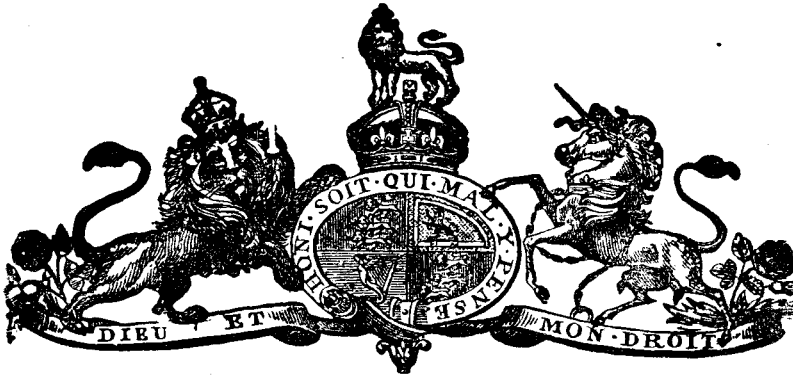


T A S M A N I A.



1924.

ANNO QUARTO DECIMO

GEORGII V. REGIS.

No. 27.

ANALYSIS.

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| <p>1. Short title.
Principal Act.</p> <p>2. Repeal of Section 7 of Principal Act and substitution of new section.</p> <p>3. Amendment of Section Thirteen of the Principal Act.</p> <p>4. Amendment of Section 17 of Principal Act.</p> <p>5. Amendment of Section 19 of Principal Act.</p> <p>6. Amendment of Section 22 of Principal Act.</p> | <p>7. Amendment of Section 23 of Principal Act.</p> <p>8. Amendment of Principal Act by addition of new Sections 23a and 23b.</p> <p>9. Amendment of Section 29 of Principal Act.</p> <p>10. Repeal of Section 40 of the Principal Act and substitution of new section.</p> <p>11. Amendment of Section 50 of Principal Act.</p> |
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AN ACT to amend "The Wages Boards Act, 1920." A.D. 1924.
[13 March, 1924.]

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 :—

- 1**—(1) This Act may be cited as "The Wages Boards Act, 1924." Short title.
 (2) "The Wages Boards Act, 1920," is herein called the "Principal Act." Principal Act.
11 Geo.V. No. 51.

Wages Boards.

A.D. 1924.

Repeal of
Section 7 of
Principal Act
and substitution
of new section.

2 Section Seven of the Principal Act is hereby repealed and the following new Section Seven substituted therefor :—

“**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 name of every person employed by him, and of the class of work which each person performs, the wages paid to him, the number of hours' work done by him, and his age if he is under the age of Twenty-one years :

Penalty Twenty Pounds.

- ii. Produce such record for inspection whenever demanded by an inspector ; and forward to the Chief Inspector, if and when required, a true copy of such record or any information contained therein which may be specifically required :

Penalty Twenty Pounds.

- iii. Affix, and keep affixed, in some conspicuous place upon his premises, so that the same may be easily read by his employees, a notice in legible characters containing :

- (a) The official address of the nearest inspector ;
- (b) The working hours of his employees ;
- (c) True copies of, or abstracts of, such parts of this Act as may be prescribed ;
- (d) A true copy of the determination of the Board for the time being in force :

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

(2) Any person defacing, destroying, or wrongfully removing any notice required by this section shall be liable to a penalty of Ten Pounds.”

Amendment of
Section Thirteen
of the Principal
Act.

3 Section Thirteen of the Principal Act is hereby amended by inserting after Subsection (3) thereof the following new Subsections (4) and (5)—

“(4) In the case of a trade newly established, if the minister is satisfied that a sufficient number of persons qualified in accordance with the provisions of Subsection (2) or Subsection (3) hereof as the case may be, is not available, it shall be lawful for any employer or employee as the case may be, engaged in the trade for which a board is established to nominate as hereinafter provided, and for the Minister to appoint, any person not so qualified, but who is an employer or employee as the case may be *bonâ fide* engaged in such trade, as a representative of the employers or employees, as the case may be, on the board established for such trade.

(5) For the purposes of this section, a newly established trade means a trade which at the time a board is established therefor has been carried on in this State for a period of less than One year.”

Wages Boards.

4 Subsection (4) of Section Seventeen of the Principal Act is hereby amended by adding at the end thereof the following provisions :—

A.D. 1924.

—
Amendment of
Section 17 of
Principal Act.

Provided that Paragraph ii. of Subsection (1) of Section Fourteen shall not so apply.

“ Provided also that if within Fourteen days after the last publication of the notice required by Section Fourteen no nominations are received by the Minister the Governor may, by notice in the ‘Gazette,’ direct that the persons who held office on the expired Board shall continue in office for a further period of Three years as members of the new Board.”

5 Section Nineteen of the Principal Act is hereby amended by deleting the word “Governor” in the First line of Subsection (1) thereof, and substituting therefor the word “Minister.”

Amendment of
Section 19 of
Principal Act.

6 Section Twenty-two of the Principal Act is hereby amended by deleting the period at the end of Subsection (3) thereof, and adding thereafter the words “but such notice may be dispensed with in the case of a member appointed within such period of Seven days.”

Amendment of
Section 22 of
Principal Act.

7 Section Twenty-three of the Principal Act is hereby amended :—

Amendment of
Section 23 of
Principal Act.

1. By expunging Paragraph ix. thereof, and substituting therefor the following new Paragraph ix.—

“ ix.—(a) Shall, in respect of any trade or section of a trade in which apprentices are employed, fix the number or proportionate number of apprentices and improvers respectively, that may be employed by an employer, discriminating if necessary between male and female apprentices or improvers, respectively. But the proportionate number of apprentices of either sex so fixed shall not be less than Two for every journeyman employee of the same sex continuously employed by the same employer for a period of Six months prior to the date of indenture ;

(b) May determine in respect of any trade the maximum number or proportionate number of junior workers that may be employed by an employer, and may discriminate between male and female junior workers, but so that the proportionate number of such workers shall not exceed One for every Three journeymen of the same sex ; or may declare in respect of any trade that no junior workers shall be employed ; and in the absence of any such determination or declaration the number of such workers shall not be limited. And for the purposes of this Paragraph ix. an employer working in the trade shall be counted as a journeyman employee.”

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ii. By expunging Paragraph xi. thereof, and substituting therefor, the following new Paragraph xi. :—

“ xi. In respect of any trade in which the number of junior workers is limited as aforesaid, the Board shall specify the class of work that may be performed by junior workers; and any junior worker in such trade employed on any class of work not so specified, shall be paid while so employed at the rate paid to persons by whom such work is ordinarily performed.”

Amendment of Principal Act by addition of new Sections 23a and 23b.

8 The Principal Act is hereby amended by inserting therein after Section Twenty-three the following new Sections **23a** and **23b** :—

“ **23a**—(1) The Minister may grant to any student, at any Australian University, under the age of Twenty-one years, or to a full-time day-student at any technical college in Tasmania, a permit to work for a specified employer for a period, or periods, not exceeding in the aggregate Eighteen months, for the purpose of gaining practical experience in any specified subject of his course at such university or college, and any such student may be employed for such hours and be paid such remuneration as may be agreed upon by such student and employer and approved by the Minister

(2) In the case of a student who is a member of the Education Department and is undergoing a course of training at any such technical college as aforesaid for a diploma as a trade teacher, the Minister may grant such permit as aforesaid for a period, or periods, not exceeding in the aggregate Thirty months.”

“ **23b** The provisions of Paragraph ix. of Section Twenty-three, as inserted by this Act, shall apply to all determinations in force at the passing of this Act, and every such determination shall be deemed to have been made under the said provisions.”

Amendment of Section 29 of Principal Act

9 Section Twenty-nine of the Principal Act is hereby amended—

i. By deleting the period at the end of Subsection (2) thereof, and adding thereafter the words “and comes into operation” :

ii. By deleting the words “subject to the provisions of this Act” in Subsection (3) thereof, and substituting therefor the words “until the Governor shall, by proclamation, declare a date upon which such determination shall cease to have effect.”

Repeal of Section 40 of the Principal Act and substitution of new section.

10 Section Forty of the Principal Act is hereby repealed, and the following new section **40** substituted therefor :—

“ **40**—(1) Notwithstanding any of the provisions of this Act, any regulation to be made under Section Fifty-six of this Act may provide that any determination made by a board, or any part of such determination to be specified in such regulation, shall have general application as hereinafter provided.

Wages Boards.

(2) Every determination or part of a determination, in respect of which any such provision as aforesaid is made, shall apply to such class or classes of work as may be specified in such regulation, either for a definite period or without limitation, and either generally or within a prescribed area, as may be specified in such regulation. A.D. 1924.

(3) Every person engaged in or performing any class of work to which any such determination or part of a determination is so applied as aforesaid for any employer who is not subject to any other determination regulating that class of work, whether such employer is engaged in any trade or not, shall be paid at such rates and be employed on such conditions in every respect as may be fixed by such determination or part of a determination.

(4) No such determination or part of a determination as aforesaid shall be applied under the provisions of this section to any class of work usually performed in any trade for which a determination made by a board established for such trade, and regulating that class of work, shall already be in force.

(5) In any case in which a regulation made under the provisions of this section shall apply to any trade or to any class of work done in such trade, and a determination shall thereafter be made in respect of the same subject matter by a board established for such trade, such regulation shall cease to apply to such trade or class of work, as the case may be, immediately upon the coming into operation of such determination.

(6) Every determination or part of a determination applied to any class of work under the provisions of this section shall be of the same force and effect in every respect, and shall be binding upon all persons engaged in that class of work and upon all persons employing them, in the same manner as a determination made in respect of any trade by a board established for such trade under this Act.

(7) Any such regulation as aforesaid, or any regulation amending the same, may exempt any trade to be therein specified from the operation of this section.

Provided that in respect of any trade for which no wages board has been appointed the powers contained in this section shall not be exercised until after the expiration of Three calendar months after such trade shall have commenced the establishment of its works or started operations in Tasmania, whichever be the earlier."

11 Section Fifty of the Principal Act is hereby amended, by inserting therein after Subsection (2) thereof, the following new Subsection (3)—

"(3) An apprentice may be assigned to an employer under the provisions of Subsection (2) hereof, notwithstanding that such employer has at the time of such assignment the full number of apprentices fixed by the Board. But such employer shall not engage or employ any further apprentices in place of any apprentice then in his employ, so that the total number employed by him including the apprentice so assigned, exceeds the number fixed by the Board."

Amendment of
Section 50 of
Principal Act.

