

TRADESMEN'S RIGHTS REGULATION.

No. 72 of 1947.

An Act to amend the *Tradesmen's Rights Regulation Act 1946*.

[Assented to 4th December, 1947.]

BE it enacted by the King's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows :—

1.—(1.) This Act may be cited as the *Tradesmen's Rights Regulation Act 1947*. Short title and citation.

(2.) The *Tradesmen's Rights Regulation Act 1946** is in this Act referred to as the Principal Act.

(3.) The Principal Act, as amended by this Act, may be cited as the *Tradesmen's Rights Regulation Act 1946–1947*.

2. This Act shall come into operation on the day on which it receives the Royal Assent. Commencement.

3. The National Security (Boot Trades Dilution) Regulations are repealed. Repeal.

4. Section five of the Principal Act is amended by inserting after the words “Part VI.—Sheet Metal Trades.” the words “Part VIA.—Boot Trades.”. Parts.

5. Section nine of the Principal Act is amended by omitting the word and figures “and VI.” and inserting in their stead the word and figures “, VI. and VIA.”. Operation. Part VII.

6.—(1.) After Part VI. of the Principal Act the following Part is inserted :—

“PART VIA.—BOOT TRADES.

“33A. In this Part, unless the contrary intention appears— Definitions.

‘added tradesman’ means an adult person (not being a recognized tradesman or a probationary tradesman) whose engagement or elevation to perform work ordinarily performed by a recognized tradesman was authorized by a Local Dilution Committee under the National Security (Boot Trades Dilution) Regulations or who was at any time deemed under those Regulations to be an added tradesman ;

‘certificate of recognition as a recognized tradesman’ means a certificate of recognition as a recognized tradesman granted in accordance with this Part ;

* Act No. 41, 1946.

- ‘Committee’ means a committee established under this Part ;
- ‘employer’ means any person employing persons in the boot, shoe, sandal and slipper manufacturing industry, and includes an intending employer of persons in that industry ;
- ‘Local Committee’ means a Local (Boot Trades) Committee established under this Part ;
- ‘probationary tradesman’ means an adult member of the Forces whose employment as a probationary tradesman in a trade to which this Part applies has been authorized by a Local Committee ;
- ‘recognized tradesman’ means a person who, in relation to any trade to which this Part applies—
- (a) was employed prior to the thirty-first day of October, One thousand nine hundred and thirty-nine, as a tradesman ;
 - (b) has qualified or qualifies by service as an apprentice for employment as a tradesman ; or
 - (c) has been granted a certificate of recognition as a recognized tradesman ;
- ‘Register’ means a Register established and maintained in pursuance of this Part ;
- ‘the Central Committee’ means the Central (Boot Trades) Committee established under this Part ;
- ‘tradesman’ means a person employed in any of the classifications specified in the Sixth Schedule to this Act.

**Trades to which
Part applies.**

“ 33B. This Part shall apply to the boot trades specified in the Sixth Schedule to this Act.

**Central
Committee.**

“ 33C.—(1.) There shall be a Central (Boot Trades) Committee consisting of—

- (a) a representative of the Minister, who shall be the Chairman of the Committee ;
- (b) two representatives of employers ; and
- (c) two representatives of employees.

“ (2.) The members of the Committee shall be appointed by the Minister and shall hold office during the pleasure of the Minister.

**Local
Committees.**

“ 33D.—(1.) There shall be a Local (Boot Trades) Committee in each State consisting of—

- (a) a representative of the Minister, who shall be the Chairman of the Committee ;
- (b) two representatives of employers ; and
- (c) two representatives of employees.

“ (2.) The members of each Local Committee shall be appointed by the Minister and shall hold office during the pleasure of the Minister.

" 33E.—(1.) The provisions of sections forty-one and forty-two, and paragraph (b) of sub-sections (2.) and (4.) of section forty-three, of this Act shall not apply in relation to trades to which this Part applies.

Recognition of
tradesmen and
probationary
tradesmen.

" (2.) If a Local Committee is satisfied, upon application by any person, that that person is—

(a) a recognized tradesman within the meaning of paragraph (a) or (b) of the definition of recognized tradesman; or

(b) a probationary tradesman who has satisfactorily completed any period of probationary employment or training in employment required by the Committee,

the Committee may, if it thinks fit, issue to that person a certificate of recognition as a recognized tradesman.

" (3.) If a Local Committee is satisfied that an adult member of the Forces could, within a period required by the Committee, acquire the skill necessary for the performance of work ordinarily performed by a recognized tradesman, and that the employment of recognized tradesmen would not thereby be prejudiced, the Committee may, on the application of that member, authorize the training and employment, subject to the applicable provisions of section forty-three of this Act, of that member as a probationary tradesman in a trade to which this Part applies.

" (4.) An application under sub-section (3.) of this section shall, unless a Local Committee in a particular case otherwise permits, be made within six months after the date of discharge of the member of the Forces, or after the date of the commencement of this Part, whichever is the later.

" (5.) Before issuing a certificate to, or authorizing the employment of, any person in accordance with this section, the Committee may require that person to undergo a test of competence in or for the trade to which he seeks to be admitted.

" (6.) The employer of a probationary tradesman shall pay him at a rate not less than the rate of the wage prescribed by the appropriate award, order, determination or industrial agreement for adult males employed in the trade in which he is authorized to be employed.

" (7.) Added tradesmen and probationary tradesmen shall be deemed not to be journeymen for the purpose of computing the number of apprentices who may be employed by an employer in accordance with the appropriate law or award, order, determination or industrial agreement."

(2.) The persons holding office at the commencement of this Act as Chairman and members of the Central Dilution (Boot Trades) Committee, and of the Local Dilution (Boot Trades) Committee in

each State, established under the National Security (Boot Trades Dilution) Regulations shall be deemed to have been appointed under the Principal Act, as amended by this Act, as Chairman and members respectively of the Central (Boot Trades) Committee, and of the Local (Boot Trades) Committee in that State, respectively.

Certain
proceedings
under Re-
establishment
and
Employment
Act.
Sixth
Schedule.

7. Section forty-five of the Principal Act is amended by inserting in sub-sections (2.) and (3.), before the word "forty-three", the words "nineteen or".

8. After the Fifth Schedule to the Principal Act the following Schedule is added :—

"SIXTH SCHEDULE.

Section 33B.

BOOT TRADES.

The trades in which persons are employed in any of the following classifications :—

Pattern Cutter.
Designer.
Clicker.
Stuff Cutter.
Maker.
Finisher."
