



ANALYSIS

Title
1. Short Title

- 2. Certain Acts not to apply to trade unions
- 3. Withdrawal or cancelling of certificate

1979, No. 113

An Act to amend the Trade Unions Act 1908

[13 December 1979

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

1. Short Title—This Act may be cited as the Trade Unions Amendment Act 1979, and shall be read together with and deemed part of the Trade Unions Act 1908 (hereinafter referred to as the principal Act).

2. Certain Acts not to apply to trade unions—(1) The principal Act is hereby amended by repealing section 6, and substituting the following section:

“6. (1) The following Acts, that is to say,—

“(a) The Companies Act 1955;

“(b) The Life Insurance Act 1908;

“(c) The Friendly Societies Act 1909; and

“(d) The Industrial and Provident Societies Act 1908—shall not apply to any trade union registered under this Act, and the registration of any such trade union under any of the said Acts shall be void.

“(2) The validity of the registration before the 31st day of October 1936 of any company or society under the Companies Act 1908, the Friendly Societies Act 1908, the Companies Act 1933, or any of the Acts specified in subsection (1) of this section shall not be questioned on the ground that such company or society is or was a trade union unless on the date of its registration under that Act it was a registered trade union.”

(2) Section 77 of the Statutes Amendment Act 1936 is hereby consequentially repealed.

3. Withdrawal or cancelling of certificate—(1) Section 20 of the principal Act is hereby amended by repealing subsection (1A) (as inserted by section 78 of the Statutes Amendment Act 1936), and substituting the following subsection:

“(1A) If a trade union makes default in forwarding to the Registrar the annual returns required by section 28 of this Act, the Registrar may send by post to the last known officers of the union a letter inquiring whether the union is in existence, and, if within 2 months of sending the letter, the Registrar does not receive any answer thereto, or receives an answer to the effect that the union is defunct, the union shall for the purposes of subsection (1) of this section be deemed to have ceased to exist, and the Registrar may, subject to the provisions of subsection (2) of this section, cancel the certificate of registration thereof.”

(2) Section 78 of the Statutes Amendment Act 1936 is hereby consequentially repealed.

This Act is administered in the Department of Labour.
