

AUSTRALIAN CAPITAL TERRITORY

INDUSTRIAL BOARD ORDINANCE 1946.

EXPLANATORY MEMORANDUM

No. 5 of 1946

The Secretary, Trades and Labour Council, Canberra, has submitted suggestions for the amendment of the Industrial Board Ordinance to enable the Board to hear argument on questions concerning the interpretation of its determinations. The Secretary suggests that the Board should be empowered to proceed with the hearing of any question of interpretation without waiting for any period of time to elapse and without requiring claims to be filed or served.

The Secretary also refers to the establishment of a proposed Appeals Tribunal (distinct from the Industrial Board) to settle disputes resulting from dismissals from employment.

At the present time, interpretations of determinations are given by the Secretary, Industrial Board, but these interpretations are not binding on the parties and have not the force of law.

It is considered highly desirable that the Industrial Board should have power to give binding interpretations of its determinations in the same manner as the Arbitration Court interprets its own awards.

As to the second request of the Trades and Labour Council that an Appeals Tribunal be set up to deal with dismissals, it is not considered that there is sufficient justification for setting up a second Industrial Tribunal in Canberra. The amending Ordinance increases the jurisdiction of the Industrial Board to cover any “industrial matter”, which is defined as including such matters as dismissals or non-employment of any particular persons.