

This PUBLIC BILL originated in the HOUSE OF REPRESENTATIVES, and, having this day passed as now printed, is transmitted to the LEGISLATIVE COUNCIL for its concurrence.

House of Representatives,

21st November, 1945

Hon. Mr. Webb

ANNUAL HOLIDAYS AMENDMENT

ANALYSIS

Title.	
1. Short Title.	4. Redemption of stamps on holiday card when worker leaves New Zealand or dies.
2. Application of principal Act to industrial life assurance agents.	5. Special provisions to apply to shipwrights and carpenters employed in loading of ships.
3. Worker to receive seven days' notice and holiday pay before each annual holiday.	6. Offence to use stamps that have been affixed to holiday cards.

A BILL INTITULED

AN ACT to amend the Annual Holidays Act, 1944. Title.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority

5 of the same, as follows:—

1. This Act may be cited as the Annual Holidays Amendment Act, 1945, and shall be read together with and deemed part of the Annual Holidays Act, 1944 (hereinafter referred to as the principal Act). Short Title.
1944, No. 5

10 2. (1) For the purposes of the principal Act, every person who is wholly or mainly engaged in procuring proposals or contracts of industrial life assurance or in collecting industrial life assurance premiums for any person, firm, company, society, association, or corporation carrying on industrial life assurance business and is remunerated wholly or partly by fees or commission Application of principal Act to industrial life assurance agents.
Cf. 1944, No. 25, s. 34

shall be deemed to be a worker employed by that person, firm, company, society, association, or corporation, whether or not the relation between them is that of master and servant.

(2) Where any person is by virtue of this section, but not otherwise, deemed to be a worker employed as aforesaid, his employment shall be deemed for the purposes of the principal Act to have commenced on the date of the actual commencement thereof (whether before or after the passing of this Act) or on the first day of December, nineteen hundred and forty-four, whichever date is the later. 5 10

Worker to receive seven days' notice and holiday pay before each annual holiday.

3. Section three of the principal Act is hereby amended by inserting, after subsection two, the following new subsection:— 15

“(2A) In the absence of any agreement by the worker to the contrary, the employer shall give to the worker not less than seven days' notice of the date on which the worker is to begin any annual holiday or any part thereof, and shall before that date pay to the worker his ordinary pay for the period of the holiday or part thereof, as the case may be.” 20

Redemption of stamps on holiday card when worker leaves New Zealand or dies.

4. Section five of the principal Act is hereby amended by adding to subsection four the following proviso:— 25

“Provided that the officer in charge of the paying-office may pay the amount of the uncanceled stamps before the expiration of the period of one year hereinbefore referred to in any case where he is satisfied—

“(a) That the worker is leaving New Zealand and will be absent from New Zealand until after the expiration of that period of one year; or 30

“(b) That the worker has died and the person surrendering the holiday card is entitled to claim payment on behalf of the worker's estate or dependants.” 35

Special provisions to apply to shipwrights and carpenters employed in loading of ships.

5. Section seven of the principal Act is hereby amended by inserting in subsection two, after the words “tally clerks”, the words “and workers employed as shipwrights or carpenters in the preparation of ships for cargo or in the loading or unloading of cargo”. 40

6. Section thirteen of the principal Act is hereby amended by adding to subsection one the following new paragraph:—

Offence to use stamps that have been affixed to holiday cards.

5 “(d) Uses or attempts to use for any purpose other than the purposes of this Act any uncancelled stamp that has at any time been affixed to a holiday card.”