

Serial Number 1949/10

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**THE ECONOMIC STABILIZATION EMERGENCY REGULATIONS  
1942, AMENDMENT NO. 14**

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B. C. FREYBERG, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington, this 17th day of  
February, 1949

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Economic Stabilization Act, 1948, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby make the following regulations.

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REGULATIONS

1. (1) These regulations may be cited as the Economic Stabilization Emergency Regulations 1942, Amendment No. 14, and shall be read together with and deemed part of the Economic Stabilization Emergency Regulations 1942\* (hereinafter referred to as the principal regulations).

(2) These regulations shall apply with respect to every application for a standard wage pronouncement under Regulation 39B of the principal regulations that is pending at the commencement of these regulations, and every such pending application shall be deemed to have been made under Regulation 39B as substituted by these regulations.

STABILIZATION OF RATES OF REMUNERATION

2. The principal regulations are hereby amended by revoking Regulation 39B, and substituting the following heading and regulation :—

*“ Standard Wage Pronouncements*

“ 39B. (1) Subject to the provisions of these regulations, the Court may from time to time, of its own motion or on the application of any industrial union or industrial association of employers or workers made in that behalf, make a pronouncement specifying standard rates of wages for skilled, semi-skilled, and unskilled workers for the purposes of these regulations.

\* Statutory Regulations 1942, Serial number 1942/335, page 815.  
Reprinted with Amendments Nos. 1 to 3: Statutory Regulations 1944, Serial number 1944/36, page 106.  
Amendment No. 4: Statutory Regulations 1944, Serial number 1944/93, page 252.  
Amendment No. 5: Statutory Regulations 1945, Serial number 1945/6, page 8.  
Amendment No. 6: Statutory Regulations 1945, Serial number 1945/75, page 181.  
Amendment No. 7: Statutory Regulations 1946, Serial number 1946/2, page 2.  
Amendment No. 8: (*Revoked.*)  
Amendment No. 9: (*Revoked.*)  
Amendment No. 10: (*Revoked.*)  
Amendment No. 11: Statutory Regulations 1947, Serial number 1947/29, page 69.  
Amendment No. 12: Statutory Regulations 1947, Serial number 1947/87, page 326.  
Amendment No. 13: (*Revoked.*)  
Amended by Acts—  
1948, No. 38.  
1948, No. 47, section 35 (10).  
1948, No. 76, section 54 (2).

“(2) A pronouncement may be made under this regulation on an application for a general order under Regulation 42 hereof.

“(3) The Court shall not make any pronouncement under this regulation less than one year after the date on which any previous pronouncement under this regulation has been made, or less than one year after the date on which any general order under Regulation 42 hereof has taken effect.

“(4) In making a pronouncement under this regulation the Court shall take into account—

“(a) The general purpose of these regulations :

“(b) Any rise or fall in retail prices as indicated by any index published by the Government Statistician :

“(c) The economic conditions affecting finance, trade, and industry in New Zealand :

“(d) Relative movements in the incomes of different sections of the community :

“(e) All other considerations that the Court deems relevant.

“(5) Before making any pronouncement under this regulation the Court shall afford such opportunity to be heard as it thinks proper to representatives appointed by the parties bound by awards and industrial agreements :

“Provided that the failure of any parties to appoint any such representative shall not affect the validity of any pronouncement, and the validity of any pronouncement shall not be questioned on the ground that sufficient or adequate opportunity has not been afforded to any person affected to be heard by the Court.”

3. Regulation 39c of the principal regulations is hereby amended by omitting from subclause (1) the words “ 17th day of March, 1945 ”, and substituting the words “ 1st day of October, 1947 ”.

#### *General Orders*

4. (1) The principal regulations are hereby amended by revoking Regulation 42, and substituting the following regulation :—

“ 42. (1) Subject to the provisions of these regulations, the Court may from time to time, on the application of any industrial union or industrial association of employers or workers made in that behalf, by general order amend the provisions of all awards and industrial agreements for the time being in force in so far as those provisions determine the rates of remuneration of workers, to the intent that those rates shall be increased or reduced as the Court thinks just and equitable.

“(2) A general order may be made under this regulation on an application for a standard wage pronouncement under Regulation 39B hereof.

“(3) The Court shall not make any general order under this regulation to take effect less than one year after the date on which any previous general order under this regulation has taken effect, or less than one year after the date on which any pronouncement under Regulation 39B hereof has been made.

“(4) In making a general order under this regulation the Court shall take into account the considerations specified in Regulation 39B (4) hereof.

“(5) Before making any general order under this regulation the Court shall afford such opportunity to be heard as it thinks proper to representatives appointed by the parties bound by awards and industrial agreements :

“Provided that the failure of any parties to appoint any such representative shall not affect the validity of any general order, and the validity of any general order shall not be questioned on the ground that sufficient or adequate opportunity has not been afforded to any person affected to be heard by the Court.

“(6) Every general order made under this regulation shall be filed with the Clerk of Awards in every industrial district and, subject to the provisions of Regulation 43 hereof, shall be deemed to have been incorporated in every award and industrial agreement in force in the industrial district, on and from the date of the general order, or on and from such later date as may be specified in the general order in that behalf, and shall have effect according to its tenor.”

(2) The following regulations are hereby revoked :—

(a) The Rates of Wages Emergency Regulations 1940\* :

(b) The Rates of Wages Emergency Regulations 1940, Amendment No. 1† :

(c) The Rates of Wages Emergency Regulations 1940, Amendment No. 2‡ :

(d) Subclause (5) of Regulation 43 of the principal regulations :

(e) Regulation 2 of the Economic Stabilization Emergency Regulations 1942, Amendment No. 6.

### *Apprentices*

5. (1) The principal regulations are hereby amended by revoking Regulations 43A and 43AA and the heading “Transitional Provisions” before the said Regulation 43A, and substituting the following heading and regulation :—

### *“Apprentices*

“43A. (1) The powers conferred on the Court by Regulations 39A, 39C, and 42 hereof may, on application in that behalf, be exercised by the Court in respect of any apprenticeship order that is in force when the powers are exercised in respect of any award or industrial agreement, unless the amendment made to the award or industrial agreement automatically applies to the apprenticeship order by reason of the fact that the rates of remuneration of apprentices are fixed by the apprenticeship order as proportions of the rates of remuneration from time to time fixed for journeymen.

“(2) Any amendment made by the Court under this regulation to any apprenticeship order shall, on and from the date on which it takes effect, be deemed to apply according to its tenor to all contracts of apprenticeship in force on that date and entered into subject either to the provisions of that apprenticeship order or to the provisions of an apprenticeship order that has before that date been superseded directly or indirectly by that apprenticeship order ; and where the amendment takes effect before the date on which it is made it shall, on and from the date of the commencement of the apprenticeship, be deemed

\* Statutory Regulations 1940, Serial number 1940/86, page 301.

† Statutory Regulations 1940, Serial number 1940/116, page 380.

‡ Statutory Regulations 1940, Serial number 1940/242, page 785.

to apply according to its tenor to every contract of apprenticeship so entered into between the time at which the amendment takes effect and the date on which it is made.

“(3) Where an amendment has been made by the Court under this regulation to any apprenticeship order, the Court may of its own motion, after affording the Apprenticeship Committees concerned (if any) an opportunity of being heard or of making written submissions, make a corresponding amendment to such other apprenticeship orders as the Court thinks fit, whether in respect of the same industry or any other industry.”

(2) The following regulations are hereby consequentially revoked :—

- (a) Subclauses (3) and (4) of Regulation 39A of the principal regulations :
- (b) Regulation 8 of the Economic Stabilization Emergency Regulations 1942, Amendment No. 1\* :
- (c) The Economic Stabilization Emergency Regulations 1942, Amendment No. 2† :
- (d) Regulation 9 of the Economic Stabilization Emergency Regulations 1942, Amendment No. 3 :
- (e) Regulation 3 of the Economic Stabilization Emergency Regulations 1942, Amendment No. 7.

#### *Miscellaneous Amendments*

6. Regulation 31 of the principal regulations is hereby amended by omitting from the definition of the term “general order” in subclause (1) the words “under the Rates of Wages Emergency Regulations 1940”, and substituting the words “under Regulation 42 hereof”.

7. Regulation 34 of the principal regulations is hereby amended by inserting in paragraph (a) of subclause (5), after the words “Rates of Wages Emergency Regulations 1940”, the words “or under Regulation 42 hereof”.

8. Regulation 35 of the principal regulations is hereby amended by revoking paragraph (c) of subclause (1).

9. Regulations 40 and 41 of the principal regulations are hereby revoked.

T. J. SHERRARD,  
Clerk of the Executive Council.

\* Statutory Regulations 1943, Serial number 1943/38, page 69.

† Statutory Regulations 1943, Serial number 1943/49, page 96.

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Issued under the authority of the Regulations Act, 1936.

Date of notification in *Gazette* : 21st day of February, 1949.

These regulations are administered in the Office of the Director of Stabilization in the Treasury.