

Serial Number 1944/93



**THE ECONOMIC STABILIZATION EMERGENCY REGULATIONS
1942, AMENDMENT NO. 4**

C. L. N. NEWALL, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington, this 14th day
of June, 1944

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Emergency Regulations Act, 1939, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby make the following regulations.

REGULATIONS

1. These regulations may be cited as the Economic Stabilization Emergency Regulations 1942, Amendment No. 4, and shall be read together with and deemed part of the Economic Stabilization Emergency Regulations 1942* (hereinafter referred to as the principal regulations).

2. Regulation 34 of the principal regulations is hereby amended by adding to subclause (5) the following paragraph :—

“(d) In the case of any allowance in respect of tools, bicycles, motor-vehicles, protective or special clothing, or special footwear to any workers who are not bound by any award or industrial agreement, a rate fixed by a voluntary agreement made with any organization of such workers, if the rate is approved by the Court of Arbitration in accordance with Regulation 34A hereof.”

3. The principal regulations are hereby amended by inserting, after Regulation 34, the following regulation :—

“34A. (1) Where any voluntary agreement is made or proposed to be made with any organization of workers who are not bound by any award or industrial agreement, and the agreement provides for an allowance of a kind referred to in paragraph (d) of Regulation 34 (5) hereof, the parties to the agreement may apply to the Court of Arbitration for its approval of the rate of that allowance.

* Statutory Regulations 1942, Serial number 1942/335, page 815.

Reprinted with amendments: Statutory Regulations 1944, Serial number 1944/36, page 106.

“(2) On the hearing of any such application the Court, in its discretion, having regard to the general purpose of these regulations, to any increase in the cost of the tools, bicycles, motor-vehicles, clothing, or footwear, or in the replacement, repair, or maintenance thereof, and to all other relevant considerations, may refuse the application or may grant it wholly or partly, and either unconditionally or upon or subject to such conditions as the Court thinks fit.

“(3) Any approval granted by the Court under this regulation may in like manner be at any time revoked, and any such conditions may in like manner from time to time be varied, revoked, or added to by the Court.”

4. (1) Regulation 35 of the principal regulations is hereby further amended by revoking subclause (5).

(2) Regulation 5 of the Economic Stabilization Emergency Regulations 1942, Amendment No. 3, is hereby consequentially revoked.

5. (1) The principal regulations are hereby amended by revoking Regulation 38, and substituting the following regulation :—

“38. (1) In exercising its powers and functions in relation to the making or amendment of awards or apprenticeship orders, the Court of Arbitration shall have regard to the general purpose of these regulations, but, except as provided in Regulations 42 and 43 hereof and in subclause (2) of this regulation, the Court shall not have regard to any fluctuations in the cost of living.

“(2) In considering any application for an allowance or an increased allowance in respect of tools, bicycles, motor-vehicles, protective or special clothing, or special footwear, the Court shall have regard, in addition to the general purpose of these regulations and all other relevant considerations, to any increase or reduction in the cost of the tools, bicycles, motor-vehicles, clothing, or footwear, or in the replacement, repair, or maintenance thereof.”

(2) Regulation 7 of the Economic Stabilization Emergency Regulations 1942, Amendment No. 1, and Regulation 6 of the Economic Stabilization Emergency Regulations 1942, Amendment No. 3, are hereby consequentially revoked.

6. (1) The principal regulations are hereby further amended by revoking Regulation 39, and substituting the following regulation :—

“39. (1) While these regulations continue in force, no industrial agreement shall come into force until it is filed under section 28 of the Industrial Conciliation and Arbitration Act, 1925,* or under section 8 of the Labour Disputes Investigation Act, 1913†.

“(2) No industrial agreement shall be accepted by a Clerk of Awards for filing as aforesaid unless it has been approved by the Court of Arbitration for the purposes of these regulations.

“(3) In exercising its powers and functions in relation to the approval of any industrial agreement for the purposes of these regulations, the Court shall have regard to the general purpose of these regulations, but, except as provided in Regulations 42 and 43 hereof and in subclause (4) of this regulation, the Court shall not have regard to any fluctuations in the cost of living.

“(4) Where an industrial agreement contains provision for an allowance in respect of tools, bicycles, motor-vehicles, protective or special clothing, or special footwear, the Court, in considering that

* See Reprint of Statutes, Vol. III, page 954.

† See Reprint of Statutes, Vol. III, page 1021.

provision, shall have regard, in addition to the general purpose of these regulations and all other relevant considerations, to any increase or reduction in the cost of the tools, bicycles, motor-vehicles, clothing, or footwear, or in the replacement, repair, or maintenance thereof.

“(5) While this regulation continues in force, section 28 of the Industrial Conciliation and Arbitration Act, 1925, shall be read and construed as if the time prescribed by subsection (5) thereof for the filing of every industrial agreement were within twenty-one days after the approval of the agreement by the Court under this regulation.”

(2) Regulation 7 of the Economic Stabilization Emergency Regulations 1942, Amendment No. 3, is hereby consequentially revoked.

7. Regulation 43 of the principal regulations is hereby amended by adding the following subclause:—

“(6) In making any such general order the Court shall exclude from the scope of the order all allowances in respect of tools, bicycles, motor-vehicles, protective or special clothing, or special footwear. No such allowance shall be deemed to form part of the remuneration of any worker for the purposes of the foregoing provisions of this regulation.”

C. A. JEFFERY,
Clerk of the Executive Council.

Issued under the authority of the Regulations Act, 1936.

Date of notification in *Gazette*: 22nd day of June, 1944.

Subject to the general supervision of the Minister of Industries and Commerce, these regulations are administered in the office of the Director of Stabilization in the Treasury.