

STATUTORY RULES.

1948. No. 72.

REGULATIONS UNDER THE COAL INDUSTRY ACT 1946.*

I, THE PRIME MINISTER of the Commonwealth of Australia, in agreement with the Premier of the State of New South Wales, hereby recommend the making of the following Regulations under the *Coal Industry Act 1946*.

Dated this twenty-second day of June, 1948.

J. B. CHIFLEY
Prime Minister.

I, THE GOVERNOR-GENERAL in and over the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Regulations under the *Coal Industry Act 1946*.

Dated this twenty-third day of June, 1948.

W. J. McKELL
Governor-General.

By His Excellency's Command,

W. P. ASHLEY
Minister for Shipping and Fuel.

COAL INDUSTRY (WITNESSES' ALLOWANCES) REGULATIONS.

1. These Regulations may be cited as the Coal Industry (Witnesses' Allowances) Regulations. Citation.
2. These Regulations shall be deemed to have come into operation on the twenty-eighth day of May, 1948. Commencement.
3. In these Regulations, unless the contrary intention appears— Definitions
 - "Local Coal Authority" means a Local Coal Authority appointed under the *Coal Industry Act 1946*;
 - "the rate payable to first class shiftmen" means the rate payable from time to time under the appropriate industrial award in relation to the coal mines situated within the Maitland Field to a first class shiftman, and includes war-time loading payable thereunder;

* Notified in the *Commonwealth Gazette* on 25th June, 1948.

“the Maitland Field” means the district in the State of New South Wales referred to by that description in the appropriate industrial award;

“the appropriate industrial award” means the award of the appropriate industrial authority in force from time to time in the coal mining industry in the State of New South Wales and binding upon the Federation and the members thereof.

Allowances to witnesses.

4. Any person who attends to give evidence as a witness before the Tribunal or a Local Coal Authority shall, subject to these Regulations, be paid an allowance to reimburse him the amount lost by him in wages or salary during the time necessarily occupied in travelling to and from and attending before the Tribunal or Local Coal Authority.

Amount of allowance.

5. The amount payable to any person under the last preceding regulation shall be an amount calculated at the rate payable for the class of work ordinarily performed by such person, or an amount calculated at the rate payable to first class shiftmen, whichever is the less:

Provided that where a person so attending is employed in the coal-mining industry as a contract worker, the amount so payable shall be an amount calculated at the rate payable to workers within that class in respect of payment for annual leave due to that person under the appropriate industrial award in force from time to time.

Travelling allowances.

6. Where a person so attending resides at a distance of more than fifteen miles from the place where the Tribunal or Local Coal Authority hears the evidence and does not ordinarily proceed to a place of employment within fifteen miles from the first mentioned place, he shall be paid an allowance at the rate of fifteen shillings per day of twenty-four hours to cover the expenses incurred by him whilst travelling for the purpose of that attendance.

Expenses of conveyance.

7. In addition to the allowances payable under the last three preceding regulations, the person so attending shall be reimbursed expenses of conveyance reasonably and properly paid by him in travelling to the place where the Tribunal or Local Coal Authority hears the evidence, and in returning therefrom.

Form of application for allowance, &c., and certificate of attendance.

8.—(1.) Any allowance or expenses shall not be paid to any person under these Regulations unless—

(a) he makes an application for such allowance or expenses on a form approved by the Board; and

(b) the Tribunal or Local Coal Authority before whom he attends certifies in writing thereon that the attendance of that person was necessary for the proper consideration of the matter in respect of which that person attended.

(2.) Any form approved by the Board in pursuance of sub-regulation (1.) of this regulation may contain a provision that the person applying for any allowance or expenses under these Regulations shall make a statutory declaration as to any matter or matters affecting the application for such allowance or expenses, and if the application is made on that form no allowance or expenses shall be paid to any person unless he makes the statutory declaration accordingly.