

New Zealand.



LABOUR DEPARTMENT AND LABOUR DAY.

1908, No. 93.

AN ACT to consolidate certain Enactments of the General Assembly relating to the Department of Labour and to Labour Day.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

Short Title.

1. (1.) The Short Title of this Act is “The Labour Department and Labour Day Act, 1908.”

Enactments consolidated.

(2.) This Act is a consolidation of the enactments mentioned in the Schedule hereto, and with respect to those enactments the following provisions shall apply:—

Savings.

(a.) All appointments, regulations, notices, requisitions, and generally all acts of authority which originated under any of the said enactments, and are subsisting or in force on the coming into operation of this Act, shall enure for the purposes of this Act as fully and effectually as if they had originated under the corresponding provisions of this Act, and accordingly shall, where necessary, be deemed to have so originated.

(b.) All matters and proceedings commenced under any of the said enactments, and pending or in progress on the coming into operation of this Act, may be continued, completed, and enforced under this Act.

Labour Department.

Interpretation.
1908, No. 45, sec. 2

2. In this Act, if not inconsistent with the context,—

“Department” means the Department of Labour constituted under this Act:

“Employer” means any person, firm, company, or local authority employing labour of any kind for hire, and in-

cludes any agent, representative, or attorney of any of them respectively :

“ Minister ” means the Minister of Labour :

“ Worker ” means any person employed for hire to perform any clerical or manual labour of any kind.

3. There shall be a Department of the Public Service of New Zealand called the “ Department of Labour,” having, under the direction of the Minister, such powers and duties as are provided for by this Act.

Department of Labour established. 1903, No. 45, sec. 3

4. The Governor may from time to time appoint a Secretary to the Department, and such Inspectors, clerks, and other officers as may be deemed necessary, and who shall respectively perform such duties as the Minister from time to time determines.

Governor may appoint a Secretary and other officers. Ibid, sec. 4

5. The expenses incident to the administration of this Act shall be defrayed out of sums to be from time to time appropriated by Parliament for that purpose.

Expenses to be paid out of moneys appropriated. Ibid, sec. 5

6. The general duties of the Department shall be—

(a.) To administer the labour laws of New Zealand ;

(b.) To acquire and disseminate knowledge on all matters connected with the industrial occupations of the people, with a view of improving the relations between employers and workers ;

(c.) To collect and publish reliable information relating to or affecting the industries of New Zealand and rates of wages ; and

(d.) To perform such other duties as may from time to time be prescribed by any Act of the General Assembly.

Duties of Department. Ibid, sec. 6

7. For the purpose of obtaining the necessary information to enable the Department to carry out this Act, the Minister, and any officer of the Department appointed or authorised either specially or generally for that purpose, shall from time to time be entitled to—

Powers of Department in collecting information. Ibid, sec. 7

(a.) Procure from all officers of any industrial society, industrial union, trade-union, or other association of workers within the meaning of the respective Acts for the time being in force relating thereto, such information in writing as to the membership, benefits, or advantages enjoyed or obtainable under the rules or constitution of any such society, union, or association, and as to the disqualifications or disabilities under such rules or constitution, as the Minister from time to time either generally or specially directs or requires :

(b.) Require any employer to state in writing—

(i.) The full name of every person having the principal control, superintendence, or management of any kind of business carried on by such employer ;

(ii.) The full name of every worker employed by him, together with the nature of the employment, the hours of labour, the mode, terms, and rate of payment therefor :

(c.) Obtain from all persons able to furnish the same such further and other information in respect to the collection of Customs duties and their effect on the conditions and operations of labour and the industries of New Zealand.

Information obtained not to be divulged. 1903, No. 45, sec. 8

8. (1.) No information obtained by the Minister or by any officer of the Department under any of the powers hereinbefore contained shall be made use of save for the purposes of this Act.

(2.) Every person who commits a breach of this provision is liable to a fine not exceeding fifty pounds.

Minister or officer to have powers under Commissions of Inquiry Act. Ibid, sec. 9

9. For the purpose of obtaining any information to which he is entitled under this Act, the Minister, or any officer appointed or specially authorised by him as aforesaid, shall have all the powers and authorities conferred by "The Commissions of Inquiry Act, 1908," on a commission issued or appointed by the Governor in Council; and the provisions of that Act shall, *mutatis mutandis*, extend and apply to any inquiry authorised by this Act.

Refusal to give information. Ibid, sec. 10

10. Every person who neglects or refuses for the space of one month after the second application to furnish the information required under any of the provisions of this Act is liable to a fine not exceeding twenty pounds, and every person who furnishes such information knowing it to be false is liable to a similar fine.

Recovery of fines. Ibid, sec. 11

11. All fines imposed by this Act shall be recoverable in a summary way before a Magistrate, under the provisions of "The Justices of the Peace Act, 1908."

Annual report to Parliament. Ibid, sec. 12

12. (1.) The Minister shall in each year make a report in writing to the Governor upon the operations of this Act and the working of the Department, together with such recommendations, either general or special, as he may think necessary in order to promote the efficiency or extend the usefulness of the Department.

(2.) Such report shall be so framed as not to disclose the name or identity of any employer, worker, or business, and shall contain a detailed account of the moneys expended by the Department in the administration of this Act.

(3.) Such report shall be laid before Parliament within fourteen days of the commencement of each session.

Regulations. Ibid, sec. 13

13. The Governor may from time to time, by Order in Council gazetted, make such regulations as he thinks necessary—

(a.) Prescribing the duties of the Secretary, Inspectors, and other officers under this Act:

(b.) Prescribing the forms of notices to be given under this Act, and the manner in which the same may be served; and also the forms in which the information or particulars required or obtained under section seven hereof shall be supplied, and by whom and in what manner the same shall be authenticated:

(c.) Generally giving effect to this Act.

Labour Day.

Labour Day instituted. 1899, No. 17, sec. 2
Labour Day a public holiday. Ibid, sec. 3

14. The second Wednesday in the month of October in each year shall be known as Labour Day.

15. Labour Day is hereby declared to be a public holiday.

SCHEDULE.

ENACTMENTS CONSOLIDATED.

1899, No. 17.—"The Labour Day Act, 1899."
1903, No. 45.—"The Labour Department Act, 1903."