and
- (c) by inserting in sub-sections (2.) and (3.), after the word "determination" (wherever occurring), the words "or industrial agreement".

5. After section twenty of the Principal Ordinance the following section is inserted:—

Confidential evidence not to be published.

"20A.—(1.) If in any matter any person claims that any evidence about to be given relates to the profits or financial position of any person and requests that the evidence be treated as confidential, the Chairman may direct that the evidence shall be given in private and shall not be published, in any newspaper or otherwise, without an order of the Chairman authorizing publication.

(2.) Any person who publishes any evidence which the Chairman, in pursuance of this section, has directed shall not be published, shall be guilty of an offence.

Penalty: Fifty pounds or imprisonment for one month."

Operation of Commonwealth Awards.

6. Section twenty-eight of the Principal Ordinance is amended by inserting, after the word "Board", the words "or in any industrial agreement".

Dated this eleventh day of August, 1937.

WAKEHURST

Deputy of the Governor-General.

By His Excellency's Command,

ROBERT G. MENZIES

for Minister of State for the Interior.

By Authority: L. F. JOHNSTON, Commonwealth Government Printer, Canberra.