

CONCILIATION AND ARBITRATION.

No. 20 of 1950.

An Act to enable the Jurisdiction of the Commonwealth Court of Conciliation and Arbitration to be exercised, in certain circumstances, by two Judges.

[Assented to 3rd November, 1950.]

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

- Short title.** 1. This Act may be cited as the *Conciliation and Arbitration Act 1950*.
- Commencement.** 2. This Act shall come into operation on the day on which it receives the Royal Assent.
- Incorporation.** 3. The *Commonwealth Conciliation and Arbitration Act 1904-1949* is incorporated, and shall be read as one, with this Act.
- Exercise of Court's jurisdiction by two Judges.** 4.—(1.) Where the hearing of an industrial dispute was, before the commencement of this Act, commenced before three Judges of the Commonwealth Court of Conciliation and Arbitration but, before an order or award has been made determining the dispute, one of those Judges has become unable, by reason of illness, to continue to sit as a member of the Court hearing the dispute, the Court constituted by the other two Judges shall have jurisdiction to complete the hearing and to make an order or award determining the dispute in whole or in part.
- (2.) An order or award shall not be made under the last preceding sub-section unless both Judges concur in the making of the order or award.
- (3.) If, by reason of the last preceding sub-section, an order or award is not made determining the dispute, or an order or award is made determining the dispute in part, the Court, constituted by not less than three Judges, shall hear and determine the dispute, or so much of the dispute as has not been determined, and, in the hearing of the dispute, or of so much of the dispute as has not been determined, shall have regard to the evidence given, the arguments adduced and the judgments delivered during the previous hearing.