

## New Zealand.



### ANALYSIS.

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| <p>Title.</p> <p>1. Short Title.</p> <p>2. Extension of definition of term "industry" for purposes of principal Act. Validations. Repeal.</p> | <p>3. Declaratory provision as to authority of Registrar to register change of name of industrial union or industrial association.</p> <p>4. Minister may authorize issue of under-rate permits in certain cases.</p> |
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1937, No. 3.

**Title.** AN ACT to amend the Industrial Conciliation and Arbitration Act, 1925. [30th September, 1937.]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

**Short Title.** 1. This Act may be cited as the Industrial Conciliation and Arbitration Amendment Act, 1937, and shall be read together with and deemed part of the Industrial Conciliation and Arbitration Act, 1925 (hereinafter referred to as the principal Act).

See Reprint  
of Statutes,  
Vol. III, p. 939

**2.** (1) For the purposes of the principal Act the term "industry" includes—

- (a) Any business, trade, manufacture, undertaking, or calling of employers; and
- (b) Any calling, service, employment, handicraft, or occupation of workers.

(2) The registration before the passing of this Act of any society as an industrial union of employers or as an industrial union of workers shall be as valid to all intents and purposes as if the term "industry" as used in the principal Act or in any former Industrial Conciliation and Arbitration Act had at all times heretofore had the meaning given thereto by subsection one of this section.

(3) Every award and industrial agreement made or entered into before the passing of this Act shall be and be deemed at all times heretofore to have been as valid to all intents and purposes and shall have and be deemed at all times heretofore to have had the same operation as if the term "industry" as used in the principal Act or in any former Industrial Conciliation and Arbitration Act had at all times heretofore had the meaning given thereto by subsection one of this section.

(4) All matters and proceedings commenced under the principal Act and pending or in progress on the passing of this Act shall be and be deemed at all times to have been in order as if the term "industry" as used in the principal Act had at all times heretofore had the meaning given thereto by subsection one of this section.

(5) Subsection one of section two of the principal Act is hereby consequentially amended by repealing the definition of the term "industry".

**3.** (1) Without limiting the power of any industrial union to alter its name or the power of the Registrar to approve of the alteration and to issue to the union a new certificate of registration in consequence thereof, it is hereby declared that the name of a union may be altered and a new certificate of registration may be issued pursuant to section twenty-four of the principal Act in any case where the rules of the union have been altered to provide for—

Extension of definition of term "industry" for purposes of principal Act.

*Cf.* Commonwealth of Australia, 1911, No. 6, s. 3

Validations.

Repeal.

Declaratory provision as to authority of Registrar to register change of name of industrial union or industrial association.

(a) An alteration of the limits of the locality in respect of which the union has been registered (including in the case of a union registered in respect of more than one industrial district an alteration to extend the scope of the union to another industrial district or to other industrial districts):

(b) The admission to membership of the union of employers or workers, as the case may be, engaged or employed in any industry or industries related to the industry or industries in respect of which the union has been registered.

(2) Notwithstanding anything to the contrary in the principal Act, every industrial union shall have and be deemed at all times heretofore to have had power to alter its rules to make provision for the matters mentioned in paragraphs (a) and (b) of the last preceding subsection.

(3) The issue by the Registrar, whether before or after the passing of this Act, of a new certificate of registration under section twenty-four of the principal Act or under the corresponding provisions of any former Act shall be, and be deemed at all times heretofore to have been, conclusive evidence of the fact of re-registration and of the validity thereof.

(4) For the purpose of removing doubts as to the proper construction of subsection two of section twenty-six of the principal Act (which applies to industrial associations, their officers and members, all the provisions of the principal Act relating to industrial unions, their officers and members) it is hereby declared that the provisions of the principal Act relating to changes of name and the re-registration of industrial unions shall apply, and be deemed at all times heretofore to have applied, with the necessary modifications, with respect to industrial associations.

4. Section one hundred and forty-five of the principal Act is hereby amended by inserting at the beginning of paragraph (e) thereof the words " Except with the authority of the Minister "

Minister may  
authorize issue  
of under-rate  
permits in  
certain cases.