

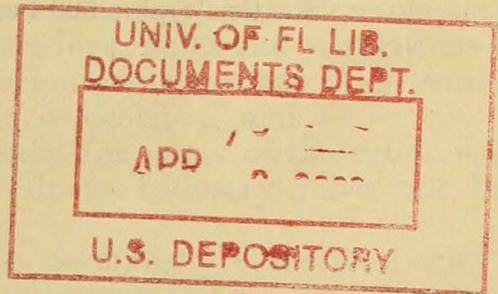
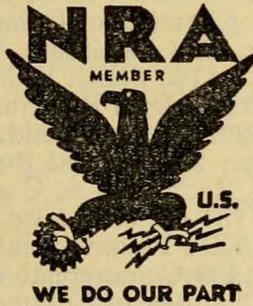
NATIONAL RECOVERY ADMINISTRATION

AMENDMENT TO
CODE OF FAIR COMPETITION

FOR THE

MACHINERY AND ALLIED
PRODUCTS INDUSTRY

AS APPROVED ON MAY 18, 1934



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Approved Code No. 347—Amendment No. 2

AMENDMENT TO CODE OF FAIR COMPETITION

FOR THE

MACHINERY AND ALLIED PRODUCTS INDUSTRY

As Approved on May 18, 1934

ORDER

APPROVING MODIFICATION OF CODE OF FAIR COMPETITION FOR THE MACHINERY AND ALLIED PRODUCTS INDUSTRY

WHEREAS, the Code of Fair Competition for the Machinery and Allied Products Industry, approved March 17, 1934, provides in Article VI, Section (g), "A Code Authority is hereby constituted for each Subdivision to administer, supervise and facilitate the enforcement of this Basic Code in the manner and to the extent hereinafter provided in this Article, and of such Supplemental Code as may be submitted hereafter by a Subdivision and approved by the Administrator. During the period not to exceed sixty (60) days following the effective date of this Code, the governing body of the trade association (member of the Applicant) representing the employers within the Subdivision, shall constitute a temporary Code Authority. The Administrator, in his discretion, may appoint one additional member (without vote and without expense to the industry). Within said sixty (60) day period each such temporary Code Authority shall call a meeting, to which all known members in the particular Subdivision concerned shall be invited, at which meeting the following action shall be taken: (1) Adoption of procedural rules and regulations for the election, organization and operation of permanent Code Authority; (2) election of permanent Code Authority;" and

WHEREAS, the supplemental codes for many of the subdivisions of the Machinery and Allied Products Industry have not been approved; and

WHEREAS, the election of the permanent Code Authority in advance of the approval of the supplemental codes would in many cases penalize the subdivisions; and

WHEREAS, the Temporary Basic Code Authority of the Machinery and Allied Products Industry has made application for amendment to Article VI, Section (g), to extend for a further period of sixty (60) days the time within which a permanent Code Authority may be established in each Subdivision of the Industry:

NOW, THEREFORE, on behalf of the President of the United States, I, Hugh S. Johnson, Administrator for Industrial Recovery, pursuant to authority vested in me by Executive Orders of the President, including Executive Order #6543-A, dated December 30, 1933, and Executive Order #6590-A, dated February 8, 1934, and otherwise;

DO HEREBY ORDER that Article VI, Section (g) be and is hereby amended, to accord an additional period of sixty (60) days during which time the governing bodies of the trade associations representing the employers in the various subdivisions of the Industry, shall constitute temporary code authorities and within which period, such temporary code authorities shall call meetings for the purpose of: (1) adoption of procedural rules and regulations for the election, organization, and operation of the permanent Code Authorities; and (2) election of permanent Code Authorities; such amendment to become effective May 28, 1934, unless good cause to the contrary is shown to the Administrator before that time.

HUGH S. JOHNSON,
Administrator for Industrial Recovery.

Approval recommended:

A. R. GLANCY,
Division Administrator.

WASHINGTON, D.C.,
May 18, 1934.

REPORT TO THE PRESIDENT

The PRESIDENT,
The White House.

SIR: The Code of Fair Competition for the Machinery and Allied Products Industry approved by you March 17, 1934, provides in Article VI, Section (g):

"A Code Authority is hereby constituted for each Subdivision to administer, supervise and facilitate the enforcement of this Basic Code in the manner and to the extent hereinafter provided in this Article, and of such Supplemental Code as may be submitted hereafter by a Subdivision and approved by the Administrator.

"During the period not to exceed sixty (60) days following the effective date of this Code, the governing body of the trade association (member of the Applicant) representing the employers within the Subdivision, shall constitute a temporary Code Authority. The Administrator, in his discretion, may appoint one additional member (without vote and without expense to the industry).

"Within said sixty (60) day period each such temporary Code Authority shall call a meeting, to which all known members in the particular Subdivision concerned shall be invited, at which meeting the following action shall be taken:

"(1) Adoption of procedural rules and regulations for the election, organization and operation of permanent Code Authority.

"(2) Election of permanent Code Authority."

At the time of the approval of the Code for the Machinery and Allied Products Industry, it was thought that the Supplemental Codes of the Subdivisions of the Industry would be approved prior to the expiration of the sixty (60) day period. Due to unexpected delays, some of these Supplemental Codes have not been approved.

The Deputy Administrator in his final report to me on said Modification of said Code having found as herein set forth and on the basis of all the proceedings in this matter;

I find that:

(a) The Modification of said Code and the Code as modified are well designed to promote the policies and purposes of Title I of the National Industrial Recovery Act including the removal of obstructions to the free flow of interstate and foreign commerce which tend to diminish the amount thereof, and will provide for the general welfare by promoting the organization of industry for the purpose of cooperative action among trade groups, by inducing and maintaining united action of labor and management under adequate governmental sanction and supervision, by eliminating unfair competitive practices, by promoting the fullest possible utilization of the present productive capacity of industries, by avoiding undue restrictions of production (except as may be temporarily required), by

increasing the consumption of industrial and agricultural products through increasing purchasing power, by reducing and relieving unemployment, by improving standards of labor, and by otherwise rehabilitating industry.

(b) The Code as modified complies in all respects with the pertinent provisions of said Title of said Act, including without limitation Subsection (a) of Section 3, Subsection (a) of Section 7, and Subsection (b) of Section 10 thereof.

(c) The Modification and the Code as modified are not designed to and will not permit monopolies or monopolistic practices.

(d) The Modification and the Code as modified are not designed to and will not eliminate or oppress small enterprises and will not operate to discriminate against them.

(e) Those engaged in other steps of the economic process have not been deprived of the right to be heard prior to approval of said Modification.

For these reasons, therefore, I have approved this Modification.

Respectfully,

HUGH S. JOHNSON, *Administrator.*

MAY 18, 1934.

AMENDMENT TO CODE OF FAIR COMPETITION FOR THE MACHINERY AND ALLIED PRODUCTS INDUSTRY

Amend Article VI, Section (g) as follows:

(g) A Code Authority is hereby constituted for each Subdivision to administer, supervise and facilitate the enforcement of this Basic Code in the manner and to the extent hereinafter provided in this Article, and of such Supplemental Code as may be submitted hereafter by a Subdivision and approved by the Administrator.

During the period not to exceed one hundred twenty (120) days following the effective date of this Code, the governing body of the trade association (member of the Applicant) representing the employers within the Subdivision, shall constitute a temporary Code Authority. The Administrator, in his discretion, may appoint one additional member (without vote and without expense to the industry).

Within said one hundred twenty (120) day period each such temporary Code Authority shall call a meeting, to which all known members in the particular Subdivision concerned shall be invited, at which meeting the following action shall be taken:

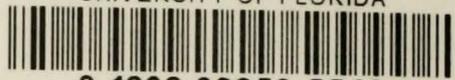
(1) Adoption of procedural rules and regulations for the election, organization and operation of permanent Code Authority.

(2) Election of permanent Code Authority.

Each permanent Code Authority shall consist of not less than three (3) nor more than nine (9) representatives of employers in the Subdivision. The Administrator in his discretion may appoint one additional member (without vote and without expense to the Subdivision).

Each such Code Authority may adopt such rules for the conduct of the Code activities of the Subdivision as are not inconsistent with the provisions of this Code.

Action by employers in any Subdivision meeting for the election of Code Authority shall be by vote of the employers entitled to vote as provided in Section (d) hereof, each such employer to have one vote only. Action by employers in any Subdivision meeting for the adoption of procedural rules, submission of a Supplemental Code or revisions or additions thereto, or the transaction of other business of the Subdivision under this Code, shall be by vote of the employers in such Subdivision who are entitled to vote thereat as provided in Section (d) hereof and are present in person or by proxy duly executed and filed with Code Authority of such Subdivision, cast and computed in the manner provided in Section (d) hereof for voting in the Industry, except that employers in any Subdivision may prescribe such other method of voting as they may determine upon with the approval of the Administrator.



The foregoing provisions of this Section (g) shall apply to any Subdivision only in the event and so long as there shall be no Supplemental Code for such Subdivision approved by the Administrator or in the event that such approved Supplemental Code shall fail to contain provisions for the creation and operation of a permanent Code Authority.

Approved Code No. 347—Amendment No. 2.
Registry No. 1399-65.



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