

ANNUAL APPOINTMENT OF STATUTORY CLOSING-DAY

Except where the closing-day has been fixed by a poll of electors, the closing-day is appointed each year by resolution of the local authority or, in the absence of a decision by a local authority, by the Minister of Labour. The following changes of day occurred in 1946: Wednesday to Saturday, Borough of Arrowtown, counties of Akaroa, Marlborough, and Whangaroa; Thursday to Saturday, counties of Heathcote and Waitemata; Wednesday to Monday, County of Pohangina. Pursuant to section 4 of the Shops and Offices Amendment Act, 1945, the Christchurch City Council fixed the statutory closing-day for the areas of New Brighton and Sumner as Wednesday.

AMENDMENT OF THE SHOPS AND OFFICES ACT, 1921-22

The Shops and Offices Amendment Act, 1945, came into operation on 7th December, 1945. It provides for a 40-hour week for assistants in shops, but the Court of Arbitration is empowered, on the application of any party (by order in the case of an existing award or in any new award), to extend the hours to 44 where it is of opinion it would be impracticable to carry on efficiently the particular class of business without such extension, but the time worked beyond 40 hours is to be paid for at overtime rates—namely, time and a half, with a minimum of 1s. 6d. an hour.

Hours are to be worked continuously in shops—*i.e.*, not exceeding 8, but 11 on one day—except for meal times and breaks for refreshments. If the meal time exceeds one hour, the extra time over the hour is deemed to be time worked. Extension of the weekly hours from 40 to 44 could be worked up to the last day of June, 1946, but a 40-hour limit is imposed thereafter if extension by the Court is not authorized by that date. Awards and agreements are to be read subject to the Act, but present rates of wages payable shall not be reduced nor the present working-hours increased. Hotels and restaurants are not affected.

The Court of Arbitration is empowered in any award made after the passing of the Act (1) to fix the opening and closing hours of shops; (2) to provide that shops shall not be open for business on one working-day in each week; and (3) that the shops shall not be open for business on any award holiday. Before the Court exercises any of these powers, however, it is required to have regard to all relevant considerations.

The occupier of every shop, whether employing assistants or not, is deemed to be an employer within the meaning of the Industrial Conciliation and Arbitration Act and therefore bound by an award relating to shop-assistants for the purpose of bringing his premises within the closing provisions fixed in such award.

A Magistrate may grant exemption (a) from any opening hours fixed by the award, (b) from any provision that shops shall close for the whole of one working-day, and (c) from any provision that shops shall be closed on holidays. While the closing-hours of any shops are fixed by an award, nothing in section 32 of the Shops and Offices Act, 1921-22, shall apply to those shops.

The Sumner area of the City of Christchurch was placed in the same position as the New Brighton area of the city so far as the statutory closing-day is concerned. The two areas mentioned are deemed to be separate districts for the purposes of the fixing of the statutory closing-day and the Christchurch City Council is deemed to be the local authority for each of those areas for the purpose of determining the statutory closing-day each year.

INDUSTRIAL CONCILIATION AND ARBITRATION ACT

Awards of the Court of Arbitration	115 (last year, 91)
Amendments to existing awards and industrial agreements	427

The awards and industrial agreements actually in force on the 31st March, 1946, totalled 576 (last year, 541).

The Court also issued 123 amendments to existing apprenticeship orders and 59 miscellaneous documents (interpretations, enforcements, &c.).