

- (i) no notice under subsection (1) of section 27 has been given by the Minister, or
- (ii) the Minister has notified the parties that he has decided not to appoint a Conciliation Officer.

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Conditions precedent to strike or lockout on revision of provision in agreement.

“(3) Where a collective agreement is in force and any dispute arises between the parties thereto with reference to the revision of a provision of the agreement that by the provisions of the agreement is subject to revision during the term of the agreement, the employer bound thereby or who is a party thereto shall not declare or cause a lockout with respect to any employee bound thereby or on whose behalf the collective agreement has been entered into, and no such employee shall strike and no bargaining agent that is a party to the agreement shall declare or authorize a strike of any such employee until

- (a) the provisions of paragraph (a) and, as the case may be, either paragraph (b) or (c) of subsection (2) have been complied with, and either
- (b) a Mediator has been appointed to endeavour to bring about agreement between them and seven days have elapsed from the date on which the report of the Mediator was received by the Minister, or
- (c) either party has requested the Minister in writing to appoint a Mediator to endeavour to bring about agreement between them and seven days have elapsed since the Minister received the request so made and
 - (i) no notice under subsection (1) of section 2730 has been given by the Minister, or
 - (ii) the Minister has notified the parties that he has decided not to appoint a Mediator.”

13. Section 27 of the said Act is repealed and the following substituted therefor:

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Appointment of Conciliation Officer or Mediator.

“**27.** (1) When a Conciliation Officer or a Mediator has been appointed, the Minister shall forthwith notify the parties setting out the name and address of the Conciliation Officer or Mediator.

(2) Where the Minister has given notice to parties that a Conciliation Officer or a Mediator has been appointed under this Act, it shall be conclusively presumed that the Conciliation Officer or the Mediator described in the notice so given has been appointed in accordance with the provisions of this Act, and no order shall be made or process entered or proceedings taken in any court to question the appointing of, or refusal to appoint, a Conciliation Officer or Mediator, or to review, prohibit or restrain appointment of that Conciliation Officer or that Mediator or any proceedings before them.

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