

(6921.) AUCKLAND (TWENTY-ONE-MILES RADIUS) BUTCHERS.—
EXEMPTION FROM CLOSING-HOURS.

In the Court of Arbitration of New Zealand, Northern Industrial District.—In the matter of the Industrial Conciliation and Arbitration Act, 1908, and its amendments; and in the matter of the Shops and Offices Act, 1920; and in the matter of the Auckland (Twenty-one-miles Radius) Butchers' award, recorded in Book of Awards, Vol. xxii, p. 149.

UPON reading the applications of the undermentioned occupiers of pork-butchers' shops for exemption from the provisions of clause 13 of the said award fixing the closing-hours for all pork-butchers' shops, and upon hearing counsel for the said occupiers, this Court, being of the opinion that the observance of the closing-hours fixed by the said award would cause undue hardship to such occupiers, and by virtue and in exercise of the powers conferred by the said Acts, and of every other power in that behalf enabling it, doth hereby order as follows:—

1. That if and so long as the undermentioned occupiers of pork-butchers' shops close their shops on four days of the week at 5.30 p.m., and on one other day at 12.30 p.m., and on Saturday at 9 p.m., and do not employ workers in or about their shops during the hours when pork-butchers' shops are directed by clause 13 of the said award to be closed, they shall be exempt from the provisions of the said clause 13.

2. That the Court reserves to itself the right at any time to revoke this order and substitute another order therefor.

3. That the occupiers hereinbefore referred to and their respective places of business are as follows:—

Ayton, W. R., Pork-butcher, Victoria Road, Devonport.

Burdett, J. W., Pork-butcher, Karangahape Road, Auckland.

Conrad, L., Small-goods-dealer, 256 Karangahape Road, Auckland.

Farnell, Frank, Pork-butcher, 238 Hobson Street, Auckland.

Smith, T. W., Pork-butcher, Victoria Street West, Auckland

4. This order shall operate and take effect as from the 11th day of July, 1921.

Dated this 8th day of July, 1921.

[L.S.]

F. V. FRAZER, Judge.

MEMORANDUM.

The application for exemption was opposed by the Master Butchers' Industrial Union of Employers. The evidence satisfied the Court that the applicants had suffered serious hardship through being deprived of the privilege of trading on Saturday afternoons and evenings. It was admitted that occupiers of some of the larger shops had not suffered at all, and others very little, as a result of the change, so that it does not appear that the granting of this application would prejudice them. The Court, while desirous of keeping conditions uniform, recognizes that it is unusual in other districts to close pork-butchers' shops on a Saturday, and after considering all the circumstances has come to the conclusion that the hardship suffered by the present applicants, who are all in a small way of business, is fairly to be regarded as an undue hardship.

[L.S.]

F. V. FRAZER, Judge.