

*(h) Amendments to Legislation*

(1) The Industrial Relations Act, 1949, is a new legislative experiment in industrial relations in New Zealand. Provision is made in the Act for a national "Industrial Advisory Council" on which employers and workers will be represented, and on which there will also be other persons included by virtue of the expert or specially experienced contributions which they can make. This national Council is extremely flexible in personnel, provision being made for adding to it either permanently or temporarily as may be required. Provision is also made for special Advisory Councils for particular industries or localities, similarly constituted and reporting through the national Council.

(2) Both the Industrial Advisory Council (the national body) and the special Advisory Councils are "to inquire into and make reports and recommendations to the Minister (of Labour) on such ways and means of improving industrial relations and industrial welfare as from time to time appear to be practicable, whether suggested by the Council or referred to it by the Minister, including in particular, such matters as incentive-payment, profit-sharing, and similar schemes, the safety and health of workers, the provision of amenities, and the establishment of works committees and other employer-worker organizations."

(3) The measure also enables a Conciliation Commissioner or a person nominated by the Minister to call a compulsory conference of parties where there is reason to believe that a matter not provided for in the award or industrial agreement governing the industry is causing or likely to cause industrial unrest.

(4) There are many aspects of industry which are not matters of dispute between workers and employers, and in which there is wide scope for collaboration between them. In such matters as the prevention of accidents in industry, the training of workers, stability of employment, reduction of labour turnover, efficiency and production, and many others they have a great deal of common ground.

(5) During the war years the Industrial Emergency Council of employers' and workers' representatives tackled many of the special problems arising out of wartime needs, and it was found that this procedure of joint consultation on matters of common interest produced very substantial results. Problems were solved which could never have been solved unilaterally.

(6) In considering any such legislation it is important to recognize that no Act of Parliament can of itself create good industrial relations. Employers and workers must create these out of their willingness to get together in the pursuit of common interests and to get to understand each other. What has been particularly lacking in the past has been any organized means of doing so except in relation to disputes. The Industrial Relations Act provides such a means.

(7) The Industrial Conciliation and Arbitration Act, 1925, was amended during the year by the Finance Act, 1949, and the Statutes Amendment Act, 1949, as follows: The Finance Act, 1949, section 21, amended section 89 of the Industrial Conciliation and Arbitration Act, 1925, with the object of giving full effect to the intention of the legislature when the Industrial Conciliation and Arbitration Amendment Act, 1939, was enacted. By that Act the Minister of Labour is empowered in the case of a discontinuance of work by workers, to cancel the registration of the workers' union concerned either in whole or in part; whereupon the award applying to such workers is automatically cancelled to the same extent.

(8) Some doubt had been raised as to whether such action by the Minister (where the cancellation of registration was confined to part only of an industrial district) was not nullified by the provisions of section 89 (3) of the Industrial Conciliation and Arbitration Act, 1925, which binds as subsequent parties to an award all unions and employers connected with or engaged in the industry to which the award applies within the industrial district to which the award relates.