

It has been held by the Court of Arbitration that section 5 of the Industrial Conciliation and Arbitration Amendment Act (No. 2), 1937, which facilitates the citation of parties to disputes affecting a large number of employers by providing merely for the citation of representative employers, refers only to applications under section 41 of the principal Act and not to applications under section 58 which relates to Dominion disputes. This omission is now rectified.

A further amendment gave power to the Minister of Labour to cancel the registration of a union or to cancel any award or industrial agreement upon discontinuance of employment brought about by any union of employers or workers.

Pursuant to Emergency Regulations an Industrial Emergency Council has been established to advise the Minister of Labour upon matters arising out of the state of emergency (Serial number 1939/166), while to facilitate the settlement of industrial disputes the Strike and Lockout Emergency Regulations (Serial number 1939/204) provide for the setting-up by the Minister of Labour of an Emergency Disputes Committee. Four such Committees have been set up to date—viz., those to deal with disputes in the coal-mining industry at Denniston, in the flax textile industry at Foxton, in the tramway service in Auckland, and in the oyster industry in Bluff. The Waterfront Control Emergency Regulations 1940 (Serial number 1940/14) authorize a Commission of three members to control waterfront operations, and under the powers contained in those regulations the New Zealand Waterside Workers' award, also certain sections of the Industrial Conciliation and Arbitration Act, have been suspended (Serial number 1940/63).

LABOUR DISPUTES INVESTIGATION ACT, 1913.

This Act provides machinery to deal with industrial disputes not coming within the scope of the Industrial Conciliation and Arbitration Act. A strike or lockout of workers or employers may take place where there is no agreement or award in force under the Industrial Conciliation and Arbitration Act provided that a certain period—about three weeks—has been allowed for the investigation of the dispute and for a ballot on the question at issue as hereafter mentioned. Notice of the dispute must be given to the Minister of Labour, who may then refer the dispute to a Conciliation Commissioner, who calls a conference of the parties, or the Minister may appoint a Labour Disputes Committee to investigate the matter. After the expiration of fourteen days a ballot of the workers or employers, as the case may be, is conducted by the Registrar of Industrial Unions on the question whether the recommendations made for the settlement of the dispute should be accepted or on the question of striking or locking-out. After the expiration of seven days following the notification of the result of the ballot the parties may strike or lockout. Only nine ballots have been taken under the Act since 1913, and in none of these cases did a strike take place.

The Act also provides that agreements entered into by employers or workers to whom the Act applies may be filed with the Clerk of Awards and enforced for the period of their currency as if they were industrial agreements under the Industrial Conciliation and Arbitration Act—*vide* section 8.

During the year seven agreements were filed pursuant to section 8, the agreement in each case being reached without recourse to a conference under the Act or to a Labour Disputes Committee. Twelve agreements were in force on 31st March, 1940.

APPRENTICES ACT.

This Act, which was passed in 1923, places the regulation of apprenticeships under the control of the Court of Arbitration. It also provides for the establishment of Committees representative of employers and workers, these to have such powers as may be delegated to them by the Court. At present there are some 128 Committees functioning throughout the Dominion, although some of these are not very actively operating. The increase on last year is in part the result of the establishment of new Committees and in part the result of Committees previously treated as inactive becoming active again. One hundred and sixty special inspections were made under this Act during 1939/40, and, in addition, inspections were carried out in the course of ordinary inspection and investigation work and while visiting factories, &c., in connection with other duties. Complaints were received regarding 281 alleged breaches of the Act, while 480 other breaches were discovered by the Department's Inspectors, 558 warnings being issued. There were twenty-three prosecutions during the year for various breaches of the Act and the orders made thereunder, convictions being entered in twenty-one cases, and penalties amounting to £38 1s. being imposed. With three exceptions the prosecutions were against employers.

The following table gives the approximate number of apprentices in the trades to which the Act now applies. It will be seen that the total exceeds 10,000, a figure which was considered in 1928 as approximately the normal for our secondary industries. Figures for 1928 are given for comparative purposes, as this was the last year in which the total was in excess of 10,000. From that point it fell to 8,901 in 1931, and finally to its lowest point, 3,329, in 1935. Since 1936 it has advanced rapidly to its present total.