
WELLINGTON INDUSTRIAL DISTRICT **PLUMBERS AND GAS-
FITTERS.**—APPEAL FROM **DECISION** OF **DELEGATE** OF
COURT ON APPRENTICESHIP ORDER.

In the Court of Arbitration of New Zealand, Wellington Industrial District.—In the matter of the Industrial Conciliation and Arbitration Act, 1925, and its amendments; and in the matter of the Apprentices Act, 1923, and its amendments; and in the matter of the Wellington Industrial District Plumbers' and Gasfitters' apprenticeship order, dated the 30th day of November, 1938, and recorded in Book of Awards, Vol. XXXVIII, p. 3479; and in the matter of a decision of Jas. A. Gilmour, Esq., a Stipendiary Magistrate, a delegate of the Court of Arbitration, dated the 19th day of September, 1939.

CASE ON APPEAL.

THE undersigned, being a person directly affected by the following decision of J. A. Gilmour, Esq., Stipendiary Magistrate, a delegate of the Court of Arbitration, acting

under the authority of section 4 of the Industrial Conciliation and Arbitration Amendment Act (No. 2), 1937, hereby appeals to the said Court against the said decision on the following grounds:—

That the decision of the Stipendiary Magistrate, J. A. Gilmour, Esq., is against the weight of the submissions of the applicant union in that no consideration has been taken of the fact that the amendment as requested by the union is already contained in three apprenticeship orders in the same industry, viz.:—

Northern Industrial District Plumbers' and Gasfitters' apprenticeship order, dated the 1st day of December, 1938, Book of Awards, Vol. XXXVIII, p. 3505.

Taranaki Plumbers' and Gasfitters' apprenticeship order, dated the 31st day of March, 1939, Vol. XXXIX, p. 335.

Nelson Industrial District Plumbers' and Gasfitters' apprenticeship order, dated 24th day of August, 1939, Book of Awards, Vol. XXXIX, p. 1231.

Dated at Wellington, this 22nd day of September, 1939.

H. THOMPSON, Secretary.

DECISION OF J. A. GILMOUR, ESQ., S.M.

(1) That the said order shall be amended by adding the following paragraph to clause 17 thereof:—

“Except in the case of an apprentice who has served five years, no apprentice shall be permitted to work overtime unless he is under the constant supervision of a competent tradesman.”

(2) That this order shall operate and take effect as from the day of the date hereof.

JUDGMENT OF THE COURT, DELIVERED BY TYNDALL, J.

The Court has decided to uphold the appeal against the decision of the delegate of the Court.

It is a fact that the Court, at the request of the parties, has already recently agreed to three district apprenticeship orders each of which includes the clause in the form suggested by the workers' organization for the Wellington District Plumbers' and Gasfitters' apprenticeship order.

In these circumstances the Court hesitates to confirm the variation in the clause requested by the representatives of the employers, and an order will be made to amend the apprenticeship order accordingly.

Dated this 9th day of April, 1940.

[L.S.]

A. TYNDALL, Judge.