INDUSTRIAL ARBITRATION (AMENDMENT) ACT.

Act No. 11, 1955.

B
E it enacted by the Queen'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. (1) This Act may be cited as the "Industrial Arbitration (Amendment) Act, 1955."
Industrial Arbitration (Amendment) Act.

2. (1) The Industrial Arbitration Act, 1940-1954, is amended—

(a) by omitting from subsection one of section fourteen the word "six" and by inserting in lieu thereof the word "twelve";

(b) by omitting from subsection two of the same section the word "practising" wherever occurring;

(c) by omitting from subsection four of the same section the words "some person qualified to be appointed a member to act temporarily as an additional member of the commission, and such additional member" and by inserting in lieu thereof the words "such number of persons not exceeding three as he thinks fit to act temporarily as additional members of the commission.

Any person appointed as an additional member shall be a person who is qualified to be appointed as a member.

An additional member".

(2) The amendments effected by subsection one of savings. this section shall not affect the continuity of office as President, member and additional member of the Industrial Commission of New South Wales of any person who held office as President, member and additional member respectively of the Industrial Commission of New South Wales immediately before the commencement of this Act.

3.
3. (1) This section shall be read and construed with the Industrial Arbitration Act, 1940-1955.

(2) The provisions of the awards and agreements referred to in the Schedule to this Act relating to the payment of retiring allowances shall be deemed to have been validly inserted in such awards and agreements.

(3) An award or agreement made after the commencement of this Act in respect of employees of the Council of the City of Sydney, the Sydney County Council or the Electricity Commission of New South Wales may make provision for and with respect to—

(a) the payment of retiring allowances, on the termination of their employment, to those employees of the Council of the City of Sydney, the Sydney County Council or the Electricity Commission of New South Wales who or whose personal representatives would have been entitled to the payment of retiring allowances under and in accordance with the provisions of the awards and agreements referred to in the Schedule to this Act had such provisions not been replaced or varied by an award or agreement made after the commencement of this Act; and

(b) the payment of a retiring allowance to the personal representative of any employee referred to in paragraph (a) of this subsection where the employment of such employee is terminated by reason of his death.

(4) Any retiring allowance payable under an award or agreement on the termination of the employment of an employee and not paid may, without prejudice to any other mode of recovery thereof, be recovered by the employee or his personal representative, as the case may require, as unpaid wages due and payable under the award or agreement.

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THE SCHEDULE.

The Municipal Council of Sydney (General-Conditions) Award published on the 31st day of October, 1930.

The Sydney County Council (General Conditions) Award published on the 23rd day of September, 1949.

All awards made before the commencement of this Act and varying either of the abovenamed awards.

The Industrial Agreement number 1673 between the Electricity Commission of New South Wales and the Federated Municipal and Shire Council Employees' Union of Australia, New South Wales Division, and others, filed with the Industrial Registrar on the 24th day of June, 1953.

The Industrial Agreement number 1697 between the Electricity Commission of New South Wales and the Federated Municipal and Shire Council Employees' Union of Australia, New South Wales Division, and others, filed with the Industrial Registrar on the 17th day of December, 1953.