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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.

13th September, 1905.

[AS REPORTED FROM THE COMMITTEE OF THE WHOLE COUNCIL.]

Rt. Hon. R. J. Seddon.

SHOPS AND OFFICES ACT AMENDMENT.

ANALYSIS.

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A BILL INTITLED

AN ACT to amend "The Shops and Offices Act, 1904."

Title.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

Short Title.

1. The Short Title of this Act is "The Shops and Offices Act Amendment Act, 1905"; and it shall form part of and be read together with "The Shops and Offices Act, 1904" (hereinafter referred to as "the principal Act").

Repeal.

2. Section three of the principal Act is hereby repealed.

Struck out.

3. (1.) A shop-assistant shall not be employed—

Employment of shop-assistants.

(a.) In a shop required under section twenty-one of the principal Act to close at a specified hour, after the hour so specified; nor

(b.) In any other shop—

(i.) If any of the trades mentioned in the *First* Schedule hereto is carried on therein, after eleven o'clock in the evening on one working-day in each week or eight o'clock in the evening on other working-days; nor

(ii.) If any of the trades mentioned in the *Second* Schedule hereto is carried on therein, after eleven o'clock in the evening on one working-day in each week or half-past ten o'clock in the evening on other working-days; nor

(iii.) Subject to the provisions of any requisition gazetted under section twenty-one of the principal Act, and if within three months after the passing of this Act no resolution shall be carried as provided in the said

Shops and Offices Act Amendment.

section, a shop-assistant shall not be employed within a combined district in any trade other than those mentioned in the *First* and *Second* Schedules hereto after eleven o'clock in the evening on one working-day in each week or six o'clock in the evening on other working-days.

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(2.) The definitions contained in paragraph (a) of section fifteen of the principal Act shall extend and apply to this section.

(3.) This section shall not affect the provisions of the principal Act relating to hours of employment or the weekly half-holiday.

New clauses.

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Limit of
employment of
shop-assistants.

3A. (1.) Subject to the provisions of the principal Act and to any award of the Arbitration Court, a shop-assistant shall not be employed in or about the shop or its business more than fifty-two hours in any one week, or at any time after one o'clock in the afternoon on the statutory closing-day, or after nine o'clock in the evening on Saturdays in districts where Saturday is not the closing-day, or after nine o'clock in the evening on Fridays when Saturday is the closing-day, or after six o'clock in the evening on any other working-day, except in a shop in which is exclusively carried on any one or more of the several trades or businesses mentioned in the Schedule hereto, but in any such case not later than the hour set opposite to such trade or business in the said Schedule:

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Provided that no shop-assistant engaged in any such trade or business shall be employed therein for more than fifty-two hours in any one week:

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Provided also that no female assistant (other than the wife or members of the occupier's family) shall be employed in any shop mentioned in the Schedule, except in or about a refreshment-room, after nine o'clock at night, except on Saturday nights, Christmas Eve, and New Year's Eve.

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(2.) If any shop-assistant is employed at any work in connection with the business of any shop later than half an hour after the time prescribed by this section, the employer commits an offence in respect of each shop-assistant so employed.

(3.) The definitions contained in paragraph (a) of section fifteen of the principal Act shall extend and apply to this section, and in addition thereto it is hereby declared that for the purposes of this section a "dairy-produce seller" means a person who sells milk, cream, eggs, or butter.

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Hour of
commencement
of employment.

3B. No shop-assistant shall be employed in or about the business of any shop before the hour of four o'clock in the morning in the case of bakers, butchers, or milkmen, or seven o'clock in the morning in any other case.

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Struck out.

Definition of
"fishmonger"
amended.

4. Paragraph (a) of section fifteen of the principal Act is hereby amended by adding at the end of the definition of "fishmonger" the words "or rabbits."

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Section 21 of
principal Act
amended.

5. Subsection one of section twenty-one of the principal Act is hereby amended by repealing the words "a majority of the occupiers"

of," and inserting in lieu thereof the words "the occupiers of not less than three fifths of"; and also by repealing the words "(not being one of the districts mentioned in section three hereof)."

New clause.

5 | 5A. Section twenty-three of the principal Act is hereby amended by striking out the words "live-stock" before the word "auctioneers."

Section 23 of principal Act amended.

6. Section twenty-three of the principal Act is hereby amended by inserting after the words "live-stock auctioneers" the words "Harbour Boards, wholesale warehousemen, wool-buyers, wool-
10 brokers, or insurance companies, or banks."

Excepted offices.

Struck out.

7. With respect to every office in which is carried on any of the businesses mentioned in the *Third* Schedule hereto the following provisions shall apply:—

Overtime in excepted offices.

15 (a.) The occupier of the office shall at all times keep a record-book, called the "Extra-time Book," wherein shall be entered a correct record showing, in the case of each office-assistant employed after one o'clock in the afternoon on Saturdays and five o'clock in the afternoon of every
20 other working-day, the name of the assistant, and the respective dates and periods of such employment:

(b.) Where such extra time exceeds, in respect of any office-assistant, twenty hours in any one month, overtime at the rate of not less than one and a half times the ordinary
25 rate of pay shall be paid for so much of such extra time as exceeds twenty hours:

(c.) Payment of overtime shall be made at the first regular pay-day after the close of the month for which it became payable, and, if not so made, the amount thereof may
30 be recovered by the Inspector on behalf of the office-assistant:

(d.) The extra-time book shall at all times be open to the inspection of the office-assistants and of the Inspector:

(e.) Section twenty-seven of the principal Act shall not apply to any of the offices mentioned in the *Third* Schedule
35 hereto.

8. Section two of the principal Act is hereby amended by adding after the word "business" at the end of the definition of shop, the words "or a refreshment-room where meals only are
40 supplied."

Amendment of section 2 of principal Act.

9. Section twenty-two of the principal Act is hereby amended by inserting after the words "carry on business" the words "within a borough or town district."

Amendment of section 22 of principal Act.

45 10. Nothing in the principal Act or this Act shall render it unlawful for the occupier of any shop to ~~keep open~~ employ his assistants till eleven o'clock at night on Christmas Eve or New Year's Eve; or when Christmas Day and New Year's Day fall on Monday, then till eleven o'clock at night on the Saturday preceding those days.

Late closing on Christmas Eve and New Year's Eve.

New clause.

50 | 10A. Notwithstanding anything in the principal Act it is hereby declared that the Boroughs of Sumner and New Brighton shall not form part of the combined District of Christchurch, but shall each be deemed to be a separate district.

Special provisions as to Sumner and New Brighton.

Struck out.

Hours for
employment of
female assistant.

11. No female assistant under the age of twenty-one years shall be employed in any shop after nine o'clock at night, except on Saturday nights, Christmas or New Year's Eve; provided that this clause shall not apply to the wife or members of the occupier's family.

Schedules.

SCHEDULES.

Struck out.

FIRST SCHEDULE.	
Bakers.	Dairy-produce sellers.
Booksellers.	Florists.
Butchers.	Hairdressers.
Chemists.	Tobacconists.
SECOND SCHEDULE.	
Confectioners.	Pork-butchers.
Fishmongers.	Refreshment-room keepers.
Fruiterers.	
THIRD SCHEDULE.	
<i>Excepted Offices.</i>	
Banks.	Merchants (including warehousemen).
Building societies.	Municipal.
Harbour Boards.	

New schedule.

	Hour on Statutory Half- holiday.	Hour on One Working-day in each Week.	Hour on all other Working-days.
Bakers	10.30 p.m.	11 p.m.	10.30 p.m.
Butchers	1 p.m.	10 p.m.	6 p.m.
Chemists	1 p.m.	9 p.m.	8 p.m.
Confectioners	10.30 p.m.	11 p.m.	10.30 p.m.
Dairy-produce sellers	1 p.m.	10 p.m.	6 p.m.
Fishmongers	10.30 p.m.	11 p.m.	10.30 p.m.
Florists	1 p.m.	10 p.m.	8 p.m.
Fruiterers	10.30 p.m.	11 p.m.	10.30 p.m.
Hairdressers	1 p.m.	10.30 p.m.	8 p.m.
Newsagents	1 p.m.	10 p.m.	8 p.m.
Pork-butchers	1 p.m.	11 p.m.	10.30 p.m.
Refreshment-room keepers	11.45 p.m.	11.45 p.m.	11.45 p.m.
Tobacconists	1 p.m.	10.30 p.m.	8 p.m.