

COAL INDUSTRY.

No. 52 of 1956.

An Act to amend the *Coal Industry Act 1946-1952*
and the *Coal Industry Act 1951*.

[Assented to 30th June, 1956.]

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

1.—(1.) This Act may be cited as the *Coal Industry Act 1956*.

Short title
and citation.

(2.) The *Coal Industry Act 1946-1952*,* as amended by this Act,
may be cited as the *Coal Industry Act 1946-1956*.

(3.) The *Coal Industry Act 1951*,† as amended by this Act, may
be cited as the *Coal Industry Act 1951-1956*.

2. This Act shall come into operation on the date fixed under
sub-section (2.) of section two of the *Conciliation and Arbitration
Act 1956*. Commencement.

* Act No. 40, 1946, as amended by No. 61, 1951; and No. 30, 1952.

† Act No. 61, 1951.

Definitions.

3. Section four of the *Coal Industry Act* 1946–1952 is amended—

(a) by omitting the definition of “ Conciliation Commissioner ” ;
and

(b) by inserting after the definition of “ the Board ” the following definition :—

“ ‘ the Commission ’ means the Commonwealth Conciliation and Arbitration Commission ; ”.

Jurisdiction and powers of Tribunal.

4. Section thirty-four of the *Coal Industry Act* 1946–1952 is amended by omitting from sub-section (1A.) all the words from and including the words “ *Conciliation and Arbitration Act* ” to the end of the sub-section and inserting in their stead the words “ *Conciliation and Arbitration Act* 1904–1956 to the Commission or to a member of the Commission in relation to industrial disputes before it under that Act.”.

5.—(1.) Section thirty-six of the *Coal Industry Act* 1946–1952 is repealed and the following section inserted in its stead :—

Enforcement of awards and agreements.

“ 36.—(1.) An award or order made by the Tribunal by virtue of the powers and functions vested in the Tribunal by sub-section (2.) of section thirty-two of this Act—

(a) has effect in all respects as if it were an award of the Commission ; and

(b) is binding on—

(i) the parties ; or

(ii) the persons on whom it is expressed to be binding, including an organization if it is expressed to be binding on an organization,

and the provisions of the *Conciliation and Arbitration Act* 1904–1956 under which awards of the Commission may be enforced apply in relation to such an award or order made by the Tribunal as if it were an award of the Commission.

“ (2.) Where, at the hearing before the Tribunal, an agreement as to the whole or part of an industrial dispute (being an industrial dispute in relation to which powers and functions are vested in the Tribunal by sub-section (2.) of section thirty-two of this Act) is made in writing between the parties to the dispute, the agreement shall be filed in the Principal Registry or a District Registry established under the *Conciliation and Arbitration Act* 1904–1956 and thereupon—

(a) the agreement has effect in all respects as if it were an award of the Commission ;

(b) the agreement is binding on the parties to the agreement ; and

(c) the provisions of the *Conciliation and Arbitration Act* 1904–1956 under which awards of the Commission may be enforced apply in relation to the agreement as if it were such an award.”.

(2.) The *Coal Industry Act* 1946-1952, as amended by this section, extends to awards and orders of the Coal Industry Tribunal made before the date of commencement of this Act and to agreements made before the Coal Industry Tribunal before that date.

6. Section three of the *Coal Industry Act* 1951 is amended by omitting sub-section (3.) and inserting in its stead the following sub-section :—

“(3.) While an award, order, determination or agreement continues in force by virtue of the last preceding sub-section, the provisions of the *Conciliation and Arbitration Act* 1904-1956 under which awards of the Commonwealth Conciliation and Arbitration Commission may be enforced apply in relation to the award, order, determination or agreement as if it were an award of that Commission.”

Continuance
of awards, &c.,
under National
Security (Coal
Mining Industry
Employment)
Regulations.