



DISABLED PERSONS EMPLOYMENT PROMOTION ORDER 1999

MICHAEL HARDIE BOYS, Governor-General

ORDER IN COUNCIL

At Wellington this 15th day of November 1999

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 on the advice and with the consent of the Executive Council, on the recommendation of the Minister of Social Services, Work and Income acting for 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.

ANALYSIS

- 1. Title and commencement
- 2. Interpretation
- 3. Exemptions
- 4. Exemptions do not apply to certain persons
- 5. Exemptions may lapse
- 6. Revocations

SCHEDULES

- Schedule 1
Organisations Exempted from Holidays Act 1981 and Minimum Wage Act 1983
- Schedule 2
Organisations Exempted from Minimum Wage Act 1983 Only

ORDER

1. Title and commencement—(1) This order may be cited as the Disabled Persons Employment Promotion Order 1999.

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

2. Interpretation—(1) In this order, unless the context otherwise requires,—

“Act” means the Disabled Persons Employment Promotion Act 1960:

“Exempt organisation” means any of the organisations listed in Schedules 1 and 2:

“Exemptions” means the exemptions granted under regulation 3 (1) and (2):

“Statutory benefits” means the benefits conferred by—

(a) The Minimum Wage Act 1983; and

(b) The Holidays Act 1981.

(2) Any term that is defined in the Act and used, but not defined, in this order has the same meaning as in the Act.

3. Exemptions—(1) The organisations listed in Schedules 1 and 2 are exempt from the Minimum Wage Act 1983 for the sheltered workshops listed opposite their names in the second column of those schedules.

(2) The organisations in Schedule 1 are exempt from the Holidays Act 1981 for the sheltered workshops listed opposite their names in the second column of that schedule.

(3) The exemptions are—

(a) Subject to regulations 4 and 5; and

(b) Not limited or affected by the change of name of an exempt organisation.

4. Exemptions do not apply to certain persons—The exemptions do not apply to a person who,—

(a) Before this order came into force,—

(i) Was entitled to one or both of the statutory benefits; and

(ii) Was employed by an organisation that did not have an exemption under section 4 of the Act:

(b) After this order comes into force, is employed by an exempt organisation to provide administrative, advisory, liaison, managerial, supervisory, technical, or other similar services—

(i) For or in respect of other employees of that exempt organisation; or

(ii) For clients of that exempt organisation.

5. Exemptions may lapse—An exemption lapses if, and to the extent that, a sheltered workshop to which the exemption applies—

(a) Ceases to be owned or controlled by an exempt organisation; or

(b) Ceases to be a sheltered workshop.

6. Revocations—(1) The Disabled Persons Employment Promotion Order 1998 (1998/255) is revoked.

(2) The orders specified in subclause (3) are revoked.

(3) The orders referred to in subclause (2) are orders made under section 4 of the Act that—

(a) Were made before the Disabled Persons Employment Promotion Order 1996 came into force; and

- (b) Granted an exemption to an organisation that is named in the first column of either Schedule (whatever its name was when the exemption was granted); and
 - (c) Were in force immediately prior to this order coming into force.
-

SCHEDULES

SCHEDULE 1

Cl. 3

ORGANISATIONS EXEMPTED FROM HOLIDAYS ACT 1981 AND MINIMUM
WAGE ACT 1983

<i>Exempt Organisations</i>		<i>Sheltered Workshops</i>
Atawhai Industries Incorporated	1.	38G McLean Street, Fitzroy, New Plymouth
	2.	38B McLean Street, Fitzroy, New Plymouth
Auckland Protected Employment Trust		11-13 Laureston Avenue, Otahuhu
Blenheim Business Services Incorporated		Kopy Katz, 25 Alfred Street, Blenheim
Cambridge Disabled Sheltered Workshop Incorporated		13 Wilson Street, Cambridge
Coromandel Independent Living Trust		1740 Rings Road, Coromandel
Disability Resource Centre HB Incorporated		204 Nelson Street South, Hastings
Disability Training Services HB Trust Board		87 Austin Street, Onekawa, Napier
Disabled Citizens Society Incorporated (trading as Cargill Enterprises)		Sheltered Workshop and Training Centre, 199 Hillside Road, Dunedin
Disabled Distributors Incorporated	1.	AbPost, 4 Union Street, Petone
	2.	AbPost and Pack, 76A Stoddard Road, Mt Roskill, Auckland
	3.	A.B. Services, 3 Leith Road, Owhata, Rotorua
Eastern Bay Achievement Trust Incorporated		Te Tahi Street, Whakatane
Firmament Incorporated Charitable Trust		28 Boomer Street, Green Island, Dunedin
Framework Trust	1.	Kowhai House, 14 Kingsland Terrace, Kingsland
	2.	Kingsland Activity Centre, 10 Kingsland Terrace, Kingsland

SCHEDULE 1—*continued*ORGANISATIONS EXEMPTED FROM HOLIDAYS ACT 1981 AND MINIMUM
WAGE ACT 1983—*continued*

<i>Exempt Organisations</i>		<i>Sheltered Workshops</i>	
Framework Trust— <i>continued</i>	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	
	Greenways Trust		Waihue Road, Dargaville
	Hamilton Workshop & Training Centre Incorporated	1.	80 Sunshine Avenue, Te Rapa
2.		Peachgrove Workshop, 80 Peachgrove Road, Hamilton	
Handmade Studio Trust		150a Colombo Street, Beckenham, Christchurch	
Hohepa Homes (Canterbury)	1.	Birchfield Workshops, 23 Barrington Street, Spreydon, Christchurch	
	2.	Wood Workshop, Farm and Gardens, Cnr Sabys and Trices Roads, Halswell	
Hohepa Homes Hawkes Bay		State Highway 2, Main Road, Clive	
Hutt Valley Disabled Resources Trust	1.	Kennedy Good Centre, 60 Woburn Road, Lower Hutt	

SCHEDULE 1—*continued*ORGANISATIONS EXEMPTED FROM HOLIDAYS ACT 1981 AND MINIMUM
WAGE ACT 1983—*continued*

<i>Exempt Organisations</i>		<i>Sheltered Workshops</i>
Hutt Valley Disabled Resources Trust— <i>continued</i>	2.	Pet Products, 60 Fisk Street, Naenae
	3.	Training House, 106 Rata Street, Naenae
IHC New Zealand Incorporated	1.	Te Reinga Street, Kaitaia
	2.	Awakino Point North, Dargaville
	3.	11 Cooke Street, Whangarei
	4.	Finlayson Street, Whangarei
	5.	Lower Cameron Place, Whangarei
	6.	30 Porowini Avenue, Whangarei
	7.	Whau Valley Road, Whangarei
	8.	229 Hibiscus Coast Highway, Orewa
	9.	262 Main Road, Albany
	10.	4/318 Beachhaven, Rangitoto
	11.	165 Sunnybrae Road, Rangitoto
	12.	13-15 Fraser Avenue, Northcote
	13.	31a Cartwright Road, Glen Eden
	14.	4b/64 Henderson Valley Road, Henderson
	15.	80b Tirimoana Road, Henderson
	16.	8 View Road, Henderson
	17.	13 Lincoln Park Avenue, Massey
18.	163 Stoddard Road, Mt Roskill	
19.	22b Willcott Street, Mt Albert	

SCHEDULE 1—*continued*ORGANISATIONS EXEMPTED FROM HOLIDAYS ACT 1981 AND MINIMUM
WAGE ACT 1983—*continued*

<i>Exempt Organisations</i>		<i>Sheltered Workshops</i>
IHC New Zealand Incorporated— <i>continued</i>	20.	Pearce Street, Onehunga
	21.	368c Church Street, Onehunga
	22.	39 Eric Paton Way, Tamaki
	23.	37c Sir William Drive, East Tamaki
	24.	626 Great South Road, South East Auckland
	25.	180 Wellington Street, Howick
	26.	68 Dawson Road, Otara
	27.	32 Maich Road, Manurewa
	28.	21 Ray Small Drive, Papakura
	29.	3b Leonard Street, Waiuku
	30.	109 Edinburgh Street, Pukekohe
	31.	40 Subway Road, Pukekohe
	32.	Bridge and Von Tempsky Streets, Hamilton
	33.	89 Garnett Avenue, Hamilton
	34.	2 Keddell Street, Hamilton
	35.	6 Kent Street, Hamilton
	36.	180 Kent Street, Hamilton
	37.	7a Lake Road, Hamilton
	38.	18 Rayner Street, Huntly
	39.	Kimihia Road, Kaipaki
	40.	176 Tarr Road, Kaipaki
	41.	32 Moorehouse Street, Morrinsville

SCHEDULE 1—*continued*ORGANISATIONS EXEMPTED FROM HOLIDAYS ACT 1981 AND MINIMUM
WAGE ACT 1983—*continued*

<i>Exempt Organisations</i>	<i>Sheltered Workshops</i>
IHC New Zealand Incorporated— <i>continued</i>	42. Arawa Street, Matamata
	43. 112 Bridge Street, Tokoroa
	44. Grey Street, Paeroa
	45. 205 Willoughby Street, Paeroa
	46. 76 Kenny Street, Waihi
	47. 129 Birch Avenue, Tauranga
	48. 2 Community Village, 17th Avenue, Tauranga
	49. 40 Community Village, 17th Avenue, Tauranga
	50. 13 First Avenue, Tauranga
	51. 45 Fourth Avenue, Tauranga
	52. Gloucester Road, Mt Maunganui
	53. Newton Road, Mt Maunganui
	54. 64 Kawaha Point Road, Rotorua
	55. 151 Sunset Road, Rotorua
56. 13 Ti Street, Rotorua	
57. 280 Tutanekai Street, Rotorua	
58. 61 Alexander Avenue, Whakatane	
59. Karenza Lane, Awakeri, RD1, Whakatane	
60. Heu Heu Street, Taupo	
61. 135 Taharepa Road, Taupo	
62. Turaki Street, Taumarunui	
63. Maniapoto Road, Te Kuiti	
64. 25 Te Kanawa Road, Otorohanga	

SCHEDULE 1—*continued*ORGANISATIONS EXEMPTED FROM HOLIDAYS ACT 1981 AND MINIMUM
WAGE ACT 1983—*continued*

<i>Exempt Organisations</i>		<i>Sheltered Workshops</i>
IHC New Zealand Incorporated— <i>continued</i>	65.	34 Barrett Street, New Plymouth
	66.	Borrell Avenue, New Plymouth
	67.	765 Carrington Road, New Plymouth
	68.	116 Gill Street, New Plymouth
	69.	44–46 King Street, New Plymouth
	70.	160 St Aubyn Street, New Plymouth
	71.	104 Vivian Street, New Plymouth
	72.	26 McLean Street, Waitara
	73.	64 King Street, Opunake
	74.	82 Broadway, Stratford
	75.	65 Dixon Avenue, Hawera
	76.	283 High Street, Hawera
	77.	21 Morissey Street, Hawera
	78.	2 Anzac Street, Gisborne
	79.	Disraeli Street, Gisborne
	80.	318 Kahutia Street, Gisborne
	81.	Roebuck Street, Gisborne
	82.	9 Temple Street, Gisborne
83.	Queen Street, Wairoa	
84.	Bledisloe Road, Napier	
85.	Latham Street, Napier	
86.	7 Sheffield Place, Napier	
87.	Gordon Road, Hastings	
88.	438 Heretaunga Street, Hastings	

SCHEDULE 1—*continued*ORGANISATIONS EXEMPTED FROM HOLIDAYS ACT 1981 AND MINIMUM
WAGE ACT 1983—*continued*

<i>Exempt Organisations</i>	<i>Sheltered Workshops</i>
IHC New Zealand Incorporated— <i>continued</i>	89. The Quarry, Bridge Pa, Hastings
	90. 500 Tomoana Road, Hastings
	91. Wilson Road, Hastings
	92. 46 Bentley Street, Masterton
	93. 27-33 Broadway, Carterton
	94. 226 High Street, Dannevirke
	95. 128 South Road, Feilding
	96. 414 Wellington Road, Marton
	97. 175 Main Street, Pahiatua
	98. 153 Cook Street, Palmerston North
	99. 260 Ferguson Street, Palmerston North
100. Pinfold Road, Aokautere, Palmerston North	
101. 8-10 Pitt Street, Palmerston North	
102. 38 Alma Road, Wanganui	
103. 180 Glasgow Street, Wanganui	
104. Moore Avenue, Wanganui	
105. Turoa Road, Wanganui	
106. Huia Street, Taihape	
107. Main South Road, Levin	
108. 26 McKenzie Street, Levin	
109. 25 Dunstan Street, Otaki	
110. 15 Seaview Road, Paraparaumu	
111. 43 Seaview Road, Paraparaumu	

SCHEDULE 1—*continued*ORGANISATIONS EXEMPTED FROM HOLIDAYS ACT 1981 AND MINIMUM
WAGE ACT 1983—*continued*

<i>Exempt Organisations</i>		<i>Sheltered Workshops</i>
IHC New Zealand Incorporated— <i>continued</i>	112.	16 Hagley Street, Porirua
	113.	26 Kenepuru Drive, Porirua
	114.	28 Goodshed Road, Upper Hutt
	115.	IRD Processing Centre, Upper Hutt
	116.	Sharing and Plough, 35 Whakaotiki Street, Upper Hutt
	117.	79 Copeland Street, Lower Hutt
	118.	29 Kings Crescent, Lower Hutt
	119.	19 Jackson Street, Lower Hutt
	120.	10 Taine Street, Taita, Lower Hutt
	121.	375 Adelaide Road, Wellington
	122.	21 Jessie Street, Wellington
	123.	Unit 3, 6–8 Horner Street, Wellington
	124.	28 Middleton Road, Johnsonville
	125.	32 Park Road, Miramar, Wellington
	126.	St Vincent de Paul's, Altar Bread Department, 207 Riddiford Street, Wellington
	127.	Middle Road, Blenheim
	128.	Selmes Road, RD3, Blenheim
	129.	182 Weld Street, Blenheim
	130.	27 Beach Road, Kaikoura
	131.	10 Church Street, Nelson

SCHEDULE 1—*continued*ORGANISATIONS EXEMPTED FROM HOLIDAYS ACT 1981 AND MINIMUM
WAGE ACT 1983—*continued*

<i>Exempt Organisations</i>	<i>Sheltered Workshops</i>
IHC New Zealand Incorporated— <i>continued</i>	132. 15 Green Street, Nelson
	133. 52 Oxford Street, Richmond
	134. 55a High Street, Motueka
	135. Commercial Street, Golden Bay
	136. 149 Derby Street, Westport
	137. 131 Tainui Street, Greymouth
	138. 130 Revell Street, Hokitika
	139. Kippenberger Avenue, Rangiora
	140. 77 Brisbane Street, Christchurch
	141. 352 Colombo Street, Christchurch
	142. 4 Marylands Place, Christchurch
	143. 8 Sheffield Street, Christchurch
	144. 277 Stanmore Road, Christchurch
	145. 515 Wairakei Road (Unit 5), Christchurch
	146. 179 Alford Forest Road, Ashburton
	147. Main South Road, Tinwald
	148. Arowhenua Road, Kerrytown
	149. 38a Church Street, Timaru
	150. 9a Dee Street, Timaru
	151. 139 King Street, Timaru
	152. 14 Sandringham Street, Oamaru
	153. 20 Fox Street, Dunedin

SCHEDULE 1—*continued*ORGANISATIONS EXEMPTED FROM HOLIDAYS ACT 1981 AND MINIMUM
WAGE ACT 1983—*continued*

<i>Exempt Organisations</i>		<i>Sheltered Workshops</i>
IHC New Zealand Incorporated— <i>continued</i>	154.	38 King Edward Street, Dunedin
	155.	57 Kirkcaldy Street, Dunedin
	156.	343 North Road, Dunedin
	157.	Rankeillor Street, Dunedin
	158.	77 Stafford Street, Dunedin
	159.	50 Timaru Street, Dunedin
	160.	27 Wingatui Road, Dunedin
	161.	Barnego Nursery, Balclutha
	162.	Francis Street, Balclutha
	163.	Cnr Stewart and High Streets, Balclutha
	164.	60 Centennial Avenue, Alexandra
	165.	15 Civic Avenue, Gore
	166.	7 Oreti Street, Gore
	167.	St Peters Laundry, Pukaki Street, Gore
	168.	71 Conon Street, Invercargill
	169.	141 Dalrymple Street, Invercargill
	170.	70 Doon Street, Invercargill
171.	62 East Road, Invercargill	
172.	82 Sydney Street, Invercargill	
173.	54 Tweed Street, Invercargill	
174.	186 Venus Street, Invercargill	
Kimberley Centre - MidCentral Health Limited		Kimberley Centre, Kimberley Road Levin

SCHEDULE 1—*continued*ORGANISATIONS EXEMPTED FROM HOLIDAYS ACT 1981 AND MINIMUM
WAGE ACT 1983—*continued*

<i>Exempt Organisations</i>	<i>Sheltered Workshops</i>
Manaaki Trust Incorporated	Manaaki Trust Training Venture, Miriamia Street, Taumarunui
Matea Trust	1016 State Highway 1, Dairy Flat, RD2 Albany
Presbyterian Support (East Coast)	Education and Lifeskills Centre, 429 Gloucester Street, Taradale, Napier
Richmond Fellowship of NZ Incorporated	3 Robert Street, Ellerslie, Auckland
Schizophrenia Fellowship Wairarapa	McNeight Workshop, 425 Queen Street, Masterton
Second Chance Enterprises Incorporated	1. Main Drive, Porirua Hospital, Porirua 2. Zoodoo Woodford Gardens, Woodford Avenue, Henderson, Auckland
South Waikato Achievement Trust Incorporated	1. South Waikato Achievement Centre, 12 Thompson Street, Tokoroa 2. THESA Products, 123 Logan Street, Tokoroa 3. V.I.S.I.O.N.S., 1 Osborne Place, Tokoroa
SPAN Charitable Trust	Suite 80, 224 Cashel St, Christchurch
Spectrum Care Trust	1. Workoptions-South, 533 Great South Road, Papatoetoe 2. Workoptions-Gardens, 69 Gadsby Road, Mangere 3. Workoptions-Central, 17a George Terrace, Onehunga 4. Workoptions-Kumeu, Little Orchard - Old North Road, Kumeu

SCHEDULE 1—*continued*ORGANISATIONS EXEMPTED FROM HOLIDAYS ACT 1981 AND MINIMUM
WAGE ACT 1983—*continued*

<i>Exempt Organisations</i>	<i>Sheltered Workshops</i>
Step Ahead Trust	167 Stanmore Road, Christchurch
The Supported Life Style Hauraki Trust	104 Amy Street, Thames
Te Aratu Trust	Training and Achievement Centre, 33 Tarewa Road, Rotorua
Te Awamutu Gracelands Trust	1. Gracelands Recycling, Waipa District Council Transfer Station, Paterangi Road, Te Awamutu
	2. Gracelands Green Team, 48 Teasdale Street, Te Awamutu
Vanessa Lowndes Abilities Incorporated	143 Derby Street, Gisborne
Waikato Community Living Trust	1. Woodwork Centre, Unit D Ellis Court, cnr Ellis & Bandon Streets, Hamilton
	2. 92 Clarence Street, Hamilton
	3. 92A Clarence Street, Hamilton
	4. Visual Artz Studio, cnr Ward Street & Seddon Road, Hamilton
	5. 6 Pembroke Lane, Hamilton
	6. Horticulture, Reid Road, Hamilton
Wanganui Enterprises	41 London Street, Wanganui

SCHEDULE 2

Cl. 3

ORGANISATIONS EXEMPTED FROM MINIMUM WAGE ACT 1983 ONLY

<i>Exempt Organisation</i>		<i>Sheltered Workshop</i>
Abilities North Shore Incorporated	1.	Abpac West, 2/448 Rosebank Road, Avondale, Auckland
	2.	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
Avalon Training Centre (Equality (Bay of Plenty) Incorporated)		Cnr Gill Lane & Main Road, Te Puna, RD2 Tauranga
Disabled Citizens Society Incorporated		421-423 Dominion Road, Mt Eden
Kaurilands Skills Centre		Tokatoka Road, PO Box 203, Dargaville
Supported Employment Agency Trust (Incorporated)		Quality Furniture Mart, 15 Ti Street, Rotorua

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 organisations owning or controlling specified sheltered workshops from the Minimum Wage Act 1983, or from that Act and the Holidays Act 1981.

Sheltered workshops are places owned or controlled by organisations that have been approved by the Minister of Employment and that operate undertakings whose object is the care, treatment, and rehabilitation of disabled persons.

Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 18 November 1999.

This order is administered in the Department of Labour.