Section 7 (5) of the Industrial Conciliation and Arbitration Amendment Act, 1932, provides that where no settlement is arrived at in the case of a dispute in an industry or industries where female workers are employed the Court of Arbitration may, on application, make an order fixing the minimum rates of wages that may be paid to the female workers in the industry or industries concerned, such order to operate and be enforceable as an award, and to continue in force for a period of not less than six or more than twelve months, as may be specified therein.

Up to 31st March, 1934, only two such orders have been made, one covering private-hotel employees throughout the Dominion (expired) and the other covering shop-assistants in certain trades in the Otago and Southland Industrial District, not covered by the existing Shop-assistants' award.

Legal Decisions of Interest.

Refusal to declare Industrial Agreement to be an Award.

Where there was an award in force covering the whole industrial district and an industrial agreement was entered into under section 28 of the Industrial Conciliation and Arbitration Act, 1925 (for the prevention and not the settlement of an industrial dispute), between the union of workers and certain employers parties to the award, and such employers employed a majority of the workers in the industry in the industrial district, an application to declare such industrial agreement to be an award was refused on the following grounds: (1) That there was an award in existence binding on certain employers not parties to the industrial agreement; (2) that neither the industrial agreement nor an order of the Court declaring it to be an award could supersede the existing award *in toto*; (3) that in any event the employers bound by the existing award could not be made parties to another award *in pari materia* while the existing award remained in force. The present award must be cancelled or otherwise disposed of in the manner prescribed by the Act before such an application could be considered.

Terms of Settlement of Industrial Dispute filed as Industrial Agreement declared void.

Certain master butchers made application for the hearing by a Conciliation Council of an industrial dispute, the workers' union and a number of other master butchers being cited as respondents. The applicant employers recommended four assessors and the workers' union recommended a similar number. The respondent employers also recommended assessors, but the Commissioner, acting on the advice of the Court of Arbitration, disregarded the recommendation of the respondent employers and appointed the assessors recommended by the applicant employers and the respondent workers' union. The Council so constituted proceeded to inquire into the dispute, and, despite the objections of the respondent employers, purported to arrive at a settlement of the dispute. The terms of settlement were set forth in writing, signed by all the assessors, the document being regarded as an industrial agreement binding on all the parties to the dispute, including the respondent dissentient employers. Action for a breach of this agreement was taken against one of the dissentient employers in the Court of Arbitration, which stated a case for the opinion of the Court of Appeal. Held by the Court of Appeal, That the objecting employers were entitled to recommend assessors, and such recommendation should have been considered by the Commissioner when appointing assessors to represent the respondents; that what is required by section 5 (1) of the Industrial Conciliation and Arbitration Amendment Act, 1932, is a settlement arrived at by agreement of the parties to the dispute who are present or represented at the inquiry, and terms of settlement, though they require to be signed by all the assessors, are, nevertheless, effective only if such parties to the dispute have agreed upon or consented to such terms. If any of the parties refuse to agree, there can be no settlement, and the only provision to meet such a case is contained in section 7 (1) of the Amendment Act.

Semble, That the power to fix the closing-hours of shops conferred on the Court of Arbitration by section 17 of the Shops and Offices Amendment Act, 1927, cannot be exercised by a Council of Conciliation, and that any provision in the terms of settlement purporting to fix closing-hours would void the agreement.

Registration of Industrial Associations and Unions.

The usual statutory return (to the 31st December, 1933) of the associations and unions registered under the Act, with their membership at that date, is published herewith as an appendix. Comparison with the previous year shows that the total number of workers' unions has increased by 7 (to 407), and the total membership has decreased by 7,395 (from 79,283 to 71,888).

Inspections, etc.

During the year 1,690 complaints of alleged breaches of the Act and of awards and industrial agreements, &c., were received, but it was found on investigation that in 522 cases no breach had been committed. In 132 cases proceedings were taken, and in 953 warnings were given. No action was considered necessary in the remaining cases. Apart from the complaints mentioned above, a large proportion of the inspections of factories, shops, &c., included an inspection to ascertain whether the awards and agreements were being complied with in respect of wages, overtime, &c., and, as a result of these inspections, 14 prosecutions were taken and warnings were given in other cases. Of the 146 prosecutions, 131 were against employers and 15 against workers; 125 convictions were recorded, 110 against employers and 15 against workers. Total penalties, £196 15s.