

STATUTORY RULES.

1942. No. 282

REGULATIONS UNDER THE NATIONAL SECURITY ACT 1939-1940.*

I, ~~THE GOVERNOR-GENERAL~~ ^{Ministry of the} in and over the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Regulations under the *National Security Act 1939-1940*.

Dated this *Twenty-fifth*
day of *June*, 1942.

Byd W. Vachurch
Governor-General.

By His Excellency's Command,

(Sgd) E. J. WARD

for and on behalf of the Minister of
State for Defence.

AMENDMENTS OF THE NATIONAL SECURITY (SUPPLEMENTARY) REGULATIONS.†

1. Regulation 29 of the National Security (Supplementary) Regulations is amended—

- (a) by inserting in sub-regulation (3.), after the word "employed", the words "or any Conciliation Commissioner";
- (b) by omitting from that sub-regulation the words "or authority" (second occurring) and inserting in their stead the words "authority or Conciliation Commissioner";

* Notified in the *Commonwealth Gazette* on . 1942.

† Statutory Rules 1940, No. 126, as amended to date. For previous National Security (Supplementary) Regulations, see footnote † to Statutory Rules 1942, No. 246.

(c) by inserting after sub-regulation (4.) the following sub-regulation:—

“(4A.) If any dispute arises between any employer or class of employers and any employee or class of employees with respect to the actual or purported operation of any of the foregoing provisions of this regulation, a Judge of the Commonwealth Court of Conciliation and Arbitration or a Conciliation Commissioner or any person authorized by the Minister to deal with such disputes, may on application by an employer or any organization of employers or employees hear the dispute and advise the parties as to the terms on which the dispute should be settled and, failing the acceptance of those terms, shall hear and determine the dispute and the parties thereto shall comply with the determination.”; and

(d) by inserting in sub-regulation (7.) before the definition of “day to which this regulation applies” the following definition:—

“‘Conciliation Commissioner’ means a Conciliation Commissioner appointed under the *Commonwealth Conciliation and Arbitration Act 1904-1934*, or under that Act as applied and construed by the National Security (Industrial Peace) Regulations (Statutory Rules 1940, No. 290, as amended for the time being);”.

2. After regulation 29 of the National Security (Supplementary) Regulations the following regulation is inserted:—

“29A.—(1.) Where any employee who worked on any day which, under regulation 19 of these Regulations, was not observed as a public holiday or a holiday or on any day to which regulation 44 of these Regulations applied and that employee was not entitled, under any law or industrial award, order, determination or agreement to additional payment for so working, any tribunal or authority having jurisdiction to determine disputes or claims in respect of rates of pay or conditions of employment in relation to the work on which the employee was employed, or any Conciliation Commissioner (as defined in the last preceding regulation), may, upon the application of the employee or the organization of employees to which he belongs, determine that the employee shall be entitled for having so worked to additional payment at such rate as, in all the circumstances (including the regularity of the employee’s attendance at work), the tribunal, authority or Conciliation Commissioner thinks just, and the employee shall thereupon be entitled to payment accordingly.

Additional
payment for
work on
certain
holidays.

“(2.) An employee to whom any such determination applies shall be entitled to sue for, and recover, in any court of competent jurisdiction, any payment to which he is entitled under the determination.”.

By Authority: L. F. JOHNSTON, Commonwealth Government Printer, Canberra.