



Wages Councils Act 1979

1979 CHAPTER 12

PART II

STATUTORY JOINT INDUSTRIAL COUNCILS

10 Conversion of wages councils to statutory joint industrial councils

- (1) The Secretary of State may by order made in accordance with the following provisions of this section provide that a wages council shall become a statutory joint industrial council having the functions conferred on statutory joint industrial councils by the provisions of Part III of this Act.
- (2) The Secretary of State may make an order under this section with respect to a wages council—
 - (a) on an application made to him by the employers' association or trade union nominated in relation to the council or by that association and union jointly; or
 - (b) without an application under paragraph (a) above, but after consultation with the employers' association and trade union so nominated.
- (3) An order under this section shall not be made on an application by an employers' association or trade union alone unless the Secretary of State has consulted every employers' association and trade union nominated in relation to the wages council in question and (whether so nominated or not) all organisations of employers and workers which in his opinion represent a substantial proportion of employers and workers respectively in relation to whom that council operates.
- (4) The Secretary of State shall before making an order under this section refer the question whether he should do so to the Service, and the Service shall inquire into it and report on that question.
- (5) Part I of Schedule 4 to this Act shall have effect with respect to the constitution, officers and proceedings of statutory joint industrial councils and Part II of that Schedule shall have effect with respect to the transition of a wages council to a statutory joint industrial council.

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

11 Disputes between employers' and workers' representatives

- (1) If in the opinion of either the persons appointed to represent employers or the persons appointed to represent workers on a statutory joint industrial council, a dispute has arisen on any question and cannot be settled by the members of the council, those persons may request the Service to attempt to bring about a settlement of the dispute and the Service shall attempt to do so accordingly.
- (2) If the Service is unable to bring about a settlement of any such dispute, the Service shall refer the dispute for settlement to the arbitration of—
 - (a) one or more persons appointed by the Service for that purpose (not being an officer or servant of the Service); or
 - (b) the Central Arbitration Committee.
- (3) Where more than one arbitrator is appointed under subsection (2)(a) above, the Service shall appoint one of the arbitrators to act as chairman.
- (4) Any determination of the arbitrator, arbitrators or Committee on a dispute referred to him, them or it under this section shall be final and binding on the statutory joint industrial council and its members, and the council shall make an order under section 14 below or take any other steps which may be necessary to give effect to the determination.
- (5) Part I of the Arbitration Act 1950 shall not apply to an arbitration under this section.
- (6) In the application of this section to Scotland, references to an arbitrator shall be construed as references to an arbiter.

12 Abolition of statutory joint industrial councils

- (1) If the Secretary of State is of the opinion that, in the event of the abolition of a statutory joint industrial council, adequate machinery would be established for the effective regulation of the remuneration and other terms and conditions of employment of the workers within the council's field of operation and is likely thereafter to be maintained, he may by order abolish the council.
- (2) An order under this section may be made on the application of the statutory joint industrial council concerned or without such an application, but shall not be made without such an application unless the Secretary of State has consulted the council.
- (3) The Secretary of State shall before making an order under this section refer the question whether he should do so to the Service, and the Service shall inquire into it and report on that question.
- (4) Where an order under this section abolishes a statutory joint industrial council, then, save as is otherwise provided by the order, anything done by the council shall, except as respects things previously done or omitted to be done, cease to have effect.

13 Supplemental provisions

- (1) In sections 10 to 12 above "nominated", in relation to an employers' association or trade union, means, an association or union for the time being nominated under paragraph 1(2) of Schedule 2 to this Act to appoint persons to represent employers or workers on the wages council in question.

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- (2) Schedule 1 to this Act shall apply in relation to an order under section 10 above providing that a wages council shall become a statutory joint industrial council and in relation to an order under section 12 above abolishing a statutory joint industrial council.