



THE  
**NEW ZEALAND GAZETTE**  
 EXTRAORDINARY.

Published by Authority.

WELLINGTON, TUESDAY, JULY 15, 1919.

*Amendment of Coal Trade Regulations.*

LIVERPOOL, Governor-General.

By his Deputy,  
 ROBERT STOUT.

ORDER IN COUNCIL.

At the Government House at Wellington, this fifteenth day of July, 1919.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

IN pursuance and exercise of the powers conferred on him by the War Regulations Amendment Act, 1916, and of all other powers enabling him in this behalf, His Excellency the Governor-General of the Dominion of New Zealand, acting by and with the advice and consent of the Executive Council of that Dominion, doth hereby make the regulations set forth in the Schedule hereto, and doth hereby declare that the said regulations shall be read together with and deemed part of the Coal Trade Regulations.

SCHEDULE.

REGULATIONS.

1. FOR the purpose of ensuring the more effective administration of the Coal Trade Regulations, it shall be lawful for any Inspector of Factories, on being authorized so to do by warrant signed by the Chairman or any member of a Coal Trade Committee, to enter upon any land or premises and inspect the same or any part thereof, with a view to discover whether coal is being hoarded by any person, firm, or company in unreasonably large quantities having regard to the shortage of coal supplies.

2. Every person commits an offence against the Coal Trade Regulations, and shall be liable accordingly, who resists or obstructs or interferes with or misleads any Inspector of Factories in the execution of his powers and duties under these regulations.

F. W. FURBY,  
 Acting Clerk of the Executive Council.

*The Regulation of Trade and Commerce Act, 1914 (Section 25), and the Repatriation Act, 1918 (Section 15).—Suspending the Provisions of the Industrial Conciliation and Arbitration Act, 1908, and its Amendments, and of all Awards and Industrial Agreements in so far as they prevent or restrict the Training and Employment of Discharged Soldiers in certain Industries, and providing for the Granting of Assistance to Discharged Soldiers whilst so employed.*

LIVERPOOL, Governor-General.

By his Deputy,  
ROBERT STOUT.

ORDER IN COUNCIL.

At the Government House at Wellington, this fifteenth day of July, 1919.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

WHEREAS by section twenty-five of the Regulation of Trade and Commerce Act, 1914, it is provided that at any time while His Majesty is at war with any foreign Prince or State the Governor may from time to time, by Order in Council, if satisfied that such a course is necessary in the public interest, modify or suspend wholly or partially, and subject to such conditions as he thinks fit,—

- (a.) All or any of the provisions of any industrial award or industrial agreement under the Industrial Conciliation and Arbitration Act, 1908, and its amendments ; and
- (b.) All or any of the provisions of the Shops and Offices Act, 1908, and the Factories Act, 1908, and their amendments ; and
- (c.) All or any of the provisions of any other Act so far as such provisions take away or restrict the liberty of private contract in matters of trade, commerce, business, or employment :

And whereas by Order in Council under the said section dated the third day of December, one thousand nine hundred and seventeen, and published in the *Gazette* of the fourth day of December, one thousand nine hundred and seventeen, the provisions of all awards and industrial agreements prescribing the conditions of employment of under-rate workers and apprentices, and the provisions of the Industrial Conciliation and Arbitration Act and its amendments relating thereto, were suspended in so far as such provisions prevent or restrict the employment of any discharged soldier authorized in the manner prescribed by that Order in Council to be employed in the industry to which such award or industrial agreement relates :

And whereas it is expedient to revoke the said Order in Council, and to make other provisions in lieu thereof :

And whereas by section fifteen of the Repatriation Act, 1918, the Governor-General in Council is empowered to make regulations with respect to the grant of financial assistance to discharged soldiers under that Act :

Now, therefore, His Excellency the Governor-General of the Dominion of New Zealand, in pursuance and exercise of the powers conferred on him as aforesaid, and of all other powers and authorities enabling him in that behalf, and acting by and with the advice and consent of the Executive Council of that Dominion, doth hereby revoke the Order in Council of the third day of December, one thousand nine hundred and seventeen, aforesaid, and doth hereby make the regulations set forth in the Schedule hereto, and doth hereby suspend the provisions of all awards and industrial agreements prescribing the conditions of employment of under-rate workers and apprentices, and also the conditions of the Industrial Conciliation and Arbitration Act, 1908, and its amendments, relating thereto, in so far as those provisions prevent or restrict the employment and training of discharged soldiers pursuant to the conditions set forth in the Schedule hereto ; provided that all permits which, on the making of this Order are in force under the Order in Council hereby revoked, or any prior Order in Council, shall continue in force in all respects as if they had been granted under the corresponding provisions hereinafter in this Order in Council set forth.

## SCHEDULE.

1. FOR the purposes of this Order in Council—

“Discharged soldier” means a discharged soldier within the meaning of the Repatriation Act, 1918, who is incapable of efficiently working at his previous occupation by reason of disablement contracted during his period of military service, or whose opportunity of learning a trade has been adversely affected by reason of military service:

“Authorized Officer” means a District Repatriation Officer, the Secretary of a District Repatriation Board constituted under the Repatriation Act, 1918, or such other person as the Director of Repatriation may authorize to receive applications pursuant to this Order in Council:

“Permit Officer” means the Chairman of a District Repatriation Board or the Chairman of a local committee constituted under the Repatriation Act, 1918, or such other person as the Director of Repatriation may authorize to issue permits pursuant to this Order in Council:

“Industrial committee” means the industrial committee constituted by any District Repatriation Board or local committee under the Repatriation Act, 1918.

2. (1.) The Repatriation Department may arrange for the employment and training of discharged soldiers in any industry or any branch or branches thereof, and may pay to any such discharged soldier by way of subsidy under these regulations an amount equal to the difference between his wages and £3 per week.

(2.) The payment of a subsidy under these regulations shall not be affected by any increase in wages during the currency of permit, or by any pension that has been or may be granted to such discharged soldier or his dependants under the War Pensions Act, 1915.

3. For the purpose of fixing the rate of wages to be paid from time to time to a discharged soldier who is being trained under these regulations there shall be constituted from time to time, as required, a wages committee (hereinafter in these regulations referred to as “the wages committee.”) Such wages committee shall consist of three members, one being a representative appointed by the union concerned in the award or industrial agreement, one being the employer or a representative appointed by him, and the third being the Permit Officer or a representative appointed by him.

4. Application by a discharged soldier to be trained and employed pursuant to this Order in Council may be made to an Authorized Officer.

5. On receipt of any such application the Authorized Officer shall cause inquiries to be made, and if it appears to the industrial committee of the district in which the applicant resides that the applicant is a suitable person to be trained, and that the industry or the branch or branches thereof in which employment and training are sought by the applicant are such that, having regard to the applicant's education and his physical condition, and having regard to the ability of the proposed employer to afford suitable training, the applicant may be expected to attain a reasonable degree of proficiency therein, the Permit Officer may approve the application.

6. When an application has been approved the Permit Officer shall forthwith issue to the applicant a temporary permit to be employed and trained in the industry, or in one or more branches thereof, at such rate of wages as the wages committee considers the applicant may be able to earn. Such temporary permit shall continue in force for one month from the date thereof, but may be extended for a further month by the Permit Officer.

7. If at any time before the expiry of the temporary permit by effluxion of time the applicant desires and the employer is willing to continue the training and employment, the Permit Officer shall, after giving the union concerned in the award or industrial agreement a reasonable opportunity of expressing its views, issue to the applicant a permit to be trained and employed in the industry, or any branch or branches thereof, for a period not exceeding twelve months, and at such rate of wages as may be agreed on by the wages committee. The rate of wages to be paid to such applicant shall be reviewed by the wages committee quarterly.

8. During the currency of such permit it shall be the duty of the employer to teach, and the duty of the applicant to learn, the work of the industry or branch or branches thereof specified in the permit, and such duty to teach and to learn as may be prescribed in the award or industrial agreement for apprentices shall apply to the employer and the applicant.

9. During the period of training the Authorized Officer shall deduct from the subsidy payable to the applicant under clause 2 hereof the sum of 5s. per week, and upon the completion of twelve months' training, or at such earlier date as the applicant shall have satisfactorily completed his training, there shall be paid to the applicant the amount of the subsidy so retained.

10. The period of training shall be limited to twelve months, but in cases where further training is deemed necessary the discharged soldier may make a fresh application, and such application shall be dealt with in a similar manner to that hereinbefore provided for the original application.

11. Notwithstanding anything in this Order in Council, if the applicant seriously misconducts himself or is repeatedly absent from his duties, the employer may notify the Permit Officer thereof, and if such complaint is sustained the Permit Officer may cancel the permit.

F. W. FURBY,  
Acting Clerk of the Executive Council.

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By Authority: MARCUS F. MARKS, Government Printer, Wellington.