

TASMANIA.

THE WAGES BOARDS ACT, 1920.

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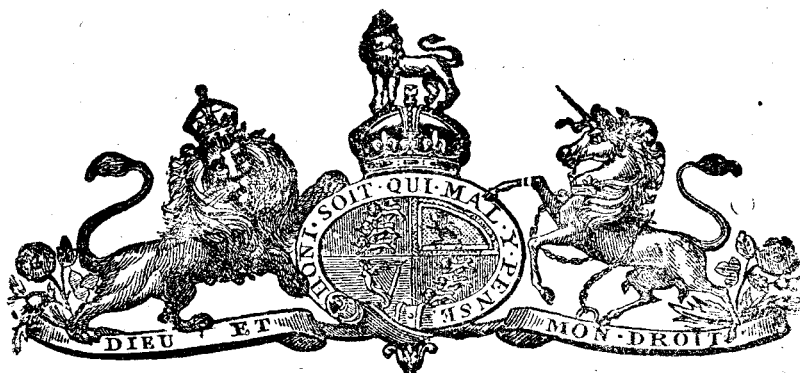
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TASMANIA



1920.

ANNO UNDECIMO

GEORGII V. REGIS.

No. 51.

AN ACT to consolidate and amend the Law ^{A.D.} 1920.
 relating to Wages Boards, and for other
 purposes. [24 December, 1920.]

BE it enacted by His Excellency the Governor of Tasmania, by
 and with the advice and consent of the Legislative Council and
 House of Assembly, in Parliament assembled, as follows:—

PART I.

INTRODUCTORY.

1 This Act may be cited as "The Wages Boards Act, 1920." Short title.

2 This Act is divided into parts and divisions, as follow:— Division of Act.
 Part I.—Introductory.
 Part II.—Records and Notices of Employers.
 Part III.—Wages Boards.
 Part IV.—Agreements.
 Part V.—Miscellaneous.

3 This Act shall come into operation on a day to be fixed by Date of operation,
 proclamation.

Wages Boards.

A.D. 1920.

Exclusion of rural industries.

Repeal.

Interpretation.

"Apprentice."

"Board."

"Casual worker."

"Chairman."

"Chief Inspector."

"Employer."

"Improver."

"Inspector"

"Junior worker."

"Local public body."

"Minister."

4 This Act shall not apply to persons carrying on or employed in agricultural, horticultural, or pastoral pursuits.

5 The Acts set forth in Schedule (1) are hereby repealed.

6 In this Act, unless inconsistent with the context—

"Apprentice" means any person bound by indenture of apprenticeship who is under Twenty-one years of age or who, unable by reason of his age to complete his term of apprenticeship before reaching the age of Twenty-one years, had obtained a licence from the Chief Inspector to be indentured:

"Board" means the Wages Board established under this Act in respect of the particular trade concerned, and for the purposes of this definition the word "trade" shall have the same meaning as is hereinafter assigned to it in this section:

"Casual worker" shall be defined to mean any employee who may be employed at not less than the rate per hour as agreed upon in the award for any period up to Six days.

"Chairman" means the Chairman of the Board:

"Chief Inspector" means the Chief Inspector for the time being appointed, or deemed to be appointed, under or for the purposes of this Act:

"Employer" means any person or company employing one or more employees in any trade whether on behalf of himself or any other person, and includes the governing authority of a local public body, as hereinafter defined:

"Improver" means and includes any person who has served a term of not less than Three years as an apprentice; and—

(a) Is not over the age of Twenty-one years; or

(b) Being over the age of Twenty-one years, holds a licence from the Chief Inspector to be paid as an improver:

"Inspector" means an inspector appointed or deemed to be appointed under or for the purposes of this Act, and includes the Chief Inspector and any Deputy Chief Inspector:

"Junior worker" means any employee (other than an apprentice or improver) who is not over the age of Twenty-one years:

"Local public body" means and includes a city, municipality, marine board, or any incorporated body exercising statutory functions.

"Minister" means the Minister of the Crown for the time being administering this Act:

Wages Boards.

"Trade" means and includes any function, process, industry, business, work, undertaking, occupation, profession, or calling, performed, carried on, or engaged in by an employer; and also includes a group of trades.

A.D. 1920.

"Trade."

PART II.

RECORDS AND NOTICES BY EMPLOYERS.

7—(1) Every employer engaged in any trade in respect whereof a Board is established shall—

- I. Make and keep a true record, in such form and giving such particulars as may be prescribed, of the names, work, and wages of the persons employed by him, and the age of every such person under Twenty-one years of age:
- II. Produce such record for inspection, whenever demanded by an inspector, and forward annually and at the prescribed time a true copy thereof to the Chief Inspector:
- III. Affix and keep affixed in legible characters in some conspicuous place, and so as to be easily read by his employees, a notice containing—
 - (a) The official address of the nearest inspector;
 - (b) The working hours of the employees;
 - (c) True copies or abstracts of such parts of this Act and regulations thereunder as may be prescribed;
 - (d) A copy of the determination of the Board for the time being in force:
- IV. Affix and keep affixed in legible characters, in such place as an inspector may direct or approve—
 - (a) The name of such employer, and if such employer is a registered firm, the firm name;
 - (b) If such employer is a company, the registered name of such company:
- V. Keep, or cause to be kept, a time-book wherein shall be entered from day to day, by every employee of such employer to whom the determination applies, such employee's time of beginning and of ending work on every day; and the wages and overtime paid shall be entered by the employee at the end of each week.

Records and notices by employers.

See Vic. Act 1975 of 1905. s. 20.

S.A., s. 81.
Cf. 1 Geo. V. No. 62, s. 7 (Tas.).

Production to inspector.

Information to be posted.

Name of inspector.

Abstracts of Act and regulations.

Determination of Board.

Name of employer.

Time-book to be kept.

Penalty: One Pound for every day during which any of the provisions of this section are not complied with.

(2) Any person defacing or destroying such notices as referred to in this section shall be liable to a penalty not exceeding Ten Pounds.

Wages Boards.

A.D. 1920.

Contents of
records not to be
divulged.

8 No person appointed under this Act shall divulge any of the contents of such records to any person whomsoever, except in the performance of his duties under this Act; and any person appointed or employed under this Act shall, before acting in the execution of his office, make and subscribe before a justice such declaration of fidelity and secrecy as may be prescribed.

Penalty : One hundred Pounds.

PART III.

WAGES BOARDS.

Division I.—*Existing Boards and Determinations.*Existing wages
boards abolished.

30 C.L.A. 16.

9 All Wages Boards appointed under "The Wages Boards Act, 1910," are hereby abolished, and all resolutions of Parliament approving of the appointment of Wages Boards under that Act are hereby rescinded.

Determinations of
Wages Boards
under "The
Wages Boards
Act, 1910," to
continue until
abolished by the
Governor.

Proviso.

10—(1) Every determination of a Wages Board appointed under "The Wages Boards Act, 1910," and in existence at the commencement of this Act shall continue in full force and effect until it is abolished by the Governor by proclamation, and in the meantime the like rights and privileges shall be acquired, and may be enforced, and the like duties, obligations, and liabilities shall be incurred, and the like penalty or punishment may be imposed or inflicted, and the like proceedings may be taken or continued by, upon, or against any person affected by such determination as would or could have been acquired, enforced, incurred, imposed, inflicted, taken, or continued by, upon, or against any such person if this Act had not been passed: Provided, however, that upon the coming into force of any determination of a Wages Board under this Act all persons to whom such determination is applicable shall cease to be affected by any determination of a Wages Board appointed under "The Wages Boards Act, 1910," and shall thenceforth be subject to the determination made under this Act and applicable to such persons.

Indenture of
apprenticeship
under "The
Wages Boards
Act, 1910," not to
be affected by this
Act.

Exception.

(2) Nothing contained in this Act, or in any determination made in pursuance thereof, shall put an end to or affect the operation or validity, or be deemed to vary the terms, of any indenture of apprenticeship entered into under the provisions of "The Wages Boards Act, 1910," except that the appropriate minimum rates from time to time determined by a Board appointed under this Act for an apprentice in the trade in which his employer is engaged shall be payable to such apprentice instead of any other rates mentioned or referred to in such indenture.

*Wages Boards.*Division II.—*Appointment of Boards.*

A D. 1920.

11—(1) The Governor shall by proclamation establish a Wages Board for any trade in respect whereof both Houses of Parliament pass a resolution authorising the same.

Establishment of Wages Boards.

(2) When Parliament is not in session the Governor may from time to time, by proclamation, establish a Wages Board in respect of any trade.

(3) Any such Wages Board may be abolished by resolution of both Houses of Parliament.

(4) The Governor may from time to time by proclamation—

Governor may define area and adjust powers of Board.

I. Define the area (including the whole or any part or parts of Tasmania) within which the determination of any Board established under Subsection (2) shall be operative; and extend or redefine any such area: and

II. Subject to the provisions of this Act as between Two or more Boards, adjust the powers which such Boards or any of them may lawfully exercise, and for that purpose deprive any Board of all or any of its powers and confer them upon any other Board:

III. Abolish any Board deprived of all its powers under Paragraph II.:

IV. Assign to any Board a specified short title.

(5) When a Board is deprived of any of its powers pursuant to this section, any determination thereof made before such deprivation under any power of which the Board is deprived shall continue in operation until superseded by a determination of the Board upon which such power is conferred, and upon such determination being made shall cease to have effect.

(6) The area within which the determination of any Board shall be operative shall be the whole of Tasmania, unless, in the case of a Board established under Subsection (1), the resolution shall otherwise direct; or, in the case of a Board established under Subsection (2), the area shall be otherwise defined, as prescribed in Subsection (4).

12 The members of a Board shall be paid such fees as may be prescribed. All the expenses of carrying out the provisions of this Act shall be paid out of moneys from time to time appropriated by Parliament for that purpose.

Remuneration of members of a Board.

Division III.—*Mode of Appointment.*

13—(1) One-half of the representative members of every Board shall be appointed as representatives of employers, and One-half as representatives of employees.

Constitution of Board.

(2) The representatives of the employers on any Board shall be *bonâ fide* and actual employers in the trade, who have had at least Twelve months actual experience in such trade, acquired within the Five years immediately preceding the appointment, or managing experts who have had the like experience.

Representatives of employers.

Wages Boards.

A.D. 1920.

Provided, however, that in the case of any employer in such trade being an incorporated company, or the governing authority of a local public body, any person, not being a legal practitioner, authorised under the common seal of such company or local public body shall, if he has had at least Twelve months actual experience in the management of the affairs of the company or local public body, acquired within the Five years immediately preceding the appointment, be eligible for appointment as a representative of the employers in such trade.

Representatives
of employees.

(3) The representatives of the employees on any Board shall be *bonâ fide* and actual employees in the trade, not being legal practitioners, who have had at least Twelve months actual experience in such trade, acquired within Five years immediately preceding the appointment.

Notice that Board
is to be appointed.

14—(1) The Minister shall publish in the "Gazette" and in at least one issue of at least Two newspapers published in Hobart, Two newspapers published in Launceston, and One newspaper published at Burnie, a notice, which shall—

i. Specify—

(a) The trade in respect of which such Board is to be appointed; and

(b) The number of members to be appointed to such Board: and

ii. Fix a date on or before which every employer engaged in such trade shall forward to the Chief Inspector a return containing—

(a) The employer's full name, address, and occupation; and

(b) Particulars of the names, work, and wages of the persons employed by him therein.

(2) Every employer engaged in a trade shall duly forward the return mentioned in Paragraph ii. of Subsection (1).

Penalty: Ten Pounds.

(3) The Chief Inspector shall prepare a summary of such returns for the information of the Minister.

Constitution of
Board.

15 Each Board shall consist of a chairman and as many representative members as the Minister shall by writing under his hand declare.

Nomination and
appointment of
members of
Board.

16—(1) Any employer or employee engaged in the trade referred to in the notice mentioned in Section Fourteen may, in the manner prescribed, within Fourteen days from the last publication of the said notice, nominate, in writing, to the Minister for appointment to the Board duly qualified persons to the number required as representatives of the employers or the employees respectively; and if no more are nominated than are required, the Minister shall appoint the persons nominated.

Wages Boards.

(2) In the event of the employers or employees concerned failing to make the necessary nominations, the representatives of the employers or employees so failing, as the case may be, shall, to the extent of such failure, be selected and appointed by the Minister. A.D. 1920.

(3) In the event of more nominations being received than there are representatives to be appointed, the Minister shall select for appointment from the persons so nominated the required number. The Minister shall thereupon publish in the "Gazette" the names, addresses, and occupations of the persons so selected, and shall appoint such persons, unless objected to in the manner prescribed, within Fourteen days from the date of such publication.

(4) If any representative of the employers or employees, as the case may be, is objected to in pursuance of Subsection (3), an election shall be held in the prescribed manner, and the Minister shall appoint the person so elected.

(5) If no representatives of the employers or the employees or the full number of such representatives are not, in pursuance of Subsection (4), elected within the time appointed for the election under the regulations, then the Minister shall appoint a sufficient number of persons as representatives of the employers or employees, as the case may be.

(6) The Minister shall publish in the "Gazette" a notice setting out the names, addresses, and occupations of the persons appointed to the Board, and the fact of their appointment.

Division IV.—Provisions Relating to Constitution of Boards.

17—(1) The representative members of a Board shall hold office until the expiration of Three years from the date of the notification in the "Gazette" of their appointment, and then shall cease to hold office: Provided that a member may, by writing under his hand addressed and forwarded to the Minister, resign his office, and from the time his resignation is received by the Minister the seat of such member shall become vacant. Period of office.

(2) The Governor may appoint a new Board to take the place of a Board all the members of which have resigned or have ceased to hold office. New Board.

(3) Members ceasing to hold office on a Board shall be eligible for appointment to the new Board.

(4) The provisions of this Act relating to the constitution of and manner of appointment to Boards shall apply to the appointment to such new Board.

18 The Governor may, by order published in the "Gazette," remove any member of a Board. Governor may remove member of Board.

19—(1) The Governor may appoint a person to fill a vacancy caused under Subsection (5) or (6) of this section, or by the death, resignation, or removal of a member, or under an order of a police magistrate, pursuant to Section Sixty: Provided that if within Fourteen days of such vacancy occurring the representatives Governor may appoint in certain cases.

Wages Boards.

A.D. 1920.

of the employers or employees, as the case may be, nominate a person to be appointed to fill such vacancy, the Governor shall appoint the person so nominated.

(2) The term of office of a member appointed under Subsection (1) shall be limited to the residue of the term of office for which such Board is appointed.

Effect of vacancy.

(3) During a vacancy in a Board (other than in the office of chairman) the continuing members may act as if no vacancy existed: Provided that in the event of any member being unable through sickness, or other reason which the Minister considers valid and sufficient, to attend a meeting of the Board the Minister may, by writing under his hand, appoint a person to fill the vacancy caused by the absence of such person, who shall hold office in place of such member until the publication in the "Gazette" of a determination of the Board made subsequent to such appointment.

(4) No person shall be appointed a member of a Board unless qualified for nomination under Section Thirteen.

(5) Any member of a Board appointed as a representative of the employers who ceases to be an employer in the trade in respect of which the Board was appointed shall vacate his seat.

(6) Any member of a Board appointed as a representative of the employees who ceases to be an employee in the trade in respect of which the Board was appointed shall vacate his seat.

Power to extend scope of Board.
Wages Boards Acts (consolidated), s. 22, Queensland statutes, Vol. VII., p. 5425.

20—(1) The Governor may, by proclamation, extend the powers of any Board so that such Board may fix the lowest prices or rates payable in any trade which is, in the opinion of the Governor, of the same or a similar character as or to the trade for which the Board was appointed.

(2) The Governor may, by the same or a subsequent proclamation, and without previous nomination, appoint an equal number of additional representatives of employers and employees respectively as members of such Board, and such additional members shall hold office until the expiration of the period for which the Board was originally appointed.

(3) No person to be appointed under Subsection (2) shall be so appointed unless qualified for appointment under Section Thirteen.

(4) The Board, as reconstituted with the additional members appointed in pursuance of this section shall, in addition to the powers previously vested in it, have also, as regards the trade mentioned in the proclamation, all the powers conferred on a Board by this Act.

Evidence.
Ibid., Vol. VII., p. 5424.

(5) A copy of the "Gazette" containing such proclamation shall be conclusive evidence of the making of such proclamation, and such proclamation shall not be challenged or disputed in any court whatever.

*Wages Boards.*Division V.—*Appointment of Chairman.*

A.D. 1920.

21—(1) The Chairman of every Board shall be appointed by the Governor by proclamation. The same person may be appointed Chairman of any number of Boards. Appointment of Chairman.

Such Chairman shall preside over and, *ex officio*, be a member of the Board or Boards whereof he is appointed chairman.

Such Chairman shall hold office during the pleasure of the Governor.

(2) It shall be lawful for the Governor, from time to time, as occasion may in his opinion require, to nominate and appoint a fit person as substitute to do and execute all or such portion of the duties of any Chairman as the Governor may determine, for such time as the Governor may deem necessary. Governor may appoint substitute Chairman.

Such substitute shall, during the continuance of his appointment, and notwithstanding the death of the Chairman for whom he was appointed substitute—

- i. Have, in relation to the duties assigned to him, all the powers and jurisdiction of the Chairman for whom he is appointed substitute: and
- ii. Be deemed to be a member of the Board or Boards in respect of which he is appointed substitute.

Division VI.—*Meetings of Boards, and Proceedings Thereat.*

22—(1) The Minister shall convene all meetings of every Board. Meetings of Boards.

(2) The members present at a meeting of a Board may, from time to time, adjourn the meeting. Adjournment.

(3) All notices of any meeting of a Board shall be in writing, and shall be delivered personally or sent by post, to the address of each of the members at least Seven days previous to the meeting. Notices.

(4) All powers of a Board may be exercised by a majority of the members thereof present at any meeting, if there is a quorum. Half of the members of the Board who represent employers, plus Half of the members of the Board who represent employees, together with the Chairman or substitute Chairman, shall constitute a quorum: Provided that if at any meeting a quorum is not present, the meeting shall be adjourned to a day then fixed by the Chairman or substitute Chairman, and if upon such day a quorum is not present, the Chairman or substitute Chairman, together with such members, if any, as are present, shall for all purposes be deemed to constitute a quorum. Quorum.

(5) Each member, except the Chairman, shall have One vote, and where the votes for and against any matter are equal, the Chairman shall decide the question, but shall not give such decision unless satisfied that the question cannot otherwise be determined. Each member to have one vote.

Wages Boards.

A.D. 1920.

Board to determine the lowest prices or rates of payment.

Matters which may be considered.

Board to fix number of hours work.

Variations of or additions to rates or hours.

Holidays on full pay.

Deduction for board and lodging.

Board may fix day and hour of payment of wages,

*Division VII.—Powers and Functions of Boards.***23** Every Board—

- I. Shall determine the minimum rates which may be paid for wages, or for piecework, or both.
In fixing such rates the Board may take into consideration also the following matters or any of them, and may fix different rates accordingly—
 - (a) The nature, kind, and class of the work;
 - (b) The manner in which the work is to be done;
 - (c) The sex of the workers, and their experience in the trade, and in the case of workers under Twenty-one, both their experience and age;
 - (d) Whether the work is shift work;
 - (e) The hour of the day or night when the work is to be done;
 - (f) Whether more than Six consecutive days' work is to be done;
 - (g) Whether the work is intermittent;
 - (h) Any recognised usage or custom in the manner of carrying out the work; and
 - (i) Any matter whatsoever which may from time to time be prescribed:
- II. Shall determine the number of working hours during any specified period for which such rates shall be paid:
- III. May determine such variations of or additions to such rates or hours, and prescribe such extra or special payments, either by way of payment for overtime or for time occupied in travelling to and from the place of work, or for work done during any specified hours of the day or night, or on holidays or Sundays, or for casual work, or for work done in any place which the Board considers is subject to special climatic conditions, or for such other matters as to the Board shall seem just:
- IV. May, by a unanimous decision of the Board, but not otherwise, determine a number of days, not exceeding Fourteen during each year, which shall be allowed as holidays on full pay at the minimum rates aforesaid, and may determine to what employees such allowances and payments shall be made:
- V. May determine that deductions be made on account of the board or lodging, or both, of an employee, and the amount of such deductions, or may determine that the minimum rates aforesaid shall be paid without any such deductions for board or lodging.
- VI. May determine the day and hour when payment of wages shall be made, and with such modifications, according to circumstances, as the Board shall specify:

*of no. 3252/19.
Enacted 1920/5/11*

Wages Boards.

- VII. May fix special rates to be paid for any work which the Board considers warrants a special rate :
- VIII. May prescribe a form of apprenticeship indenture to be used, and may prescribe the term of apprenticeship, such term not to be less than Three years :
- IX. May fix the number or proportionate number of apprentices, and the number or proportionate number of improvers, and the number or proportionate number of junior workers who may be employed by an employer, with power to fix a different proportion of male and female improvers or apprentices or junior workers, or, in the case of improvers and junior workers, may declare that none be employed other than those holding licences from the Chief Inspector.
- Provided that the number of apprentices to be so fixed shall not be less than One apprentice for every One journeyman employee of the same sex as the apprentices in question who have been continuously employed by the same employer for a period of not less than Six months immediately prior to the date of indenture; and that the number of junior workers to be so fixed shall be not more than One junior worker for every Three journeymen employees of the same sex as the junior workers in question; but for the purpose of this proviso an employer working in the trade shall, for the purpose of fixing such numbers respectively, be deemed to be a journeyman employee.
- Provided also that the Minister may grant to any person under the age of Twenty-one years, being a student at the University of Tasmania or any other University in Australia, a permit to work for a specified employer for a period not exceeding Six months, for the purpose of obtaining practical experience in some subject comprised in his course at the said University, and such student shall be regarded as an apprentice to such employer, and may be employed by him notwithstanding the proportionate number of apprentices allowed by the Board is thereby exceeded :
- X. Shall determine which of the adult employees are to be considered as journeymen for the purposes of this Act :
- XI. May specify the class of work which may be performed by junior workers.
- XII. May, by a unanimous decision of the Board, but not otherwise, determine a weekly wage to be paid to any specified class of employees, irrespective of the number of hours worked by them, and either without prejudice to or in lieu of the payment for overtime; and in such case Paragraph II. of this section shall not be binding on the Board :

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Rates may be fixed for special work.

Form of apprenticeship indenture may be prescribed.

Number of apprentices, &c., may be fixed.

Board shall determine who are journeymen.

May specify work to be done by junior workers.

cf no. 3252 ~~1144~~
 \$ 18 (no. 2650)
 \$ 141 (3)
 (4) as remarked

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XIII. May prescribe what notice shall be given by or to either party to determine the contract of service, or what payment shall be made by or to either party in lieu of such notice

Application of Division II., Part II., of 1 Geo. V. No. 20, as amended by 9 Geo. V. No. 2.

24 The provisions of Division II. of Part II. of "The Evidence Act, 1910," shall apply in the case of every Board as if the Governor had issued a commission to the persons constituting the Board, to make an inquiry, and such provisions shall, with the necessary alterations, be deemed to be incorporated with this Act.

The Minister may convene meeting of Board to reconsider determination.

25—(1) At any time after the making of a determination of a Board, the Minister may convene a meeting of such Board for the purpose of reconsidering the determination or any specified part thereof.

Notice of meeting.

Any notice of such meeting shall specify the matters to be considered, and no other business shall be transacted at the meeting.

Board may affirm or amend determination.

(2) The Board may at such meeting affirm the determination or amend the same in regard to any matter specified in such notice.

Amended determinations.

(3) A determination amended under this section shall for all purposes be deemed the determination of the Board.

Division VIII.—Piecework Rates may be Fixed by Employer.

Piecework rates may be fixed by employer in certain cases.

26—(1) If a Board, instead of determining the lowest piecework rates, fixes the lowest wages rates and determines that piecework rates based thereon may be fixed and paid by the employer, then every such employer shall base such piecework rates on the earnings of an average worker—

Vic. Act 1975, s. 98.

S.A. s. 102.

Piecework rate to be based on earnings of average worker.

Statement to Chief Inspector.

When piecework rate fixed, offering lower rate an offence.

Proof that piecework price corresponds to wages rate.

i. Working at work similar to that for which the piecework rates are fixed : and

ii. Being paid at the wages rates fixed by such Board.

(2) Such employer shall, when required by the Chief Inspector, forward to him a statement of such piecework rates.

(3) No employer who has so fixed piecework rates shall, either directly or indirectly or by any pretence or device, pay or offer to pay, any employee at lower rates.

(4) The onus of proof that this section has been complied with shall lie on the defendant.

Penalty : For the First offence Two Pounds, and for every subsequent offence Ten Pounds.

Division IX.—Aged, Slow, and Infirm Workers.

Aged, slow, or infirm workers. Vic. Act 1975, s. 99.

S.A., s. 103.

27—(1) The Chief Inspector may grant to an aged, slow, or infirm worker a licence to work at a wage less than the wage fixed by the Board.

(2) The Chief Inspector shall not grant such licence until satisfied that such worker is, by reason of age, slowness, or infirmity, unable to obtain employment at the wage fixed by the Board.

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- (3) Such licence—
- I. Shall specify the wage at which such worker is licensed to work :
 - II. May be renewed or revoked : and
 - III. Shall be in force for the period mentioned therein until revoked by the Chief Inspector.
- (4) An appeal shall lie from a refusal or revocation of such licence, or as to the wage specified in such licence. Appeal.
- (5) Such appeal shall be to the Chairman, who may—
- I. Uphold such refusal : or
 - II. Fix the wage and direct such inspector to issue a licence.
- (6) No employer shall without the consent of the Minister, employ any number of licensed aged, slow, or infirm workers exceeding One-fifth of the whole number of persons employed by him in the particular trade at the wage fixed for adults or at piece-work rates.
- (7) Notwithstanding Subsection (6) every employer may employ One licensed slow worker.

28 No person shall, either directly or indirectly, or by any pretence or device, pay or offer to pay any such aged, slow, or infirm worker at a wage lower than that specified in such licence. Penalty.

Penalty : For the First offence Two Pounds, and for every subsequent offence Ten Pounds.

Division X.—Duration, Publication, and Application of Determinations.

- 29**—(1) The determination of a Board shall—
- I. Be signed by the Chairman and forwarded by him to the Minister :
 - II. Be forthwith published by the Minister in the "Gazette" :
 - III. Come into force on a date to be fixed by the Board, and being not less than Fourteen days after the making thereof.
- (2) The determination of a Board shall, subject to the provisions of this Act, remain in force for Two years, and thereafter until a new determination is made by the Board. Duration.
- (3) When a Board is abolished, such abolition shall not affect the operation of any determination made by such Board and then in force, but such determination shall remain in force, subject to the provisions of this Act.
- (4) A copy of every determination shall be filed in the office of the Chief Inspector, and be open to inspection by any person interested in or affected by any such determination. Copy of determinations, &c., to be filed.
- (5) The Chief Inspector shall, without delay, serve or cause to be served a copy of every determination upon every employer in the trade to which the determination applies, who shall have duly

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forwarded the return mentioned in Paragraph II. of Subsection (1) of Section Seven of this Act, and such copy may be served on any such employer—

- I. Personally : or
- II. By posting it in a prepaid letter to the address given by such employer in his said return.

Section 52 of
1 Geo. V. No. 57
to be read subject
to a Board's
determination as
to working hours.

30 Where any determination of a Board fixes the maximum number of working hours in any trade, Section Fifty-two of "The Factories Act, 1910," shall, as to such trade, so long as such determination continues in force, be read and construed subject to the determination.

Son or daughter
of employer not
affected.
Vic. Act 1975,
s. 102.
S.A. s. 106.

31 No determination of a Board shall apply to a son or daughter of the employer.

Division XI.—*Inspectors.*

Appointment of
Chief Inspector.

32—(1) The Governor may, subject to the provisions of "The Public Service Act, 1918," from time to time appoint a Chief Inspector for the purposes of this Act.

Deputy Chief
Inspector and
inspectors.

(2) The Governor may—

- I. Appoint a Deputy Chief Inspector to perform such duties and having such jurisdiction and such of the powers exercisable by the Chief Inspector as the Governor may think fit :
- II. Appoint such inspectors and other officers as are necessary for the proper administration or for the purposes of this Act, and they shall act under the Chief Inspector.

Existing officers
continued in office.

33 Any person who, immediately prior to the commencement of this Act, held the office of Chief Inspector or inspector for the purposes of "The Wages Boards Act, 1910," shall be deemed, without further appointment, to be duly appointed to such office under and for the purposes of this Act.

Powers of
inspector.
Vic. Act 1975,
s. 15.
S.A., s. 108.

34—(1) It shall be the duty of the inspectors to enforce the provisions of this Act.

(2) Every inspector, as regards any premises or place wherein is carried on any trade for which a Board is appointed, may—

- I. Enter, inspect, and examine any such premises or place at any time when he has reasonable cause to believe that any person is employed therein :
- II. Take with him a constable when he has reasonable cause to apprehend any serious obstruction in the execution of his duty :

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- III. Examine, either alone or in the presence of any other person, as he thinks fit, with respect to matters under this Act, every person whom he finds in or about such premises or place, and whom he has reasonable cause to believe to be or to have been within the preceding Two months employed therein, and require such person to answer the questions put and sign a declaration of the truth of his answers :
- IV. Require the production of any book, notice, record, list, indenture of apprenticeship, or document which is by this Act required to be kept, exhibited, or made, and inspect, examine, and copy the same :
- V. Require the production of, and inspect, examine, and copy all pay-sheets or books wherein an account is kept of the actual wages (whether by piece or not) paid to any employee whose wages are fixed by a Board :
- VI. Exercise such powers and authorities as may be prescribed.

35—(1) An inspector entering, inspecting, and examining any such premises or place may take with him an interpreter.

(2) Any question or requisition on behalf of such inspector by such interpreter shall be deemed to have been put or made by the inspector, and the answer thereto made to the interpreter shall be deemed to have been made to the inspector.

36 Every employer shall at all reasonable times furnish the means required by an inspector necessary for the exercise of his duties and powers.

37 Every order or requisition made by an inspector shall be in writing, and served on the employer.

38 No person shall—

- I. Obstruct or wilfully delay an inspector or interpreter in the execution of his duties or powers : or
- II. Omit to comply with the requirements of Section Thirty-six, or of any direction which the inspector is authorised to give pursuant to this Act : or
- III. Omit to truly answer or reply to any question which any inspector is authorised to ask under Section Thirty-four : or
- IV. Fail to produce any book, notice, record, list, or document which, pursuant to Section Thirty-four, he is required by an inspector to produce : or
- V. Directly or indirectly prevent any person from appearing before or being questioned by an inspector, or attempt so to do.

Penalty : Ten Pounds,

Inspector may be accompanied by interpreter.

Vic. Act 1975, s. 16.

Effect of inquiry, &c., by interpreter.

S.A., s. 109.

Employer to facilitate inspection, &c. Vic. Act 1975,

s. 17.

S.A., s. 110.

Orders, &c., to be in writing.

S.A., s. 111.

Obstruction a breach of this Act.

Vic. Act 1975, ss. 17 and 18.

S.A., s. 113.

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Division XII.—*General Provisions.*

Employer to pay
rates fixed by
board.

39—(1) Every employer engaged in a trade in respect whereof rates have been fixed by a Board shall pay every person employed by him in such trade in respect of the work performed for him by such person the rates so fixed by the Board therefor.

Payment of
employee engaged
in two or more
classes of work.
Vic. Act 1975,
s. 107.

(2) Where an employee performs Two or more classes of work to which a rate fixed by a Board is applicable, his employer shall pay such employee in respect of the time occupied in each class of work at the rate fixed by the Board therefor.

S.A., 117.
Rate of wages
throughout day.
Vic. Act 2008,
s. 15.

(3) Where an employee is, during any part of a day, employed at work for which a Board has fixed wages rates, his employer shall pay such employee at such rates for all work whatever done by him during such day for such employer.

Penalty : Twenty Pounds.

Payment of wages
by person not
engaged in
prescribed trade.

40 Notwithstanding anything contained in this Act to the contrary, where an employee does any work for which a Board established for a prescribed trade has fixed rates, but the person employing him is not engaged in the prescribed trade, such person shall, unless a determination has been made by a Board appointed for the trade in which such lastmentioned person is engaged, and a rate has thereby been fixed for such employee, pay to the employee wages at the rates fixed for that work by such Board, as though the person employing him was engaged in the prescribed trade.

Penalty : Twenty Pounds.

Payments to be
made in money.

41 All payments for work done by an employee in respect whereof rates have been fixed by a Board shall, unless otherwise determined by the Board, be made in money and not otherwise, and without any deductions except such as are authorised by the determination of the Board, or prescribed.

Penalty : Twenty Pounds.

Wages for less
than maximum
number of hours
to be *pro rata*.

42 Without prejudice, and subject to the provisions of Section Twenty-three, every employee who in any period specified by the Board works less than the maximum number of hours fixed by the Board for such specified period shall be paid not less than a *pro rata* amount of the rate determined for such period.

Penalty : Twenty Pounds.

Effect on legal
proceedings of
amendment of a
determination.
Vic. Act 1975,
s. 108.
S.A., s. 118.

43 Subject to the provisions of this Act, the amendment or expiration of a determination shall not affect—

- i. Legal proceedings theretofore commenced in relation to such determination : or
- ii. Rights existing at the time of such amendment or expiration.

*Wages Boards.***44** Whenever—

- I. A Board has fixed piecework rates for work: and
- II. Such Board has, in the description of such work, enumerated several operations: and
- III. Any such operation is omitted with the express or implied consent of the employer—

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Piecework rate
not affected by
omission of
details.
Vic. Act 1975,
s. 108.
S.A., s. 119.

such omission shall not affect the rates to be paid for such work; but such rates shall, unless otherwise provided in such determination, be the rates fixed for the whole work described.

45 When a Board has fixed wages rates, and no piecework rates have been determined by the Board—

Effect of fixing a
wages rate only.
Cf. Vic. Act,
1915, s. 112.
S.A. s. 120.

- I. No person shall directly or indirectly pay or permit to be paid piecework rates: and
- II. Every employee shall be paid such wages rates, and may recover the full amount thereof in a court of competent jurisdiction, notwithstanding the receipt or acceptance by him of piecework rates.

Provided that the foregoing provisions of this section shall not apply in any case where an employer has fixed piecework rates pursuant to Section Twenty-six.

Penalty: Five Pounds.

46 When a Board has fixed piecework rates only—

- I. No person shall, directly or indirectly, pay, or authorise or permit to be paid, wages rates: and
- II. Every employee shall be paid such piecework rates, and may recover the full amount thereof in a court of competent jurisdiction, notwithstanding the receipt or acceptance of wages rates.

Effect of fixing
piecework rates
only.
S.A., s. 121.

Penalty: Five Pounds.

47—(1) Any person affected by the determination of a Board who shall in any way whatsoever fail to comply with such determination shall, on conviction, be liable to a penalty not exceeding Twenty Pounds.

Penalty for failure
to observe deter-
mination.

(2) Where any person is convicted of any offence under any of the foregoing sections of this Act, the police magistrate by whom such person is convicted may, in addition to imposing a fine or penalty for such offence, order that the offender shall pay any person in respect of whom such offence was committed any moneys due to him for wages, salary, payment for overtime, or other remuneration whatsoever in connection with such employment in respect of the period of Three months immediately preceding the institution of the proceedings, and also such sum of money as compensation for the non-payment of such firstmentioned moneys as the police magistrate may think reasonable.

Police magistrate
may order
payment of
moneys due, and
compensation for
non-payment.

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Moneys due may be recovered in court of competent jurisdiction.

Proceedings to be commenced within six months.

Penalty for accepting a lower rate than that fixed by Board.

Overtime wages to be demanded within Three months.

Payment of apprentice for maximum number of hours fixed for a week.

Permit for existing apprentices where number of employees reduced.

Assignment of indenture in certain events.

(3) Every employee may, notwithstanding any agreement to the contrary, recover in a court of competent jurisdiction any amount unpaid which has not already been made the subject of an order under the immediately preceding subsection.

(4) All proceedings under Subsection (3) shall be commenced within Six months after the amount sought to be recovered became due and payable.

(5) Any person who shall accept a lower rate than that payable to him under and by virtue of this Act or of the determination of a Board shall on conviction be liable to a penalty of Twenty Pounds.

48 Payment of overtime wages or wages for time worked in excess of the maximum number of hours fixed by a Board, must be demanded from the person from whom it is sought to recover the same, within Three calendar months from the time of such work, otherwise such wages shall not be recoverable at law.

49 If by reason of any act, default, or command of the employer, or as the result of the observance of any statutory or other public holiday or holidays, an apprentice in any week works less than the maximum number of hours fixed by the Board for a week's work he shall be paid the rates determined for such maximum number of hours, and the provisions of Section Forty-two shall not apply in such case.

50—(1) Where an employer through depression in any trade has reduced the number of journeymen employed by him so as to affect the proportionate number of apprentices employed by him, he shall not be liable to the penalty prescribed by Section Fifty-two; provided that the Chief Inspector certifies, in writing, that he is satisfied that the interests of such apprentices are not thereby prejudiced.

(2) Notwithstanding anything contained in any indenture of apprenticeship, if the employer shall during the currency thereof relinquish business or dissolve partnership, or become bankrupt or die, or any other circumstance shall occur whereby the employer shall become unable to perform the covenants on his part contained in such indenture, then the employer, or in case of his death his personal representative, shall assign such indenture and the benefit of the covenants, provisions, and agreements therein contained or implied to some other employer, if any such is available and willing to take the apprentice. Such an assignment may be effected by all the parties concerned signing a memorandum endorsed on the indenture of apprenticeship, stating that the apprentice has been transferred to the new employer, and thereupon the indenture shall continue to operate as if the new employer had been originally named therein as the employer: Provided, however, that no such assignment shall be made without the

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approval in writing of the Chief Inspector, to be also endorsed on the indenture. A.D. 1920.

51 All the time during which an apprentice, improver, or junior worker has worked at the trade in which he is for the time being employed, shall be reckoned in calculating his experience whenever by the determination of the Board his wages are to vary in accordance with his experience. Experience of apprentices, &c., how calculated. Vic. Act 1975, s. 94. S.A., s. 100.

52 Subject to the provisions of Subsection (1) of Section Fifty of this Act, no employer shall, directly or indirectly, employ any apprentice, improver, or junior worker, in excess of the number authorised by the determination of the Board. Penalty for employing excess number of apprentices, &c.

Penalty : Twenty Pounds.

53—(1) After the expiration of One month from the publication in the "Gazette" of a determination prescribing a form of apprenticeship indenture, no employer engaged in the trade in respect of which the determination is made shall take an apprentice except under an indenture in the form and for the term fixed by such determination; and any indenture contravening the provisions of this section shall be void. Provided that an employer proposing to take a person under the age of Twenty-one years as an apprentice may take him on probation for a period not exceeding One month. Prescribed form of apprenticeship indenture to be sued. Cf. S.A., s. 97.

(2) No person so taken on probation shall, during the period of probation, be paid by his employer lower rates than those fixed by the Board for an apprentice in the First year of his apprenticeship. Proviso for taking an apprentice on probation.

Penalty : Twenty Pounds.

54—(1) Any failure, either by an employer or an apprentice, to carry out the terms of an indenture of apprenticeship shall be deemed to be a contravention of this section. Wages to be paid during period of probation.

(2) Before any proceedings are instituted for a contravention of this section, the Chief Inspector shall, at the instance of any party to an indenture of apprenticeship, inquire into the matter, and may order the discharge of the apprentice from his apprenticeship, and that the indenture be cancelled, and upon the signing of a certificate by the Chief Inspector to that effect endorsed upon the indenture the same shall be thenceforth void. Failure to carry out terms of an indenture.

(3) If upon such inquiry the Chief Inspector shall be of opinion that it is expedient that proceedings be taken against any person for a contravention of this section, he shall institute such proceedings accordingly, and where any person is convicted of any such contravention, the police magistrate by whom such person is convicted may— Penalty.

- i. Impose a penalty of not more than Ten Pounds, and, in addition may order the defendant to enter into a recognizance within Fourteen days in any sum of not more

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Power of court
to order
recognizances in
certain cases.

than Fifty Pounds, with such sureties as the police magistrate shall think fit, of not more than Fifty Pounds each to carry out the terms, covenants, and conditions of the indenture; and may further order that in default of entering into the recognizance as afore-said the person or persons in default be imprisoned for a term of not more than One month, unless such recognizance be sooner entered into, and for a second or subsequent contravention impose on the defendant a penalty of not more than Twenty-five Pounds, and, in addition, may estreat the recognizance (if any): or

- II. Impose on any employer a penalty of not more than Twenty-five Pounds if the police magistrate is satisfied that the apprentice has not been taught the trade in accordance with the indenture of apprenticeship, and that the employer has not given to the police magistrate any satisfactory explanation of such failure to teach the apprentice the trade. The whole or any part of such penalty may be applied for the benefit of the apprentice or otherwise as the Minister determines.

Cancellation of
indenture.
Cf. 19 Vict. No
28, s. 14 (Tas.)

(4) In addition to or instead of imposing a penalty under this section, the police magistrate may order the discharge of the apprentice from his apprenticeship, and may order any indenture of apprenticeship to be cancelled, and the same shall immediately on the making of such order be deemed to be cancelled, and shall thenceforth be void without actual cancellation.

(5) Provided that if any other employer in the trade shall apply to have the apprentice transferred to him on the terms of the indenture, the police magistrate or Chief Inspector, as the case may be, may order such transfer, and upon such order being endorsed on the indenture the same shall thenceforth be read as if the name of the new employer had been inserted therein in the place of the original employer, and shall remain in full force accordingly.

Dismissal of
apprentice.

(6) No indenture of apprenticeship shall be cancelled, nor shall any apprentice be dismissed or discharged from his apprenticeship, otherwise than in accordance with this section.

PART IV.

AGREEMENTS.

Agreement may
be made.

55—(1) Any employer who employs, or any number of employers who are engaged in the same trade and employ in the aggregate, not less than Fifty employees in Tasmania, or any employer who employs, in Tasmania and elsewhere, not less than Two hun-

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dred employees in the aggregate, may enter into an agreement with such employees as to rates of wages or piecework prices to be paid, and as to the terms and conditions of their employment.

(2) Every such agreement shall be in writing and signed by the employer or employers, as the case may be, and either by each employee or by some One or more employees authorised to act on behalf of all the employees, and shall be for a term, to be specified therein, not exceeding Two years from the date when the agreement is first signed by any party thereto.

(3) A duplicate of every such agreement shall be filed in the office of the Chief Inspector, and shall be open to inspection as prescribed.

(4) If within Thirty days of the filing of any such agreement the Chief Inspector shall receive a memorandum signed by Ten employees of any One employer, or, if fewer than Ten, the whole of the employees in Tasmania of any One employer, objecting to such agreement, such agreement shall have no effect under this Act as regards that employer or his employees; but the agreement shall, on the expiration of such Thirty days and thereafter during its continuance, be binding on all other parties to such agreement in the same manner in all respects as if such agreement were a determination of a Board appointed with respect to the trade of the employer or employers; and during the operation of such agreement, no determination of any such Board shall be of any force or effect as regards such employers and employees, or any of them.

(5) All the provisions contained in Division XII. of Part III. of this Act shall apply, and all the penalties thereby enacted may be enforced against any employer or employee bound by any such agreement in the same manner as if the terms of the agreement were the determination of a Board appointed with respect to the trade of the employer.

(6) Any such agreement may be rescinded or varied by any other agreement made in like manner between the same employer or employers and his or their employees.

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Form of agreement.
"Court of Conciliation and Arbitration Act, 1904-1911"
(Com.), s. 75.

Duplicate filed.
Ib., s. 76.

Objections thereto.

Enforcement of agreement.

Rescission or variation.

PART V.

MISCELLANEOUS.

Division I.—*Regulations.*

56 The Governor may make regulations prescribing all matters which by this Act are required or permitted to be prescribed, or as may be necessary or convenient to be prescribed for giving effect to this Act.

Regulations,
Vic. Act 1975,
s. 150.
S.A., s. 141.

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Mode of
disputing validity
of regulations.
Vic. Act 1975,
s. 151.
S.A., s. 142.

57—(1) A person desiring to dispute the validity of a regulation may apply to the Supreme Court upon affidavit for a rule or order calling upon the Chief Inspector to show cause why such regulation should not be quashed, either wholly or in part, for the illegality thereof.

(2) The said court may make absolute or discharge the said rule or order, with or without costs.

Division II.—*Proceedings to Try Title of Member of Board and Validity of Determination.*

No writ of *quo warranto* allowed to try title to any office.
S.A., s. 143.

58 No writ of *quo warranto*, information in the nature of a *quo warranto*, or other proceedings, shall issue, or be filed, or had, or taken in the Supreme Court to try or question the title of a person to act as a member of a Board.

Mandamus abolished.
S.A., s. 144.

59 No writ of mandamus shall issue from the Supreme Court to admit or restore to office a member of a Board.

Proceedings for trying title to office.
S.A., s. 145.

60 The proceedings—

i. For trying the title of a member of a Board to his office : and

ii. For trying the right of a person to be admitted or restored to such office : and

iii. To compel his restoration or admission—
shall be had and taken before, and determined by, a police magistrate in a summary way.

Time within which proceedings may be taken.
S.A., s. 146.

61—(1) No proceedings to try the title of a person as a member of a Board shall be had or taken except upon complaint under "The Justices Procedure Act, 1919."

(2) Such complaint shall be laid within Two calendar months from the time at which the person whose title is disputed was appointed.

Jurisdiction of justices.
S.A., s. 147.

(3) The complaint may be laid at the instance of any person interested.

(4) The magistrate may make an order declaring—

i. That a person is not entitled to the office then possessed by him, and that such office is vacant : or

ii. That the complainant is entitled to the said office.

(5) No order to admit or restore a person to any office shall be made whilst any other person is in possession of such office.

Validity of Determination.

Determinations of Board challengeable before court only.
Vic. Act 1975,
s. 118.
S.A., s. 148.

62—(1) A person desiring to challenge or dispute a determination of a Board for the illegality thereof may apply to the Supreme Court, upon motion supported by affidavit, for a rule calling upon the Board to show cause why such determination should not be quashed, either wholly or in part.

30 C. 42. 16.

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(2) The court may make absolute or discharge the said rule, A.D. 1920.
with or without costs.

(3) No determination of a Board shall be in any other manner
challenged or disputed for the illegality thereof.

Division III.—*General.*

63 No evidence relating to a trade secret or to the profits or financial position of a witness or party, shall be disclosed or published without the consent of the person entitled to the trade secret or non-disclosure. Disclosure of
trade secret.
S.A., s. 133

Penalty : Twenty-five Pounds.

64 No organisation of employers or members thereof, and no employer, shall counsel, take part in, support, or assist directly or indirectly any lock-out on account of any matter in respect of which a Board has made a determination. Penalty on lock-
out.

Penalty : In the case of an organisation Five hundred Pounds,
and in the case of an individual Twenty Pounds.

65 No organisation of employees or member thereof, and no employee, shall counsel, take part in, support or assist directly or indirectly any strike on account of any matter in respect of which a Board has made a determination. Penalty on
strike.

Penalty : In the case of an organisation Five hundred Pounds,
and in the case of an individual Twenty Pounds.

66 No employer shall dismiss or threaten with dismissal any employee from his employment, or injure him in his employment, or alter his position to his prejudice, by reason merely of the fact that the employee—

- i. Is, or becomes, or acts in the capacity of a member of a Board :
- ii. Has given information with regard to matters under this Act to an inspector :
- iii. Has, after giving reasonable notice to his employer of his intention, absented himself from work through being engaged in other duties as member of a Board :
- iv. Is entitled to the benefits of a determination of a Board :
- v. Has appeared as a witness or has given any evidence in a proceeding under this Act.

Employer not to
dismiss employee
merely on account
of his being
member of Board,
&c.
Cf. 3 Geo. V.
No. 2386, s. 239,
(Vic.).

In every case it shall lie on the employer to satisfy the Court adjudicating that such employee was so dismissed by reason of some facts other than those above mentioned in this section.

Penalty : Twenty Pounds.

Penalty.

67 A determination or order of a Board shall not be void or in any way vitiated by reason merely of any informality or error of form, or non-compliance with any of the matters required by this Act as preliminary to the same. Informalities in
determination not
to vitiate same.

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General provisions as to proceedings.
Vic. Act 1975,
s. 162.
S.A., s. 149.

68 In all proceedings in respect of offences against this Act—

I. The onus shall be on the defendant to prove—

- (a) That the provisions of this Act and of any determination of a Board with regard to the number or proportionate number of improvers, apprentices, or junior workers who may be employed have been complied with;
- (b) That a person named in a complaint as being either an employee of the defendant generally or an employee of the defendant in a certain capacity was not so employed;
- (c) That the premises or place mentioned in a complaint as being within a certain area are or is not therein :

II. The allegations contained in the complaint shall be deemed proved in the absence of proof by the defendant to the contrary.

Evidence of determination, &c

69 The production in any court of the "Gazette" purporting to contain—

- I. The determination of any Board : or
- II. Any proclamation or Order-in-Council made by the Governor under this Act : or
- III. Any order, declaration, or notice made or given by the Minister and required by this Act to be published in the "Gazette"—

shall, except in proceedings under Section Sixty-two of this Act, be conclusive evidence of the due making and existence or giving of any such determination, order, declaration, or notice.

Offences to be reported to Minister, who may direct prosecution.
Vic. Act 1975,
s. 153.
S.A., s. 152.
Schedule.

70—(1) Every offence against this Act shall be reported to the Minister.

(2) No proceedings shall be taken by an officer of the Department without the consent in writing of the Minister.

(3) Such consent may be proved by the production of a document in the form in the schedule to this Act, or to the like effect, purporting to be signed by the Minister.

Penalty for offence for which no other penalty provided.

71 Every person guilty of a contravention of this Act for which no other penalty is provided shall, on summary conviction by a police magistrate, be liable to a penalty of not more than Twenty Pounds.

Procedure.
10 Geo. V.
No. 55.

72 All complaints for offences against the provisions of this Act or the regulations, and all penalties or fines imposed under the provisions of this Act or the regulations, may be summarily heard, determined, and recovered by and before a police magistrate in the mode prescribed by "The Justices' Procedure Act, 1919."

Wages Boards.

73 Any person who deems himself aggrieved by any summary conviction under this Act or the regulations may appeal against the same in the mode prescribed by "The Justices' Procedure Act, 1919." A.D. 1920.
Appeal.
10 Geo. V. No. 55.

74 All fines and penalties recovered under the provisions of this Act within the cities of Hobart and Launceston shall be paid into and form part of the Consolidated Revenue. In all other places One-half of such fines and penalties shall be paid forthwith to the municipal fund within the municipality wherein any such fines or penalties are imposed, and the other half shall be paid into and form part of the Consolidated Revenue. Appropriation.

75—(1) The Governor may, by another order-in-council, published in the "Gazette," amend or rescind any Order-in-Council made under this Act. Power to amend
or rescind orders-
in-council.

(2) No misnomer, or inaccurate description, or omission in or from any Order-in-Council made under this Act shall in any wise prevent or abridge the operation of this Act with respect to the subject-matter, provided the same is designated so as to be understood. Wages Boards
Acts (Consoli-
dated), s. 53 :
Queensland
Statutes, Vol.
VII. p., 5436.

76 No Order-in-Council purporting to be made under this Act, and being within the powers conferred on the Governor, shall be deemed invalid on account of any non-compliance with any of the matters required by this Act as preliminary to the same. Misnomer, &c,
not to prejudice
Informalities.

SCHEDULES.

(1)

Date and Number of Act.	Title of Act.	Extent of Repeal.
1 Geo. V. No. 62	"The Wages Boards Act, 1910"	The whole Act
2 Geo. V. No. 2	"The Wages Boards Act, 1911"	The whole Act
4 Geo. V. No. 46	"The Wages Boards Act, 1913"	The whole Act
7 Geo. V. No. 63	"The Wages Boards Act, 1917"	The whole Act
11 Geo. V. No. 2	"The Wages Boards (Chairman) Act, 1920."	The whole Act

Wages Boards.

A.D. 1920.

(2)

CONSENT OF MINISTER.

"The Wages Boards Act, 1920."

Sec. 70.

THE Honourable _____, the Minister administering the above Act,
hereby consents to proceedings being taken by ⁽¹⁾
against _____, of ⁽²⁾
for an alleged offence under ⁽³⁾

(¹) Here insert the name of the proposed complainant, and state whether a member of the
police force or an inspector.

(²) Here insert address and occupation of proposed defendant.

(³) Here insert number of section or subsection or regulation.