



DISABLED PERSONS EMPLOYMENT PROMOTION ORDER 1997

MICHAEL HARDIE BOYS, Governor-General

ORDER IN COUNCIL

At Wellington this 3rd day of November 1997

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 consultation with the unions, associations, and organisations referred to in section 5 of that Act) makes the following order.

ORDER

1. Title and commencement—(1) This order may be cited as the Disabled Persons Employment Promotion Order 1997.

(2) This order comes 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) Each organisation named in the first column of the Schedule is granted exemption, in respect of every sheltered workshop operated by that organisation specified opposite its name in the second

column of the Schedule, from all provisions of the Minimum Wage Act 1983 and from all provisions of the Holidays Act 1981.

(2) No exemption granted by subclause (1) is limited or affected by any change of the name of the organisation to which it relates.

4. Exemption not to apply to certain employees—(1) No exemption of any organisation granted by clause 3 (1) applies to the employment, or remuneration for employment, of any person employed by the organisation under an employment contract entered into before the day on which this order was made, unless at the close of the day before that day an exemption under section 4 of the principal Act applied to the person's employment by the organisation.

(2) No exemption of any organisation granted by clause 3 (1) applies to the employment, or remuneration for employment, of 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—

- (a) For or in respect of other employees of the organisation; or
- (b) For clients of the organisation.

5. Condition—Every exemption granted under clause 3 (1) in respect of a sheltered workshop 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—
 - (i) Ceases to be owned or controlled by that organisation; or
 - (ii) Ceases to be a sheltered workshop.

6. Consequential amendments—The Disabled Persons Employment Promotion Order 1996 is amended by omitting from Part B of the Schedule—

- (a) The item relating to South Waikato Achievement Trust Incorporated; and
- (b) The item relating to Disability Training Services H. B. Incorporated.

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

- (a) Was made before the commencement of the Disabled Persons Employment Promotion Order 1996; and
 - (b) Granted an exemption to an organisation that is named in the first column of the Schedule (whatever its name was when the exemption was granted) or was the predecessor of an organisation named in that column; and
 - (c) Was in force immediately before the commencement of this order,—is revoked.
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SCHEDULE

Reg. 3 (1)

ORGANISATIONS EXEMPTED FROM HOLIDAYS ACT 1981 AND MINIMUM
WAGE ACT 1983

<i>Organisations</i>	<i>Workshops</i>
Disability Training Services H.B. Trust Board	87 Austin Street, Onekawa, Napier
Kimberley Centre—Mid Centre Health Ltd	Kimberley Centre, Kimberley Road, Levin
Hutt Valley Disabled Resources Trust	Hutt Valley Disabled Resources Trust—Kennedy Good Centre, 60 Woburn Road, Lower Hutt Hutt Valley Disabled Resources Trust—Pet Products, 60 Fisk Street, Naenae Hutt Valley Disabled Resources Trust—Training House, 106 Rata Street, Naenae
Spectrum Care Trust	Workoptions-South, 533 Great South Road, Papatoetoe Workoptions-Gardens, 69 Gadsby Road, Mangere Workoptions-Central, 17a George Terrace, Onehunga Workoptions-Kumeu, Little Orchard—Old North Road, Kumeu
Te Awamutu Gracelands Trust	Gracelands Recycling, Waipa District Council Transfer Station, Paterangi Road, Te Awamutu Gracelands Green Team, 48 Teasdale Street, Te Awamutu
The Supported Life Style Hauraki Trust	104 Amy Street, Thames
Waikato Community Living Trust	92 Clarence Street, Hamilton 6 Pembroke Lane, Hamilton Woodwork Centre, Ellis Street, Hamilton Horticulture, Reid Road, Hamilton
South Waikato Achievement Trust Incorporated	South Waikato Achievement Centre, 12 Thompson Street, Tokoroa THESA Products, 123 Logan Street, Tokoroa V.I.S.I.O.N.S., 1 Osborne Place, Tokoroa
IHC New Zealand Incorporated	Te Reinga Street, Kaitaia Awakino Point North, Dargaville 11 Cooke Street, Whangarei 300 Otaika Road, Whangarei

SCHEDULE—*continued*ORGANISATIONS EXEMPTED FROM HOLIDAYS ACT 1981 AND MINIMUM
WAGE ACT 1983—*continued*

<i>Organisations</i>	<i>Workshops</i>
IHC New Zealand Incorporated— <i>continued</i>	30 Porowini Avenue, Whangarei Lower Cameron Place, Whangarei 229 Hibiscus Coast Highway, Orewa 260 Main Road, Albany 4/318 Beachhaven, Rangitoto 164 Sunnybrae Road, Rangitoto 13-15 Fraser Avenue, Northcote 31a Cartwright Road, Waitemata 4b/64 Henderson Valley Road, Henderson 80b Tirimoana Road, Henderson 13 Lincoln Park Avenue, Massey 163 Stoddard Road, Massey 22 Willcott Street, Massey Pearce Street, Onehunga 17 Spring Street, Onehunga 23 Mayfair Place, Tamaki 39 Eric Paton Way, Tamaki 7a Ryan Place, Tamaki 626 Great South Road, South East Auckland 121 Elliot Street, South East Auckland 180 Wellington Street, South East Auckland 68 Dawson Road, Otara 32 Maich Road, Papakura 15 Ray Small Drive, Papakura 3b Leonard Street, Waiuku Crosbie Road, Pukekohe 125 Manukau Road, Pukekohe 109 Edinburgh Street, Pukekohe 6 Kent Street, Hamilton 180 Kent Street, Hamilton Bridge and Von Tempsky Streets, Hamilton 18 Rayner Street, Huntly 176 Tarr Road, Kaipaki Queen and Dick Streets, Kaipaki 32 Moorehouse Street, Morrinsville 51 Station Road, Matamata Arawa Street, Matamata 112 Bridge Street, Matamata Grey Street, Paeroa

SCHEDULE—*continued*ORGANISATIONS EXEMPTED FROM HOLIDAYS ACT 1981 AND MINIMUM
WAGE ACT 1983—*continued*

<i>Organisations</i>	<i>Workshops</i>
IHC New Zealand Incorporated— <i>continued</i>	205 Willoughby Street, Paeroa 76 Kenny Street, Waihi Main Road, Waihi 30 Fourth Avenue, Tauranga 129 Birch Avenue, Tauranga 75 Elizabeth Street, Tauranga 13 First Avenue, Tauranga 14 Cypress Avenue, Tauranga Newton Road, Mt Maunganui Parish Rooms, Mt Maunganui 64 Kawaha Point Road, Rotorua 280 Tutanekai Street, Rotorua 13 Ti Street, Rotorua 151 Sunset Road, Rotorua 135 Taharepa Road, Taupo Heu Heu Street, Taupo Turaki Street, Taumarunui Maniapoto Road, Te Kuiti 25 Te Kanawa Road, Otorohanga 533 Carrington Road, New Plymouth McLean Street, New Plymouth 328 Devon Street East, New Plymouth 44-46 King Street, New Plymouth 116 Gill Street, New Plymouth 34 King Street, Opunake 82 Broadway, Stratford Morissey Street, Hawera 65 Dixon Avenue, Hawera 283 High Street, Hawera Disraeli Street, Gisborne 9 Temple Street, Gisborne 53 Cobden Street, Gisborne Latham Street, Napier 7 Sheffield Place, Napier Riverbend Road, Napier 438 Heretaunga Street, Hastings Gordon Road, Hastings Wilson Road, Hastings 500 Tomoana Road, Hastings The Quarry, Bridge Pa, Hastings 46 Bentley Street, Masterton 27-33 Broadway, Carterton 226 High Street, Dannevirke

SCHEDULE—*continued*ORGANISATIONS EXEMPTED FROM HOLIDAYS ACT 1981 AND MINIMUM
WAGE ACT 1983—*continued*

<i>Organisations</i>	<i>Workshops</i>
IHC New Zealand Incorporated— <i>continued</i>	128 South Road, Feilding 414 Wellington Road, Marton 29 Tyndal Street, Pahiatua 262 Ferguson Street, Palmerston North 153 Cook Street, Palmerston North 8 Pitt Street, Palmerston North Pinfold Road, Aokautere, Palmerston North 38 Alma Road, Wanganui 14 Holyoak Street, Wanganui 180 Glasgow Street, Wanganui Turoa Road, Wanganui Huia Street, Taihape 26 McKenzie Street, Levin 25 Dunstan Street, Otaki 126 Rimu Road, Paraparaumu 22 Kenepuru Drive, Porirua 16 Hagley Street, Porirua 28 Goodshed Road, Upper Hutt 79 Copeland Street, Lower Hutt 10 Taine Street, Taita, Lower Hutt 29 Kings Crescent, Lower Hutt 19 Jackson Street, Lower Hutt 182 Weld Street, Blenheim Selmes Road, RD3, Blenheim Middle Road, Blenheim 27 Beach Road, Kaikoura Corner New and Halstead Streets, Nelson 15 Green Street, Nelson 55a High Street, Motueka Commercial Street, Golden Bay 149 Derby Street, Westport 25 Nelson Street, Greymouth 130 Revell Street, Hokitika Kippenberger Avenue, Rangiora 1 Shirley Road, Christchurch 77 Brisbane Street, Christchurch 277 Stanmore Road, Christchurch 515 Wairakei Road (Unit 5), Christchurch 4 Marylands Place, Christchurch 21 Archibald Street, Ashburton

SCHEDULE—*continued*ORGANISATIONS EXEMPTED FROM HOLIDAYS ACT 1981 AND MINIMUM
WAGE ACT 1983—*continued*

<i>Organisations</i>	<i>Workshops</i>
IHC New Zealand Incorporated— <i>continued</i>	Tarbottoms Road, Ashburton Arowhenua Road, Kerrytown 139 King Street, Timaru 9a Dee Street, Timaru 38a Church Street, Timaru 14 Sandringham Street, Oamaru Humber Street, Oamaru 57 Kirkcaldy Street, Dunedin 50 Timaru Street, Dunedin 38 King Edward Street, Dunedin 20 Fox Street, Dunedin 343 North Road, Dunedin 80 Carroll Street, Dunedin Rankeillor Street, Dunedin 12 High Street, Balclutha Cnr Stewart and High Streets, Balclutha Barnego Nursery, Balclutha 60 Centennial Avenue, Alexandra 3 Ashton Street, Gore 7 Oreti Street, Gore St Peters Laundry, Pukaki Street, Gore 62 East Road, Invercargill 70 Doon Street, Invercargill 141 Dalrymple Street, Invercargill 88 Liddell Street, Invercargill 118 Etterick Street, Invercargill

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 the Holidays Act 1981.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 6 November 1997.
This order is administered in the Department of Labour.