
TARANAKI LOCAL AUTHORITIES' OFFICERS.—APPLICATION
FOR AWARD

In the Court of Arbitration of New Zealand, Taranaki Industrial District.—In the matter of the Industrial Conciliation and Arbitration Act, 1925, and the Economic Stabilization Emergency Regulations 1942; and in the matter of the Taranaki Local Authorities' Officers' industrial dispute.

MEMORANDUM OF THE COURT, DELIVERED BY TYNDALL, J.

THE Taranaki Local Authorities' Officers' industrial dispute was filed on 7th April, 1943, a date subsequent to the coming into operation of the Economic Stabilization Emergency Regulations 1942.

In making the award the Court is bound to comply with the provisions of clause 38 of these regulations, which clause requires that no variation shall be made in the minimum rates of remuneration or the principal conditions of employment for the time being applying to the industry covered by the award, except such adjustments of anomalies as the Court thinks fit, having regard to the general purpose of the regulations.

The parties in Conciliation Council reached a complete settlement and the terms of the settlement were forwarded to the Court pursuant to section 3 of the Industrial Conciliation and Arbitration Amendment Act (No. 2), 1939.

The terms of settlement involve several alterations to the provisions of the present award (41 Book of Awards 1764).

The Court is satisfied that a new award may properly be made in accordance with the terms of settlement, except in regard to one matter, and that is the deletion of the proviso in clause 3 (b) in regard to telephone attendants.

We are of the opinion that this variation conflicts with the requirements of the Stabilization Regulations, and therefore we have no option but to decline to make the award.

As the variation in question may have been an important consideration in the reaching of agreement by the assessors, we consider it only proper that the matter should be referred back to the parties, and it is referred back accordingly.

Dated this 28th day of October, 1943.

[L.S.]

A. TYNDALL, Judge.
