

less multiplication of industrial unions connected with the same industry in the same locality, the Registrar may refuse to register a union when in his opinion there is no necessity for it. From his decision, however, there may be an appeal to the Court of Arbitration. Unions when duly registered are subject to the jurisdiction given by the Act, and for the purposes of the Act, every industrial union may be sued. Under section 21 of the Act, any council or other body, however designated, representing not less than two industrial unions of the one industry, of either employers or workers, may be registered as an industrial association of employers or workers as the case may be. It appears that while workers have more or less generally taken advantage of the provisions, employers are somewhat backward in doing so. At first many of them, probably most of them, ignored the Act and took little part in electing their representatives on the Boards, and in consequence the Government was obliged to exercise its right of appointing men to fill the vacant places.

It will thus be seen that in order to take advantage of the law it is necessary that industrial unions of workers must be formed so that business before Boards of Conciliation and the Court of Arbitration may be facilitated. Unorganized labour only indirectly receives benefit from the Act.

New Zealand is divided into certain industrial districts which are determined by the Governor and given such names and boundaries as may be convenient. For every industrial district a Clerk of Awards is appointed whose duty it is to convene the Board for the purpose of dealing with any industrial dispute within his district, and to take charge of all applications which may be lodged for reference to the Board or Court, and generally to do all things and to take all proceedings as may be prescribed by the Act or the regulations under the same, or as the Court, the Board, or the Registrar may direct. In every industrial district there is established a Board of Conciliation and this Board has jurisdiction for the settlement of any dispute which may arise, and which may be referred to the Board. The Board of each district consists of an equal number of persons, of whom the members are elected by the respective industrial unions of employers and of workers, the unions voting separately and electing an equal number of members. After an election a meeting is held, and, by a majority of the votes of the members present, some impartial person who is willing to act, not being one of their number, is chosen as chairman of the Board.

The parties to all disputes must in every case be industrial unions or industrial associations, or employers, but the mention of the various kinds of parties shall not be deemed to interfere with any arrangement that may be necessary to insure the industrial dispute being brought in a complete state before the Board; and a party may be removed or joined at any time before the final report or recommendation of a Board is made. When an industrial dispute occurs an application by one or more of the unions is filed with the Clerk which is submitted to the Board at the meeting convened for that purpose. An employer may conduct his case in

person, or by his agent, but no counsel is allowed to appear without the express consent of all parties to the reference. The Board is bound to carefully and expeditiously enquire into all matters brought before it, and it has the power to summon witnesses, administer oaths, and to compel evidence to be received and heard. It is expressly laid down in the Act that in the course of an enquiry a Board should make suggestions and do all in its power to induce the parties to come to a fair and amicable settlement of the dispute, and if it is deemed advisable the proceedings may be adjourned for a reasonable period in order to allow the parties to agree upon some terms of settlement. The Board may also, if it thinks fit, refer the dispute to a committee of its members, consisting of an equal number of representatives of employers and workers, when such a committee may be expected to facilitate and promote an amicable arrangement. If a settlement of the dispute is arrived at it is set forth in what is termed an industrial agreement, which, before it has the force of law, must be duly executed by all the parties. If an industrial agreement is duly executed and filed, the Board then reports to the Clerk of Awards that the dispute has been settled. If, the agreement is not executed the Board is permitted to make such recommendations for the settlement of the matter in dispute according to merits and substantial justice of the case. A recommendation must deal with each item of the dispute and state in plain terms, avoiding as far as possible all technicalities what, in the Board's opinion, should or should not be done by the respective parties. A recommendation must also state the period during which the proposed settlement should continue in force, being in no case less than six months nor more than three years, and as well the date from which it commences, which must not be sooner than one month, nor later than three months, after the date of the recommendation.

If all or any of the parties to the reference are willing to accept the recommendation of a Board, either as a whole or with modifications, they may at any time before the dispute is referred to the Court, either execute or file an industrial agreement, or file in the office of the Clerk a memorandum of settlement. If the memorandum of settlement should be duly executed, the recommendation, with the modifications, operates and is enforceable in the same manner as an industrial agreement duly executed by all parties. At any time before the recommendation of the Board is filed, the parties to the reference may agree to accept the finding and then the Board's recommendation has the same force and effect as an industrial agreement which has been executed by all parties. In the event of an industrial dispute not being settled by the Board, any of the parties may at any time within one month after the filing of the recommendation refer the dispute to the Court of Arbitration for settlement. If at the expiration of one month no application has been filed the Board's recommendation becomes or has the same force and effect as a duly executed industrial agreement.

An industrial agreement may be entered into by unions and employers, without recourse to either a