CHAPTER 46.

An Act to make provision as to the appointment of Deputies for Recorders, Stipendiary Magistrates, and Clerks of the Peace, and for the temporary performance of the duties of those officers in case of vacancies.

[21st December 1906.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power to appoint deputies and persons to act temporarily in certain offices.

1.—(1) If at any time it appears to the authority having power to appoint to any office to which this Act applies that the holder of the office is, by reason of illness, absence, or any other cause, incapable of appointing or removing a deputy, the authority may exercise that power on his behalf, and in so doing may assign out of his salary or stipend a suitable remuneration to any deputy so appointed.

(2) If any office to which this Act applies becomes vacant by death or otherwise, any person who immediately before the vacancy was a duly appointed deputy of the holder of the office, or, if there is no such deputy or no such deputy willing to act, any person appointed for the purpose by the authority having power to appoint to the office may act temporarily in the office until a person is duly appointed to fill the vacancy, and any person while so acting shall be in the same position as respects remuneration and otherwise as if he were the last holder of the office: Provided that the power of a person to act temporarily under this provision shall not extend beyond a period of six months from the occurrence of the vacancy.

(3) All things required or authorised by law to be done by, to, or before the holder of any office to which this Act applies, may be done by, to, or before any deputy appointed or any person acting temporarily in the office under this Act, as if that deputy or person were the holder of the office.

(4) In cases where His Majesty has power to appoint to an office, the power to appoint a deputy or person to act temporarily under this Act may be exercised by the Secretary of State, and this Act shall be construed as if the Secretary of State were the authority having power to appoint to the office.

(5) Where any qualification is required by law in the case of a deputy of the holder of any office to which this Act applies, the same qualification shall be required as respects any person appointed to act temporarily in the office under this Act.

(6) This Act shall apply to the offices of recorder, stipendiary magistrate, and clerk of the peace, but the powers given by this Act shall be in addition to and not in derogation of any similar

power existing under subsection (4) of section eighty-three
& 52 Vict. c. 41. the Local Government Act, 1888, or otherwise.

Short title and repeal. **2.**—(1) This Act may be cited as the Recorders, Stipendiary Magistrates, and Clerks of the Peace Act, 1906.

& 52 Vict. c. 23. (2) The Recorders, Magistrates, and Clerks of the Peace Act, 1888, is hereby repealed.

CHAPTER 47.

An Act to provide for the regulation of Trades Unions and Trade Disputes. [21st December 1906

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Amendment of law of conspiracy in the case of trade disputes. & 38 Vict. c. 86 **1.** The following paragraph shall be added as a new paragraph after the first paragraph of section three of the Conspiracy and Protection of Property Act, 1875:—

"An act done in pursuance of an agreement or combination by two or more persons shall, if done in contemplation or furtherance of a trade dispute, not be actionable unless the act, if done without any such agreement or combination, would be actionable."

Peaceful picketing. **2.**—(1) It shall be lawful for one or more persons, acting on their own behalf or on behalf of a trade union or of an individual employer or firm in contemplation or furtherance of a trade dispute, to attend at or near a house or place where a person resides or works or carries on business or happens to be, if they so attend merely for the purpose of peacefully obtaining or communicating information, or of peacefully persuading any person to work or abstain from working.

(2) Section seven of the Conspiracy and Protection of Property Act, 1875, is hereby repealed from "attending at or near" to the end of the section.

Removal of liability for interfering with another person's business, &c. **3.** An act done by a person in contemplation or furtherance of a trade dispute shall not be actionable on the ground only that it induces some other person to break a contract of employment or that it is an interference with the trade, business, or employment of some other person, or with the right of some other person to dispose of his capital or his labour as he wills.

Prohibition of torts during trade disputes. **4.**—(1) An action against a trade union, whether of workmen or masters, or against any members or officials thereof on behalf of themselves and all other members of the trade union in