

Serial Number 1941/155.



**THE SHARE-MILKING AGREEMENTS ORDER 1939,
AMENDMENT NO. 1.**

C. L. N. NEWALL, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 3rd day of
September, 1941.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

PURSUANT to the authority conferred upon him by section 4 of the Share-milking Agreements Act, 1937, and being satisfied that the variations in the Share-milking Agreements Order 1939 hereby effected and the date as from which this Order is to operate have been agreed to by or on behalf of the New Zealand Farmers' Union and the New Zealand Workers' Industrial Union of Workers, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby order as follows :—

I. This Order may be cited as the Share-milking Agreements Order 1939, Amendment No. 1, and shall be read together with and deemed part of the Share-milking Agreements Order 1939* (hereinafter referred to as the principal Order).

II. This Order shall operate as from the 30th day of June, 1941.

III. The terms and conditions set out in the Schedule to the principal Order are hereby varied as follows :—

(1) Clause 21 of the said Schedule is amended by adding thereto the following words : " But the responsibility of the share-milker in this respect shall not apply in the case of drains which do not directly drain that portion of the property on which the dairying operations are carried on ".

(2) Clause 27 of the said Schedule is amended by revoking the words " material to be found by the farm-owner ", and by adding thereto the following words : " Nevertheless in cases of supply to towns or institutions the sheds shall be maintained according to the requirements of the appropriate authorities. The material only to be supplied by the farm-owner ".

(3) Clause 28 of the said Schedule is amended by inserting, after the words " mutual consent ", the following words : " Which consent shall not be unreasonably withheld ".

* Statutory Regulations 1939, Serial number 1939/86, page 370.

(4) Clause 34 of the said Schedule is amended—

- (a) By omitting the words “each contract”, and substituting therefor the word “writing”; and
 (b) By adding at the end of the clause the words “. . . such cows shall not include cows which shall prove at calving to have lost two or more quarters”.

(5) Clause 36 of the said Schedule is amended by revoking the word “lorries”, and by adding thereto the following words: “Share-milkers agreeing to supply lorries for the purpose of carting milk to the factory and for other farm purposes only shall be paid two-thirds of the cost of benzine, oil, and running-costs, also two-thirds of the costs of registration and license, also depreciation at the rate of 5 per cent. per annum.”

(6) Clause 38 of the said Schedule is amended—

- (a) By inserting, after the words “each party shall”, the words “within two weeks of either party’s giving notice to the other,”;
 (b) By revoking the word “they”, and substituting the words “the arbitrators”; and
 (c) By adding the following words: “In the event of the arbitrators being unable to agree on the third party to be appointed, the dispute shall be referred to the Department of Labour, which shall, in collaboration with the Department of Agriculture, appoint a person with the requisite specialized knowledge to settle it”.

(7) The said Schedule is amended by adding thereto the following additional clauses:—

“42. When the share-milker agrees to perform work outside the scope of the Share-milkers Agreement he shall be paid at a rate to be mutually agreed upon, but in no case shall such rate be less than 2s. per hour for adult male labour.

“43. Bath to be provided at share-milker’s house with arrangements for hot water adjacent thereto.”

T. R. AICKIN,
Acting Clerk of the Executive Council.