



THE WAGE ADJUSTMENT REGULATIONS 1974, AMENDMENT
NO. 14

—
KEITH HOLYOAKE, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 19th day of December
1977

Present:

THE RT. HON. R. D. MULDOON PRESIDING IN COUNCIL

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

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REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Wage Adjustment Regulations 1974, Amendment No. 14, and shall be read together with and deemed part of the Wage Adjustment Regulations 1974* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the day after the date of their notification in the *Gazette*.

2. Rates of remuneration in relation to rates of State employees—Regulation 13 of the principal regulations (as substituted by regulation 3 of the Wage Adjustment Regulations 1974, Amendment No. 9, and amended by regulation 6 of the Wage Adjustment Regulations 1974, Amendment No. 13) is hereby amended by adding the following sub-clauses:

“(5) Notwithstanding the provisions of subclause (3) of this regulation, a State linkage clause may be included in an instrument and may apply to the rates of remuneration of workers affected by that instrument if the Industrial Commission has consented to the inclusion of the clause in the instrument.

“(6) The Industrial Commission shall give its consent under subclause (5) of this regulation only if it is satisfied—

“(a) That substantial parity exists between the conditions of employment (including remuneration) of the workers affected by the

instrument and the conditions of employment (including remuneration) of State employees engaged in comparable work; and

“(b) That the inclusion of the clause is not intended to create or maintain a margin over the conditions of employment of State employees.

“(7) The Industrial Commission, in determining whether it is satisfied concerning the matters mentioned in paragraphs (a) and (b) of subclause (6) of this regulation, may consult such other wage settlement tribunals (including tribunals which determine the conditions of employment, including the remuneration, of State employees) as it thinks fit.

“(8) The consent mentioned in subclause (5) of this regulation shall be required on each occasion on which a State linkage clause is to be included in an instrument, whether or not that instrument supersedes an instrument in which such a clause is included; but nothing in this subclause shall require such consent to be obtained in any case where such a clause may have effect or may be inserted in an instrument by virtue of subclause (3) or subclause (4) of this regulation.”

3. Expiry of Part IIIA of principal regulations—Regulation 45E of the principal regulations (as inserted by regulation 3 of the Wage Adjustment Regulations 1974, Amendment No. 8) is hereby amended by omitting the words “31st day of December 1977”, and substituting the words “30th day of June 1978”.

4. Amendments consequential upon passing of Agricultural Workers Act 1977—(1) The principal regulations are hereby amended in the manner indicated in the Schedule to these regulations.

(2) The Wage Adjustment Regulations 1974, Amendment No. 13, are hereby amended by repealing so much of Part I of the Schedule as relates to regulation 12 of the principal regulations.

SCHEDULE

Reg. 4

AMENDMENTS TO PRINCIPAL REGULATIONS

Regulation Amended	Amendment
Regulation 2 (1)	<p>By revoking paragraph (a) of the definition of the term "instrument", and substituting the following paragraph:</p> <p>"(a) Any award (including an award of the Aircrew Industrial Tribunal and an award made under section 32 (3) of the Agricultural Workers Act 1977 and an agreement deemed to be an award by section 34 (2) of that Act):".</p>
Regulation 8 (5) (a) (as substituted by regulation 3 of the Wage Adjustment Regulations 1974, Amendment No. 13)	<p>By inserting in paragraph (c) of the definition of the term "instrument", after the words "workers' union", the words "or an agricultural organisation".</p>
Regulation 12 (as substituted by regulation 3 of the Wage Adjustment Regulations 1974, Amendment No. 9, and amended by regulation 6 of the Wage Adjustment Regulations 1974, Amendment No. 13)	<p>By inserting, after the words "the Waterfront Industry Tribunal," the words "the Agricultural Tribunal,".</p> <p>By revoking this regulation, and substituting the following regulation:</p> <p>"12. Waterfront Industry Tribunal, Agricultural Tribunal, and Aircrew Industrial Tribunal—(1) Regulations 4 to 7 of these regulations shall apply to every order of the Waterfront Industry Tribunal, to every award of the Agricultural Tribunal (including every agreement deemed to be an award by section 34 (2) of the Agricultural Workers Act 1977), and to every award of the Aircrew Industrial Tribunal, as if it were an instrument to which each of those regulations applied, and as if the Waterfront Industry Tribunal, the Agricultural Tribunal, or the Aircrew Industrial Tribunal, as the case may be, were the Industrial Commission.</p> <p>"(2) For the purposes of subclause (1) of this regulation, the term 'order', in relation to the Waterfront Industry Tribunal, includes any instrument covering workers whose conditions of employment are governed by orders of that Tribunal."</p>

SCHEDULE—*continued*AMENDMENTS TO PRINCIPAL REGULATIONS—*continued*

Regulation Amended	Amendment
Regulation 16H (7) (as inserted by regulation 4 of the Wage Adjustment Regulations 1974, Amendment No. 9)	By inserting, after paragraph (a), the following paragraph: “(aa) Every award made under section 32 (3) of the Agricultural Workers Act 1977 and every agreement deemed to be an award by section 34 (2) of that Act.”.
Regulation 45C (4) (as inserted by regulation 3 of the Wage Adjustment Regulations 1974, Amendment No. 8)	By inserting, after the words “the Water-front Industry Tribunal”, the words “the Agricultural Tribunal,”.

P. G. MILLEN,

Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations amend the Wage Adjustment Regulations 1974.

Regulation 2 makes additional provision for State linkage clauses. The amendments made by this regulation allow State linkage clauses to be included in instruments with the consent of the Industrial Commission. That consent can be given only if certain conditions are found to be satisfied. The existing cases in which such clauses are permitted are not affected.

Regulation 3 continues the provisions of Part IIIA of the principal regulations in force until the 30th day of June 1978. Part IIIA (which relates to redundancy) would otherwise continue in force only until the 31st day of December 1977.

Regulation 4 makes amendments that are consequential on the passing of the Agricultural Workers Act 1977.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 22 December 1977.

These regulations are administered in the Labour Department.