

Serial Number 1938/5.



**THE FACTORIES ACT EXTENSION ORDER 1938.**

GALWAY, Governor-General.

ORDER IN COUNCIL.

At the Government Buildings at Wellington, this 11th day of January, 1938.

Present :

THE RIGHT HON. M. J. SAVAGE PRESIDING IN COUNCIL.

In pursuance and exercise of the powers conferred by section 47 of the Finance Act, 1936, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby order as follows :—

1. This Order may be cited as the Factories Act Extension Order 1938.

2. The Second Schedule to the Factories Act, 1921-22, is extended by adding thereto the following classes of works or factories, namely :—

Fruit-packing and fruit-grading factories.

3. With respect to the classes of works or factories specified in clause 2 of this Order, the requirements of subsection (4) of section 14 of the Factories Amendment Act, 1936, are hereby modified so that the said subsection (4) shall be read as follows :—

“(4) Every person who is actually employed on any whole holiday or half-holiday shall, in addition to any payment to which he is entitled under the foregoing provisions of this section, be paid therefor at not less than one-half as much again as the ordinary rate :

“Provided that where the ordinary rate is by time and not by piece-work the rate payable under this subsection shall not be less than one shilling and sixpence an hour, and shall be paid at the first regular pay-day thereafter.”

4. With respect to the classes of works or factories specified in clause 2 of this Order, the requirements of section 15 of the Factories Amendment Act, 1936, are hereby modified so that the said section 15 shall be read as follows :—

“15. Where any worker employed in a fruit-packing or fruit-grading factory is actually employed on any Sunday he shall be paid for the time worked on such Sunday at not less than one-half as much again as the ordinary rate :

“ Provided that where the ordinary rate is by time and not by piece-work the rate payable under this subsection shall not be less than one shilling and sixpence an hour, and shall be paid at the first regular pay-day thereafter.”

5. This Order shall come into force on the day following notification of the making thereof in the *Gazette*.

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

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Issued under the authority of the Regulations Act, 1936.  
Date of notification in *Gazette* : 13th day of January, 1938.  
These regulations are administered by the Department of Labour.