

(g) Amendments to Legislation

(1) The Industrial Conciliation and Arbitration Act, 1947, contains two important new provisions.

(2) The first is that the Governor-General is empowered to appoint Deputy Judges of the Court of Arbitration, which may now delegate any of its functions, jurisdiction, or powers to a Deputy Judge, and the Deputy Judge has power to exercise them. He may also act as Judge of the Court. Any party affected by a decision of a Deputy Judge may appeal from the decision to the Court. The three following persons have been appointed Deputy Judges: D. J. Dalgleish, Esq.; O. G. Stevens, Esq.; and W. F. Stilwell, Esq.

(3) The second change instituted by this amendment is that there is now deemed to be inserted in the rules of every industrial union of workers (or employers) a provision that if the members of the union are concerned in a dispute and there is a proposal that there shall be a strike (or lockout), no such strike (or lockout) shall take place until the question of whether it shall take place has been submitted to a secret ballot of those members who would be affected.

(4) If a strike or lockout takes place without the secret ballot having been held, the Registrar of Industrial Unions may proceed to conduct a ballot. To enable this to be done, unions must make all necessary information available to the Registrar. The taking of a ballot does not make a strike legal.

(5) Two amendments have been made to the Strike and Lockout Emergency Regulations 1939 (Statutory Regulation, Serial numbers 1947/160 and 1948/30). The main effect of these measures is to make the decision of a "tribunal" set up under the regulations final and binding on all persons directly affected by the dispute, and to provide that such a decision may be retroactive. All decisions must now be filed with the Clerk of Awards and are being published in the "Book of Awards." The second amendment is a machinery measure concerned with the collection of penalties imposed for breaches of the regulations.

SECTION 4.—INDUSTRIAL WELFARE

(a) Factories Act, 1946

(1) The Factories Act, 1946, came into force on 1st April, 1947, and this report covers its first year of operation. Its provisions were outlined in the annual report of the Department of Labour for the year ended 31st March, 1947, and it is only necessary to repeat here that the Act brings New Zealand factory legislation into line with the Imperial Act of 1937, and that its passing marked an important event in the history of the industrial legislation of this country. The Factories Act has always been the basic instrument for the regulation of working-conditions. The machinery set up by the Industrial Conciliation and Arbitration Act has produced awards which could not prescribe for factory workers conditions less favourable than those in the Act. Since many awards cover a combination of factory and non-factory workers, the Factories Act provisions have been extended to the latter almost automatically and the same extension has proceeded further through the medium of awards entirely devoted to non-factory employment.

(2) The figures for registered factories (Tables IX and X) were taken this year after the re-registration which began on 1st February, 1948. They thus represent the state of the factory register at 31st March, 1948, the altered date of registration enabling more up-to-date figures to be presented.

(3) The total number of registered factories at 31st March, 1948, was 19,102, an increase of 811, or 4·4 per cent., on last year's total of 18,291. The expansion of manufacturing industry is thus being maintained, although the increase is not so marked as that seen last year (6·4 per cent.).