



**THE DISABLED PERSONS EMPLOYMENT PROMOTION  
ORDER 1996**

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MICHAEL HARDIE BOYS, Governor-General

**ORDER IN COUNCIL**

At Wellington this 18th day of December 1996

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 4 of the Disabled Persons Employment Promotion Act 1960, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, on the recommendation of the Minister of Employment (made after consulting the unions, associations, and organisations referred to in section 5 of that Act) hereby makes the following order.

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**ORDER**

**1. Title and commencement**—(1) This order may be cited as the Disabled Persons Employment Promotion Order 1996.

(2) This order shall come into force on the 28th day after the date of its notification in the *Gazette*.

**2. Interpretation**—In this order—

- (a) “The principal Act” means the Disabled Persons Employment Promotion Act 1960; and
- (b) Terms defined in section 2 of the principal Act have the meanings given to them by that section.

**3. Exemptions**—(1) Subject to subclause (2) of this clause,—

- (a) Each organisation named in the first column of Part A or Part B of the Schedule to this order is hereby granted exemption, in respect of every sheltered workshop operated by that organisation specified opposite its name in the second column of that schedule, from all provisions of the Minimum Wage Act 1983; and
  - (b) Each organisation named in the first column of Part A of the Schedule to this order is hereby granted exemption, in respect of every sheltered workshop operated by that organisation specified opposite its name in the second column of that schedule, from all provisions of the Holidays Act 1981.
- (2) No exemption of any organisation granted by subclause (1) of this clause applies to the employment, or remuneration for employment, of—
- (a) Any person employed by the organisation under an employment contract entered into before the day on which this order was made; or
  - (b) Any person employed by the organisation, under an employment contract entered into on or after the day on which this order was made, to provide administrative, advisory, liaison, managerial, supervisory, technical or other similar services—
    - (i) For or in respect of other employees of the organisation; or
    - (ii) For clients of the organisation.
- (3) No exemption granted by subclause (1) of this clause is limited or affected by any change of the name of the organisation to which it relates.

**4. Conditions**—Every exemption under clause 3 (1) of this order is granted subject to the condition that it will lapse if—

- (a) The organisation to which it was granted ceases to be approved by the Minister under section 3 of the principal Act; or
- (b) The sheltered workshop in respect of which it was granted—
  - (i) Ceases to be owned or controlled by that organisation; or
  - (ii) Ceases to be a sheltered workshop.

**5. Revocations**—Every order under section 4 of the principal Act that—

- (a) Was made before the commencement of this order; and
  - (b) Granted an exemption to an organisation that is named in the first column of the Schedule to this order (whatever its name was when the exemption was granted) or was the predecessor of an organisation named in that column,—
- is hereby revoked.

## SCHEDULE

Cl. 3

ORGANISATIONS EXEMPTED FROM HOLIDAYS ACT 1981 AND MINIMUM  
WAGE ACT 1983

## PART A

*Organisations Exempted from both Holidays Act 1981 and Minimum Wage  
Act 1983*

Organisation	Workshop
Auckland Protected Employment Trust Framework Trust ... ..	11-13 Laureston Avenue, Otahuhu 1. Kowhai House, 14 Kingsland Terrace, Kingsland; 2. Kingsland Activity Centre, 10 Kingsland Terrace, Kingsland; 3. St Lukes Organic Gardens, 24a St Lukes Road, St Lukes; 4. The Cottage Nursery, 3 Barids Road, Orewa; 5. Kelmarna Gardens, 12 Hukanui Street, Herne Bay; 6. Devonport Gardens, 4/27 Lake Road, Devonport; 7. Shakespeare Road Activity Centre, 120 Shakespeare Road, Milford; 8. Te Ao Marama, 34 Huia Road, Otahuhu; 9. Te Oranga, 38 East Tamaki Road, Papatoetoe 1016 State Highway 1, Dairy Flat, RD2 Albany
Matea Trust ... ..	3 Robert Street, Ellerslie, Auckland Kopy Katz, 25 Alfred Street, Blenheim
Richmond Fellowship of NZ Incorporated Blenheim Business Services Incorporated Cambridge Disabled Sheltered Workshop Incorporated ... ..	13 Wilson Street, Cambridge 150a Colombo Street, Beckenham, Christchurch
Handmade Studio Trust ... ..	1. Birchfield Workshops, 23 Barrington Street, Spreydon, Christchurch; 2. Wood Workshop, Farm and Gardens, Cnr Sabys and Trices Roads, Halswell Suite 80, 224 Cashel Street, Christchurch
Hohepa Homes (Canterbury) ... ..	167 Stanmore Road, Christchurch Waihue Road, Dargaville 28 Boomer Street, Green Island, Dunedin Sheltered Workshop and Training Centre, 199 Hillside Road, Dunedin
SPAN Charitable Trust ... ..	143 Derby Street, Gisborne
Step Ahead Trust ... ..	1. 80 Sunshine Avenue, Te Rapa; 2. Peachgrove Workshop, 80 Peachgrove Road, Hamilton
Greenways Trust ... ..	204 Nelson Street South, Hastings Education and Lifeskills Centre, 429 Gloucester Street, Taradale, Napier
Firmament Incorporated Charitable Trust Disabled Citizens Society (Otago) Incorporated (trading as Cargill Enterprises)	State Highway 2, Main Road, Clive McNeight Workshop, 425 Queen Street, Masterton
Vanessa Lowndes Abilities Incorporated Hamilton Workshop & Training Centre Incorporated ... ..	1. Atwhai Industries, 38G McLean Street, Fitzroy, New Plymouth; 2. Atwhai Industries, Tataraimaika Sauce Factory, Main South Road, Okato Training and Achievement Centre, 33 Tarewa Road, Rotorua.
Disability Resource Centre HB Incorporated Presbyterian Support (East Coast) ... ..	Manaaki Trust Training Venture, Miriamia Street, Taumarunui South Waikato Achievement Centre, 12 Thompson Street, Tokoroa 41 London Street, Wanganui
Hohepa Homes Hawkes Bay ... ..	
Schizophrenia Fellowship Wairarapa ... ..	
Atawhai Industries Incorporated ... ..	
Te Aratu Trust ... ..	
Manaaki Trust Incorporated ... ..	
South Waikato Achievement Trust Incorporated	
Wanganui Enterprises ... ..	

SCHEDULE—*continued*ORGANISATIONS EXEMPTED FROM HOLIDAYS ACT 1981 AND MINIMUM  
WAGE ACT 1983—*continued*PART A—*continued**Organisations Exempted from both Holidays Act 1981 and Minimum Wage  
Act 1983—continued*

<b>Organisation</b>	<b>Workshop</b>
Disabled Distributors Incorporated ...	1. AbPost: 4 Union Street, Petone 2. AbPost and Pack: 76A Stodard Road, Mt Roskill, Auckland 3. A.B. Services: 3 Leith Road, Owhata, Rotorua
Eastern Bay Achievement Trust Incorporated ... ..	Te Tahi Street, Whakatane

## PART B

*Organisations Exempted from Minimum Wage Act 1983 only*

<b>Organisation</b>	<b>Workshop</b>
Abilities North Shore Incorporated ...	1. Abpac West: 2/448 Rosebank Road, Avondale, Auckland; 2. Abilities North Shore: 32-34 View Road, Glenfield, Auckland
Auckland Sheltered Workshop Incorporated	1. Mountain Industries, 8 Kirkbride Road, Mangere; 2. Pinnacle Enterprises, 22-24 East Street, Newton, Auckland; 3. Pinnacle Packaging, 206-208 Swanson Road, Henderson 421-423 Dominion Road, Mt Eden Tokatoka Road, P O Box 203, Dargaville
Disabled Citizens Society Incorporated	87 Austin Street, Onekawa, Napier
Kaurilands Skills Centre ... ..	Corner Gill Lane and Main Road, Te Puna, RD2 Tauranga
Disability Training Services H.B. Incorporated ... ..	
Avalon Training Centre (Equality (Bay of Plenty) Incorporated)	

MARIE SHROFF,  
Clerk of the Executive Council.

## EXPLANATORY NOTE

*This note is not part of the order, but is intended to indicate its general effect.*

This order, which comes into force 28 days after notification in the *Gazette*, exempts certain sheltered workshops from the Minimum Wage Act 1983, and exempts some of them from the Holidays Act 1981 too.

Issued under the authority of the Acts and Regulations Publication Act 1989.  
Date of notification in *Gazette*: 19 December 1996.  
This order is administered in the Department of Labour.