

or abolish it, and frame conditions for the several industries itself. As employers, it does not matter to us which course is adopted so long as we know that there is one fixed rule in existence. In the Bill here I find that the principal portion deals with trades that I have no interest in, but in the schedule there are one or two suggested alterations in the present Shops and Offices Act which call for some comment. In section 6, subclause (3), it is proposed to amend the original Act by inserting the words "nor on any half-holiday." The effect of that is to restrict an employer of labour from working an employee on the statutory half-holiday, no matter what circumstances or conditions may arise.

2. *Mr. Hardy.*] Such as stocktaking?—No, not such as stocktaking, but such as rebuilding and removing as a result of a fire or damage by water. At the present time, although there is no provision permitting the employment of an employee during the half-holiday, there is no prohibition against it, and in the past we have applied for a permit to the Labour Department. We have not got the permission, but we have had a sort of tacit acknowledgment that no notice would be taken of it if we did so. During the past twelve months we have been engaged in rebuilding operations in connection with our own premises, and it has been necessary to remove several of our departments a number of times. We have applied on one or two occasions for permission to employ our assistants on the statutory half-holiday, and before we could do this we had to get Ministerial permission. Now, what we say is this: that the conditions of trade are such that there are occasions when labour on the statutory half-holiday is absolutely necessary, and, while we are not going to make it general, we ask that the Labour Department be given permission to allow working on the statutory half-holiday when the conditions justify it. We do not ask to be exempt from any restrictions; but if these words are included the Department could not grant permission. I think, if Mr. Tregear himself reads the clause with these words in he will find that by the law he is tied up; and if Messrs. Kirkcaldie and Stains had a fire, and applied for permission to employ their assistants, the Labour Department would say, "You must close at 1 o'clock on Saturday, and you must let your employees go." I am suggesting that the administration of this should be left to the Labour Department. I have to refer briefly to the evidence of two previous witnesses with regard to the hour of closing. The Shops and Offices Act provides fixed hours of labour from 8 o'clock to 6 o'clock on five days of the week and from 8 o'clock to 1 o'clock on one day of the week. Clause 25 gives permission to the majority of those engaged in a certain class of business to apply for amended hours on requisition, and that has been done in Wellington, with the result that the closing-hours have been altered from 8.30 to 6 o'clock on five days of the week and from 8.30 to 9.30 p.m. on Saturday nights, and, of course, 1 o'clock is provided for the day of the half-holiday. Personally this does not affect me, but it is felt by certain people in the trade that there is a distinct hardship thrust upon them in so far as that the smaller men can keep their shops open by combination or by partnerships, or by employing members of the family, while other firms have to close on account of probably the magnitude of their premises or the diversity of their departments. The Employers' Federation have decided to recommend—(1) the fixing of a statutory closing-hour for all shops in each trade or business; (2) the repeal of the provision relating to closing by requisition; (3) failing the adoption of the previous proposal, that provision be made that each business shall for the purposes of this Act be registered in the name of one person as the occupier, and that such registered occupier shall be the only person who can, after the ordinary closing-hours of shops in a similar trade or business, lawfully keep a shop open or carry on the sale of goods; or (4) that the occupiers of shops shall have the right to employ assistants during any time between 8 a.m. and 10 p.m., provided the weekly limit of fifty-two hours is not exceeded. We recommend the first proposal as being the most acceptable—the fixing of the closing-hours for all classes of business—and we want the second clause—that is, the repeal of the provisions with regard to the closing by requisition. With regard to the last proposal, we say it is only fair, if shops are to be allowed to remain open, that all employers should be placed on the same basis, and, provided a man does not work his employees more than fifty-two hours in one week, he should be entitled to regulate their employment to the advantage of his business. I think that is all I have to say.

3. *Mr. Glover.*] Do you not consider that would kill the small man who has perhaps a wife and daughter who assist him?—We have allowed the proprietor himself to keep open. We say that it leads to abuse when a combination of two or three partners under the present condition of things can remain on the premises after the closing-hour.

4. I am alluding to the wife and daughter?—The same position arises with regard to the wife and daughter as the partnership interest.

5. *Mr. Bollard.*] Are you in favour of the man regulating his assistants by keeping open to 10 o'clock?—I am in favour of closing at 6 o'clock.

6. *Mr. McLaren.*] Are you aware that the Arbitration Court has refused to fix the conditions where the matter of the half-holiday has been dealt with by Act of Parliament?—I think it is one of the duties of the Arbitration Court to deal with all matters which have been dealt with by Act of Parliament, which should give it the right and privilege to settle disputes which Parliament reckoned would be more difficult for itself to do.

7. You are working under the Cooks and Waiters' award in one of your departments, are you not?—Yes.

8. You know that the Court has not dealt with that in the same way that Parliament dealt with it in the Shops and Offices Act?—Yes.

9. If the Court then refused to deal with matters provided for by statute law, where would the conflict come in?—I think the Industrial Conciliation and Arbitration Act covers all the requirements, and if the Court is set up it has to comply with all the requirements.

10. Was not the Shops and Offices Act in existence before any of these awards of the Arbitration Court?—Yes.