

(7688.) WELLINGTON INDUSTRIAL DISTRICT GROCERS' ASSISTANTS
AND DRIVERS.—EXEMPTION FROM CLOSING-HOURS.

In the Court of Arbitration of New Zealand, Wellington Industrial District.—In the matter of the Industrial Conciliation and Arbitration Act, 1908, and its amendments; and in the matter of section 69 of the Shops and Offices Act, 1921–22; and in the matter of the Wellington Industrial District Grocers' Assistants and Drivers' award, dated the 13th day of July, 1923, and recorded in Book of Awards, Vol. xxiv, p. 485.

Wednesday, the 5th day of December, 1923.

UPON reading the application of Samuel Francis Nicole, the occupier of a grocer's shop at Eastbourne, for exemption from the provisions of clause 1 (c) of the said award, fixing the closing-hours for all grocers' shops, and upon hearing the said occupier, this Court, being of the opinion that the observance of the closing-hours fixed by the said award would cause undue hardship to such occupier, and by virtue of 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 said Samuel Francis Nicole closes his grocer's shop at 1 o'clock in the afternoon of one working-day in each

week, and complies with the provisions of the Shops and Offices Act, 1921-22, and its amendments, and does not employ workers in or about the said shop during the hours when grocers' shops are directed by clause 1 (c) of the said award to be closed, or outside the hours during which by clause 1 (a) of the said award workers are permitted to be employed, or on any of the holidays prescribed by the said award, he shall be exempt from the provisions of the said clause 1 (c).

2. That this order is made subject to the further condition that the said occupier shall close his shop not later than 7.30 p.m. on four days of the week and 9 p.m. on one day of the week, and shall close his shop all day on Anzac Day, Christmas Day, and Good Friday.

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

4. That this order shall operate and take effect as from the 10th day of December, 1923.

[L.S.]

F. V. FRAZER, Judge.

MEMORANDUM.

The Court has granted this exemption on the following grounds : (a) The applicant is carrying on business in a seaside resort ; (b) week-end parties, excursionists, and people who are in the city all day are the principal customers ; (c) the refusal of an order of exemption would inflict a special hardship on the applicant, in that a large part of his trade would be lost altogether, or would go to city firms.

[L.S.]

F. V. FRAZER, Judge.