



## THE WAGE FREEZE REGULATIONS 1982, AMENDMENT NO. 19

DAVID BEATTIE, Governor-General

### ORDER IN COUNCIL

At the Government House at Wellington this 19th day of December 1983

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL 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.

#### ANALYSIS

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| <ol style="list-style-type: none"> <li>1. Title</li> <li>2. Commencement and expiry</li> <li>3. Exemption in respect of collective agreements negotiated by New Zealand Early Childhood Workers' Industrial Union of Workers</li> </ol> | <ol style="list-style-type: none"> <li>4. Functions of Authority</li> <li>5. Criteria for Authority</li> <li>6. Procedure</li> <li>7. Prohibition of registration, etc.</li> <li>8. Fourth Schedule amended</li> <li>9. New Sixth Schedule added Schedule</li> </ol> |
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#### REGULATIONS

**1. Title**—These regulations may be cited as the Wage Freeze Regulations 1982, Amendment No. 19, and shall be read together with and deemed part of the Wage Freeze Regulations 1982<sup>22</sup> (hereinafter referred to as the principal regulations).

**2. Commencement and expiry**—(1) These regulations shall come into force on the 20th day of December 1983.

(2) These regulations shall continue in force until the close of the 29th day of February 1984, and shall then expire.

S.R. 1982/141. Reprinted with Amendments Nos. 1 to 18: S.R. 1983/112  
 Amendment No. 11: S.R. 1983/149  
 Amendment No. 15: S.R. 1983/190  
 Amendment No. 16: S.R. 1983/229  
 Amendment No. 17: S.R. 1983/253  
 Amendment No. 18: S.R. 1983/263

**3. Exemption in respect of collective agreements negotiated by New Zealand Early Childhood Workers' Industrial Union of Workers—**

(1) The principal regulations are hereby amended by inserting, after regulation 6AA (as inserted by regulation 7 of the Wage Freeze Regulations 1982, Amendment No. 12), the following regulation:

“6AB. (1) Nothing in regulation 5 of these regulations applies in respect of any collective agreement which—

“(a) Is made after the commencement of these regulations; and

“(b) Is between the New Zealand Early Childhood Workers' Industrial Union of Workers and one or more of the employers specified in the Sixth Schedule to these regulations; and

“(c) Does not prescribe an ordinary time rate of remuneration or any bonus or allowance (other than a reimbursing payment); and

“(d) Contains terms, all of which, after having been referred to the Wage Freeze Authority on the application of the parties, have been approved by it and have been certified by the Wage Freeze Authority to be not in contravention of paragraph (c) of this subclause; and

“(e) Following the giving of the approval and the certificate under paragraph (d) of this subclause, has been registered by the Arbitration Court as a collective agreement.

“(2) Notwithstanding anything in any enactment or in any instrument, no instrument which supersedes a collective agreement to which subclause (1) of this regulation applies shall fix a rate of remuneration that exceeds the rate of remuneration lawfully payable under the superseded or amended collective agreement.

“(3) For the purposes of this regulation, any instrument which is made at any time after the date of the making of a collective agreement to which subclause (1) of this regulation applies and which purports to increase any rate of remuneration payable under any collective agreement to which subclause (1) of this regulation applies, or to provide for payment of any additional remuneration to a worker whose rates of remuneration are fixed by a collective agreement to which subclause (1) of this regulation applies, shall be deemed to be an amendment of the collective agreement by which those rates are fixed, whether the increase or payment purports to have effect before, on, or after the close of the 29th day of February 1984.”

(2) Regulation 5C (2) (a) of the principal regulations (as inserted by regulation 4 of the Wage Freeze Regulations 1982, Amendment No. 2 and re-numbered by regulation 5 of the Wage Freeze Regulations 1982, Amendment No. 13) is hereby amended by inserting, after the expression “regulation 6A (1)”, the words “or paragraphs (a) to (c) of regulation 6AB (1)”.

(3) Regulation 6AA (1) of the principal regulations (as inserted by regulation 7 of the Wage Freeze Regulations 1982, Amendment No. 12) is hereby amended by inserting, after the expression “regulation 6A (1)”, the words “or regulation 6AB (1)”.

**4. Functions of Authority—**(1) The principal regulations are hereby amended by revoking regulation 6C (as inserted by regulation 5 of the Wage Freeze Regulations 1982, Amendment No. 2 and amended by regulation 8 of the Wage Freeze Regulations 1982, Amendment No. 12), and substituting the following regulation:

“6G. The functions of the Wage Freeze Authority shall be—

“(a) To receive and determine applications under regulation 6A (1) (c) of these regulations for its approval of terms relating to remuneration or to both remuneration and reimbursing payments:

“(b) To receive and determine applications under regulation 6AB (1) (d) of these regulations for its approval of the terms of collective agreements and for its certificate that the collective agreements are not in contravention of regulation 6AB (1) (c) of these regulations.”

(2) Regulation 8 of the Wage Freeze Regulations 1982, Amendment No. 12 is hereby consequentially revoked.

**5. Criteria for Authority**—Regulation 6H of the principal regulations (as substituted by regulation 9 of the Wage Freeze Regulations 1982, Amendment No. 12) is hereby amended by inserting, after the expression “regulation 6A (1) (c)”, the words “or regulation 6AB (1) (d)”.

**6. Procedure**—Regulation 6J of the principal regulations (as inserted by regulation 5 of the Wage Freeze Regulations 1982, Amendment No. 2) is hereby amended by revoking subclause (1), and substituting the following subclause:

“(1) The applicants or applicant shall, in making an application for the purposes of regulation 6A (1) (c) or regulation 6AB (1) (d) of these regulations, state in the application the details of the grounds on which the Wage Freeze Authority’s approval is sought.”

**7. Prohibition of registration, etc.**—(1) Regulation 7 of the principal regulations (as amended by regulation 10 of the Wage Freeze Regulations 1982, Amendment No. 12) is hereby amended by omitting the words “regulation 5A (2) or regulation 6 (3) or regulation 6A (2) or regulation 6AA (3)”, and substituting the words “regulation 5A (2) or regulation 6 (3) or regulation 6A (2) or regulation 6AA (3) or regulation 6AB (2)”.

(2) Regulation 10 of the Wage Freeze Regulations 1982, Amendment No. 12 is hereby consequentially revoked.

**8. Fourth Schedule amended**—(1) The Fourth Schedule to the principal regulations (as added by regulation 9 of the Wage Freeze Regulations 1982, Amendment No. 2) is hereby amended by revoking clause 33, and substituting the following clause:

“33. An instrument entered into with Nationwide Food Service (NZ) Limited to prescribe conditions of employment for work to be carried out by catering and domestic staff on the semi-submersible oil drilling rig, *Benreoch*.”

(2) The said Fourth Schedule (as so added) is hereby further amended by revoking clause 53 (as added by regulation 4 of the Wage Freeze Regulations 1982, Amendment No. 14), and substituting the following clause:

“53. An instrument entered into with Hunt Petroleum Company of New Zealand or Penrod Drilling Company or Nationwide Food Service (NZ) Limited or any other catering subcontractor to Hunt Petroleum Company of New Zealand or Penrod Drilling Company to prescribe conditions of employment for work to be carried out by catering and domestic staff on the semi-submersible oil drilling rig, *Penrod 78*.”

(3) The said Fourth Schedule (as so added) is hereby further amended by revoking clause 79 (as added by regulation 4 of the Wage Freeze Regulations 1982, Amendment No. 17), and substituting the following clause:

“79. An instrument entered into with H and R Oil Rig Catering Services to prescribe conditions of employment for work to be carried out by catering and domestic staff on the semi-submersible oil drilling rig, *Sedco 600*.”

(4) The said Fourth Schedule (as so added) is hereby further amended by adding, after clause 83 (as added by regulation 3 of the Wage Freeze Regulations 1982, Amendment No. 18), the following clauses:

“84. An instrument entered into with the New Zealand Waterside Employers Industrial Union of Employers to prescribe conditions of employment for waterside workers to be employed at the port of Timaru to work supply vessels servicing any oil drilling rig operated by BP Shell Todd (Canterbury) Services Limited.

“85. An instrument entered into with the Union Steam Ship Company of New Zealand Limited to prescribe conditions of employment for work to be carried out by cooks and stewards on seismic survey vessels.

“86. An instrument or instruments entered into with McConnell Dowell Constructors Limited and any subcontractors to that company to prescribe conditions of employment for labourers, carpenters, drivers, engineers, and boilermakers employed on the construction of the Lyttelton to Woolston LPG pipeline.

“87. An instrument entered into with the New Plymouth City Council to prescribe conditions of employment for plant operators and plant attendants to be employed at the Council's waste water treatment plant.

“88. An instrument entered into with Liquegas Limited to prescribe conditions of employment for engineering staff employed to operate, maintain, and repair equipment and plant involved with the production, storage, and transfer of liquefied petroleum gases at the company's LPG storage depots, and at facilities incidental to those depots.

“89. An instrument entered into with the Wellington Hospital Board to prescribe an allowance for engineering, plumbing, and electrical staff who are working in the engine hall at the Total Energy Centre at Wellington Hospital and who are by reason of that work exposed to high levels of noise.

“90. An instrument entered into with the Waimairi District Council to prescribe, for health inspectors (other than those whose conditions of employment are determined by Document No. 108, Canterbury Borough and County Councils, Catchment, Plantation, Drainage, River Boards and Local Authorities' Officers' Award) conditions of employment applicable where, in order to administer the Noise Control Act 1982, they are required to stand by or work (or both) outside their normal daily hours of work.

“91. An instrument entered into with Bradbury, Wilkinson and Company (NZ) Limited to prescribe hourly and weekly rates of pay for the crew of the super-intaglio press, including the cylinder preparation technician, these hourly and weekly rates of pay to be in addition to the hourly and weekly rates of pay contained in clause 9 (a) of Document No. 949, Bradbury, Wilkinson and Company (NZ) Composite Agreement.”

**9. New Sixth Schedule added**—The principal regulations are hereby amended by adding the Sixth Schedule set out in the Schedule to these regulations.

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Reg. 9

## SCHEDULE

## NEW SIXTH SCHEDULE TO THE PRINCIPAL REGULATIONS

Reg. 6AB (1) (b)

## "SIXTH SCHEDULE

EMPLOYERS WHO MAY ENTER INTO COLLECTIVE AGREEMENTS WITH NEW ZEALAND EARLY CHILDHOOD WORKERS' INDUSTRIAL UNION OF WORKERS

1. Aro Valley Pre-School Co-operative Incorporated.
2. Auckland Technical Institute Students' Association Incorporated Child Care Centre.
3. Avalon Child Care Association Incorporated.
4. Campus Creche Society Incorporated.
5. Educational Child Care Centre Incorporated.
6. Greenlane Child Care Centre.
7. Hamilton Day Care Centres Trust.
8. Karori Community and College Child Care Centre.
9. Massey University Students' Association Incorporated Child Care Centre.
10. Nelson Day Nursery and Creche Association.
11. The Otago University Nursery Association.
12. Palmerston North Child Care Trust.
13. Public Service Association Child Care Centre Trust.
14. Te Kainga Nui Parent Co-operative Child Care Centre.
15. University of Canterbury Students' Association Incorporated Child Care Centre.
16. Wananga Pre-School."

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, which come into force on 20 December 1983, vary the wage freeze, which continues until the close of 29 February 1984.

Regulations 3 to 7 provide for the exemption of collective agreements negotiated by the New Zealand Early Childhood Workers' Industrial Union of Workers with certain named employers. To be exempt such a collective agreement must not prescribe an ordinary time rate of remuneration or any bonus or allowance (other than a reimbursing payment) and must contain terms, all of which are approved by the Wage Freeze Authority.

Regulation 8 provides for further exemptions under regulation 6A of the principal regulations. To be exempt under that regulation an instrument must implement a complete settlement and be an instrument which—

- (a) Is made after the commencement of the principal regulations on 23 June 1982; and
- (b) Is specified in the Fourth Schedule to the principal regulations (as amended by these regulations); and
- (c) Contains terms relating to remuneration, or to both remuneration and reimbursing payments, all of which, after having been referred to the Wage Freeze Authority on the application of the parties, or, if there are not two or more parties, on the application of the employer, have been approved by it.

Regulation 9 adds a new Sixth Schedule to the principal regulations. This new Schedule names the employers who may enter into collective agreements with the New Zealand Early Childhood Workers' Industrial Union of Workers.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 20 December 1983.

These regulations are administered in the Department of Labour.