

Conciliation and Arbitration

No. 64 of 1966

An Act to amend the *Conciliation and Arbitration Act 1904–1965* in relation to Judges of the Commonwealth Industrial Court and Presidential Members of the Commonwealth Conciliation and Arbitration Commission.

[Assented to 29 October 1966]

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 *Conciliation and Arbitration Act 1966*. Short title and citation.

(2.) The *Conciliation and Arbitration Act 1904–1965** is in this Act referred to as the Principal Act.

(3.) The Principal Act, as amended by this Act, may be cited as the *Conciliation and Arbitration Act 1904–1966*.

2. This Act shall come into operation on the day on which it receives the Royal Assent. Commencement.

3. Section 4 of the Principal Act is amended by adding at the end of sub-section (1.) the following definition:— Interpretation.

“ ‘ The Trade Practices Tribunal ’ means the Trade Practices Tribunal established under the *Trade Practices Act 1965–1966*. ”

4. After section 10 of the Principal Act the following section is inserted:—

“ 10A. Where a presidential member of the Commission has during any period, whether before or after the commencement of this section, served as the President, or as a Deputy President, of the Trade Practices Tribunal, then, for the purposes of this Act or of any other Act, the presidential member shall not be taken, by reason of his having so served, not to have been serving during that period as such a presidential member. ” Service of presidential member as President or Deputy President of Trade Practices Tribunal.

5. Section 98 of the Principal Act is amended by omitting from paragraph (a) the word “ four ” and inserting in its stead the word “ six ”. Constitution of Court.

* Act No. 13, 1904, as amended by No. 28, 1909; No. 7, 1910; No. 6, 1911; Nos. 5 and 18, 1914; No. 35, 1915; No. 39, 1918; No. 31, 1920; No. 29, 1921; No. 22, 1926; No. 8, 1927; No. 18, 1928; No. 43, 1930; Nos. 45 and 54, 1934; Nos. 14 and 30, 1946; Nos. 10 and 52, 1947; Nos. 65 and 77, 1948; Nos. 28 and 86, 1949; Nos. 51 and 80, 1950; Nos. 18 and 58, 1951; No. 34, 1952; Nos. 17, 18 and 54, 1955; Nos. 44 and 103, 1956; No. 30, 1958; No. 40, 1959; Nos. 15, 17 and 110, 1960; No. 40, 1961; Nos. 99 and 115, 1964; and Nos. 22 and 92, 1965.

6. After section 103A of the Principal Act the following section is inserted:—

Effect of
appointment of
Judge as
President or
Deputy
President of
Trade
Practices
Tribunal.

“ 103B.—(1.) Where a Judge has during any period, whether before or after the commencement of this section, served as the President, or as a Deputy President, of the Trade Practices Tribunal, then, for the purposes of this Act or of any other Act, the Judge shall not be taken, by reason of his having so served, not to have been serving during that period as a Judge.

“ (2.) A Judge who holds office as the President, or as a Deputy President, of the Trade Practices Tribunal is not qualified, while so holding office, to exercise, or to take part in the exercise of, any jurisdiction of the Court under the *Trade Practices Act 1965-1966*.”
