

[CONFIDENTIAL.]

(Rough Draft for Consideration Only.)

No. , 1929.

A BILL

To make further provision with respect to the declaration of living wages; to limit the operation of such declaration; to amend the Industrial Arbitration Act, 1912, the Industrial Arbitration (Amendment) Act, 1926, as amended by subsequent Acts; to repeal the Industrial Arbitration (Living Wage Declaration) Act, 1927, and the Industrial Arbitration (Suspension of Living Wage Declaration) Act, 1929; and for purposes connected therewith.

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Industrial Arbitration Act, 1929." Short title.

(2) This Act shall be read and construed with the Industrial Arbitration Act, 1912, and the Industrial Arbitration (Amendment) Act, 1926, and Acts amending these Acts.

2. (1) The Industrial Commission of New South Wales shall forthwith proceed to declare the living wage for adult male employees in accordance with the provisions of the Industrial Arbitration (Amendment) Act, 1926, as amended by this Act.

Industrial Commission of New South Wales to declare living wage.

(2) The Industrial Arbitration (Suspension of Living Wage Declaration) Act, 1929, is hereby repealed.

Consequential repeal of Act No. 27, 1929.

(3) Notwithstanding the provisions of subsection (i) (b) of section seven of the Industrial Arbitration (Amendment) Act, 1926, the Commission shall, for the purpose of the first declaration under this Act of the living wage for adult male employees, determine as the standard of living the average standard of living available at the time of the commencement of this Act from the expenditure of an income equal to the living wage for adult male employees current at the time of the commencement of this Act, by and on the part of a group of families each containing a man and wife and containing in the average the same number of dependent children as the families of all "male householders" of the grade "wage-earner" in the "Metropolitan" and "Urban Provincial" divisions of New South Wales as enumerated at pages 1983 and 1984 of the Census of the Commonwealth of Australia, 1921.

Standard for first declaration.

3. (1) The Industrial Arbitration (Amendment) Act, 1926, is amended by inserting next after section seven the following new section :—

Amendment of Act No. 14, 1926.

7A. (1) In any declaration of a living wage for adult male employees made after the commencement of the Industrial Arbitration (Amendment) Act, 1929, such living wage shall be based upon the requirements of a man and wife and two dependent children under the age of fourteen years.

Living wage for adult male.

(2) The Commission may declare a separate living wage for rural employees or any section thereof.

(2)

(2) The Industrial Arbitration (Living Wage Declaration) Act, 1927, is hereby repealed.

4. The Industrial Arbitration Act, 1912, as amended by subsequent Acts, is further amended—

Amendment of Act No. 17, 1912.

(a) by omitting section 12B inserted by the Industrial Arbitration (Amendment) Act, 1919.

Sec. 12B. (Industrial agreements.)

(b) by omitting subsection two of section 26A inserted by the Industrial Arbitration (Amendment) Act, 1926, and inserting the following new subsections:—

Sec. 26A.

(2) Subject to the foregoing subsection, the Commission, the Deputy Commissioner and every committee, in making any award and in assisting to frame any industrial agreement, shall have regard to the value of the work done by the various classes of employees in respect of whom the award is made and the agreement is entered into.

Value of work done to be regarded.

(3) No rate of wages payable under any award or industrial agreement shall be varied by reason of an increase or decrease in the living wage involved in a new declaration of the living wage:

Variation of awards and agreements.

Except that in the case of an increase in the living wage any such rate of wages which is less than the new living wage shall be increased to equality with the new living wage notwithstanding that the value of the work done by the class of employees to which such rate applies may be less than the new living wage: Except further that in the case of a decrease in the living wage any such rate of wages which is greater than the value of the work done by the class of employees to which such rate applies, and is not greater than the living wage which the new living wage supersedes, shall be reduced to equality with such value of the work done provided that it shall not thus be reduced below equality with the new living wage.

(c)

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Industrial Arbitration (Amendment).

(c) by omitting subsection two of section twenty-eight inserted by the Industrial Arbitration (Amendment) Act, No. 50, 1919. Sec. 28 (2).

5. (1) The Industrial Arbitration (Amendment) Act 1926, is further amended by inserting next after section eleven the following new section :— Further amendment of Act No. 14, 1926.
New s. 11A.

11A. The Commission, the Deputy Commissioner, and every committee in exercising any power or function under this Act or the Principal Act or any other Act shall take into consideration the probable economic effect of the exercise contemplated in relation to the community in general and the probable economic effect thereof upon the industry or industries concerned. Economic consequence to be regarded.

(2) The amendment made by this section shall not extend to the declaration of the living wages directed by section two of this Act.

6. The Industrial Arbitration Act, 1912, as amended by subsequent Acts, is amended by omitting from section twenty-six the words "paid to" and by inserting in lieu thereof the words "fixed by any award made under this Act or any Act amending this Act in respect of." Further amendment of Act No. 17, 1912, s. 26.
(Wages of Government employees.)

7. The Industrial Arbitration (Amendment) Act, 1926, is further amended by inserting next before section twelve the following new section :— Further amendment of Act No. 14, 1926.
New s. 11B.

11B. No award or variation of any award shall be made after the commencement of the Industrial Arbitration (Amendment) Act, 1929, containing any provision whereby any special allowance of any nature whatsoever is made in respect of the dependent children of any employee; and notwithstanding section 12c inserted by Act No. 50, 1919, no award or variation of any award made before the commencement of this Act which contains any such provision shall continue in force after the expiration of the term specified therein. Awards not to include any allowance in respect of dependent children.

