

[AS REPORTED FROM THE LABOUR BILLS COMMITTEE.]

House of Representatives, 29th October, 1914.

Right Hon. Mr. Massey.

SHOPS AND OFFICES AMENDMENT.

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A BILL INTITULED

AN ACT to amend the Shops and Offices Act, 1908.

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

1. (1.) This Act may be cited as the Shops and Offices Amendment Act, 1914, and shall form part of and be read together with the Shops and Offices Act, 1908 (hereinafter referred to as the principal Act).

10 (2.) This Act shall commence on the first day of January, nineteen hundred and fifteen.

Struck out.

15 2. Subsection three of section six of the principal Act and so much of the Schedule to the Shops and Offices Amendment Act, 1910, as relates to that subsection are hereby repealed, and the following substituted therefor:—

20 “ (3.) For the purposes of stocktaking or other special work not being the actual sale of goods, such working-hours may, notwithstanding anything in section three hereof, be extended, subject to the following provisions:—

“ (a.) Such working-hours shall not be extended more than three hours in any one day, nor more than ninety hours in any one year, nor on any half-holiday, nor at any time while the shop is open for business.

25 “ (b.) The working-hours of any female assistant or of any male assistant under the age of sixteen years shall not be extended without the previous written consent of the Inspector.

Title.

Short Title.

Commencement.

Repeal.

Extended hours during stocktaking, &c.

Struck out.

“(c.) Written notice of every extension of working-hours under this section shall in the case of males of sixteen years of age and over be given to the Inspector within twenty-four hours thereof. 5

“(d.) On every occasion on which such working-hours are extended the shop-assistant shall not be employed for more than four hours continuously without having an interval of at least half an hour for rest and refreshment.

“(e.) Every shop-assistant employed during extended hours shall be paid therefor at half as much again as the ordinary rate, but the overtime rate shall not be less than sixpence an hour for those assistants whose ordinary wages do not exceed ten shillings a week, nor less than ninepence an hour for all other assistants so employed, and shall be paid at the first regular pay-day thereafter: 10 15

“Provided that this paragraph shall not apply to any shop-assistant whose wages are or exceed two hundred pounds per annum.”

Section 18 of principal Act amended.

3. (1.) Section eighteen of the principal Act is hereby amended by adding to paragraph (a), subparagraph (ii), the following:— 20

“A ‘hairdresser’ means a person whose business is hairdressing or shaving, including the sale of requisites for hairdressing or for shaving:

“A ‘tobacconist’ means a person whose business is to sell requisites for smoking and snuff.” 25

Repeal.

(2.) Paragraph (b) of section eighteen of the principal Act, so much of the Schedule to the Shops and Offices Amendment Act, 1910, as relates to that paragraph, and section three of the Shops and Offices Amendment Act, 1913, are hereby repealed, and the following substituted therefor:— 30

“(b.) In the case of shops wherein is exclusively carried on any one or more of the businesses of a butcher, a pork-butcher, a hair-dresser, a tobacconist, or a photographer, the Minister may, in the event of Saturday being appointed as the statutory closing-day in the district, authorize the occupiers of such shops to close their shops on such other working-day in each week as he thinks fit.” 35

Repeal.

4. Section fifty of the principal Act and so much of the Schedule to the Shops and Offices Amendment Act, 1910, as relates to that section are hereby repealed, and the following substituted therefor:— 40

Exception as to tending horses.

“50. Nothing in this Act shall render the occupier of a shop liable to any penalty in respect of the employment of any shop-assistant in feeding and tending horses used in the business of the occupier in excess of the hours of employment allowed by this Act: 45

“Provided that such employment in excess shall not exceed one hour per day, and overtime shall be paid for such excess at the rate of time and a quarter, with a minimum of ninepence per hour.” 50

Section 13 of Amendment Act, 1910, amended.

5. Section thirteen of the Shops and Offices Amendment Act, 1910, is hereby amended by omitting the word “shall” after the words “business of the shop,” and substituting the words “while the same”

Struck out.

is open for business shall for the purposes of section three of the principal Act"; and by inserting, after the words "shop-assistants," the words—

5 "Provided that in no case shall a shop be registered in the name of an employee of the owner unless the Inspector is satisfied that such employee is actually in control of the business of the shop."

10 6. (1.) It shall not be lawful for the occupier of a shop to sell tobacco, cigars, or cigarettes unless he holds a license from the Inspector so to do.

Licenses to sell tobacco, &c.

15 (2.) Subject to the provisions of this section, upon application by the occupier of any shop who desires to sell such goods and upon payment of a fee of *five* shillings, the Inspector shall issue a license in a form to be prescribed. Such license shall, unless cancelled as hereinafter provided, continue in force for one year.

20 (3.) On the conviction of the holder of any such license for having sold tobacco, cigars, or cigarettes on the statutory half-holiday or after any hour fixed under section twenty-five of the principal Act for the closing of shops in the district in which such goods are sold, or for any offence against the Police Offences Act, 1908, relating to Sunday trading, the Court in which he is convicted shall endorse such conviction upon his license, and may, if it thinks fit, cancel the license for such period as it thinks fit, and may, in addition, order that
25 no new license shall be issued under this section until after the expiration of such period as it thinks fit.