

Serial Number 1941/241.



**THE OVERTIME AND HOLIDAYS LABOUR LEGISLATION
SUSPENSION ORDER 1941.**

WHEREAS it appears to me to be necessary for securing the public safety, the defence of New Zealand, the efficient prosecution of any war in which His Majesty may be engaged, and for maintaining supplies and services essential to the life of the community, I, Patrick Charles Webb, Minister of Labour, pursuant to the Labour Legislation Emergency Regulations 1940, do hereby order as follows :—

1. This Order may be cited as the Overtime and Holidays Labour Legislation Suspension Order 1941.

2. This Order applies to all industries coming within the scope of the Labour Legislation Emergency Regulations 1940,* and to the employers and workers in such industries.

3. The provisions of all Acts and regulations and orders thereunder and of all awards and industrial agreements under the Industrial Conciliation and Arbitration Act, 1925, and of all agreements under the Labour Disputes Investigation Act, 1913, and of all voluntary agreements relating to the rates of payment for overtime (except those provisions prescribing minimum cash payments) or for time worked on holidays shall be and are hereby suspended subject to the following terms and conditions :—

(1) Subject to paragraph (3) of this clause, payment for all overtime shall be at the rate of—

(a) Time and a half for the first four hours on any one day, or for the first three hours on any one day where any such Act, Order, award, or agreement so provides ;

(b) Time and a half for the first sixteen hours in any week where the four-hour daily limitation applies, or for the first twelve hours in any week where the three-hour daily limitation applies ;

(c) Double time for all overtime in excess of the daily or weekly limits hereinbefore prescribed :

(2) Subject to paragraph (3) of this clause, time worked on any holiday shall be paid for at double the full ordinary rate :

Provided, however, that where a worker is entitled under the conditions of his employment to payment for any holiday he shall be entitled to receive in addition thereto payment for time worked on such holiday at the full ordinary rate.

* Statutory Regulations 1940, Serial number 1940/123, page 436.

(3) Where provision is made in any Act (including the Emergency Regulations Act, 1939) or regulation or Order thereunder, or in any award or industrial agreement under the Industrial Conciliation and Arbitration Act, 1925, or in any agreement under the Labour Disputes Investigation Act, 1913, or in any voluntary agreement for payment for any overtime or for time worked on any holiday at a lesser rate than hereinbefore prescribed or for accumulating holidays or the allowing of time off in lieu of payment for time worked on any holidays, then and in such case the provisions of such Act, regulation, order, award, industrial agreement, or other agreement shall apply to such overtime or time worked on such holiday as if they had not been suspended by this Order.

4. Nothing in this Order shall apply to waterside work carried on under conditions prescribed in pursuance of the Waterfront Control Commission Emergency Regulations 1940* or to any award in force in the dairying and gold-dredging industries or to the award and Labour Legislation Suspension Order† relating to the shearing industry which awards and Order prescribe weekly hours of employment in excess of forty-four.

5. This Order shall come into effect on the day of the date hereof.

Dated at Wellington, this 17th day of December, 1941.

P. C. WEBB,
Minister of Labour.

* Statutory Regulations 1940, Serial number 1940/59, page 163.

Amendment No. 1 : Statutory Regulations 1940, Serial number 1940/109, page 362.

† Statutory Regulations 1940, Serial number 1940/158, page 537.

Issued under the authority of the Regulations Act, 1936.

Date of notification in *Gazette* : 18th day of December, 1941.

These regulations are administered in the Department of Labour.