

Seat of Government (Administration)

No. 38 of 1972

An Act relating to the application of the *Conciliation and Arbitration Act* 1904–1972 in relation to the Australian Capital Territory.

[Assented to 2 June 1972]

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

Short title and citation.

1.—(1.) This Act may be cited as the *Seat of Government (Administration) Act* 1972.

(2.) The *Seat of Government (Administration) Act* 1910–1970,* as amended by this Act, may be cited as the *Seat of Government (Administration) Act* 1910–1972.

Commencement.

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

3. Section 5 of the *Seat of Government (Administration) Act* 1910–1970 is repealed and the following section inserted in its stead:—

Application of Conciliation and Arbitration Act.

“ 5.—(1.) The *Conciliation and Arbitration Act* 1904–1972 applies to industrial disputes in the Territory as if—

- (a) from paragraph (a) of the definition of ‘Industrial dispute’ in section four of that Act the words ‘which extends beyond the limits of any one State’ were omitted; and
- (b) from paragraph (b) of that definition the words ‘which so extends’ were omitted.

“(2.) For the purposes of the application of the *Conciliation and Arbitration Act* 1904–1972 in accordance with the last preceding subsection—

- (a) a person employed, otherwise than in an industry, for the performance of work wholly or mainly in the Territory shall be deemed to be employed in an industry; and
- (b) an industrial dispute in relation to the employment of persons employed for the performance of work wholly or mainly in the Territory shall be deemed to be an industrial dispute in the Territory.

* Act No. 25, 1910, as amended by No. 9, 1927; No. 44, 1928; No. 2, 1930; No. 9, 1931; No. 4, 1933; No. 86, 1939; No. 14, 1940; No. 10, 1947; No. 70, 1955; No. 90, 1959; No. 24, 1963; No. 111, 1965 (as amended by No. 30, 1967); and No. 90, 1970.

“ (3.) The powers of the Commonwealth Conciliation and Arbitration Commission do not extend to employment in respect of which a tribunal established by an Ordinance in force under this Act, whether made before or after the commencement of this sub-section, has power to hear and determine disputes, claims or matters relating to the terms and conditions of the employment.

“ (4.) An Ordinance under this Act may make provision for a member of the Commonwealth Conciliation and Arbitration Commission to constitute, or to be a member of, a tribunal of the kind referred to in the last preceding sub-section, and nothing in this section or in the *Conciliation and Arbitration Act 1904–1972* prevents a member of the Commission from accepting appointment, or performing duties, as, or as a member of, such a tribunal.

“ (5.) Nothing in this section affects the operation of the *Public Service Arbitration Act 1920–1972*.”.
