

## AGRICULTURAL WORKERS AMENDMENT BILL

### EXPLANATORY NOTE

THIS Bill amends the Agricultural Workers Act 1962 to bring all agricultural workers within the scope of the proposed Industrial Relations Act instead of having their terms and conditions of employment fixed by Order in Council under Part III of the Agricultural Workers Act. The Bill does not affect the requirements of Part II of that Act as to the provision of accommodation for agricultural workers.

*Clause 1* relates to the Short Title and commencement of the Bill, which is to come into force on a date to be fixed by Order in Council.

*Clause 2* repeals Part III of the principal Act and substitutes a new Part III.

The new section 15 defines "worker", for the purposes of this Part, in the same terms as in the existing section 15 (3). The effect of the definition is to include any agricultural worker irrespective of the time for which he is employed. But for this definition a person employed for only 1 week or less would be excluded by reason of the definition in section 2 of the principal Act.

The new section 16 re-enacts the present section 22 with necessary drafting alterations. The new Part III will not apply to workers whose remuneration and conditions of employment are determined under the State Services Remuneration and Conditions of Employment Act 1969.

The new section 17 gives the proposed Industrial Commission jurisdiction to make awards and register agreements in relation to the employment of agricultural workers. Subsection (2) of the new section re-enacts the effect of the proviso to the existing section 15 (3) of the principal Act, and provides that no provision of an award or agreement relating to accommodation shall apply to a worker employed for less than 1 week.

The new section 18 applies the proposed Industrial Relations Act to agricultural workers and their employers, and to unions and associations and societies of such workers or employers.

*Clause 3* contains consequential repeals.

*Clause 4* makes transitional provisions. Until an award or agreement takes effect under the Industrial Relations Act the existing Order in Council under Part III of the principal Act in respect of the workers affected will continue in force, and the relevant provisions of the principal Act will continue to apply.

*Hon. Mr Watt*

## AGRICULTURAL WORKERS AMENDMENT

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### ANALYSIS

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### A BILL INTITULED

#### **An Act to amend the Agricultural Workers Act 1962**

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same,  
5 as follows:

**1. Short Title and commencement**—(1) This Act may be cited as the Agricultural Workers Amendment Act 1973, and shall be read together with and deemed part of the Agricultural Workers Act 1962\* (hereinafter referred to as  
10 the principal Act).

(2) This Act shall come into force on a date to be appointed by the Governor-General by Order in Council.

**2. New Part III substituted**—The principal Act is hereby amended by repealing Part III, and substituting the follow-  
15 ing Part:

\*1962, No. 137

No. 84—1

## "PART III

## "CONDITIONS OF EMPLOYMENT

"15. **Interpretation**—For the purposes of this Part of this Act, the term 'worker' includes any person employed in any of the classes of work performed by an agricultural worker irrespective of the time for which he is employed. 5

Cf. 1962, No. 137, s. 15 (3)

"16. **Application of this Part**—Nothing in this Part of this Act shall apply to any worker whose remuneration and conditions of employment are determined under the State Services Remuneration and Conditions of Employment Act 1969. 10

Cf. 1962, No. 137, s. 22

"17. **Awards and agreements**—(1) The Industrial Commission established under the Industrial Relations Act 1973 shall have jurisdiction to make awards and register agreements under that Act in relation to the employment of workers to whom this Part of this Act applies by employers within the meaning of this Act. 15

"(2) Notwithstanding anything in subsection (1) of this section, no provision of any award or agreement relating to accommodation shall apply to any such worker who is employed for less than 1 week. 20

Cf. 1962, No. 137, s. 15

"18. **Application of Industrial Relations Act 1973**—The Industrial Relations Act 1973 shall apply to such workers and employers as aforesaid and to unions and associations and societies of such workers or employers." 25

**3. Consequential repeals**—The following enactments are hereby consequentially repealed: 30

(a) Sections 24 to 27 of the principal Act:

(b) So much of the First Schedule to the Age of Majority Act 1970 as relates to paragraph (b) of subsection (1) of section 27 of the principal Act.

**4. Transitional provisions**—Notwithstanding the repeal by this Act of Part III and sections 24 to 27 of the principal Act—

- 5 (a) Every Order in Council made under the said Part III and in force at the commencement of this Act shall, in respect of any workers to whom the order applies, continue in force until the taking effect in respect of those workers of an award or agreement under the Industrial Relations Act 1973, and shall then
- 10 be deemed to be revoked; and
- (b) While any such order continues in force, sections 19 to 21 and 24 to 27 of the principal Act shall continue to apply in respect of any workers to whom the order applies, as if this Act had not been passed.