

**FACTORIES AMENDMENT ACT, 1936.—ORDER EXTENDING  
WORKING-HOURS IN RESPECT OF UNITED REPAIRING CO.,  
LTD., AUCKLAND**

In the Court of Arbitration, Northern Industrial District.—  
In the matter of the Factories Amendment Act, 1936;  
and in the matter of an application by the United Re-  
pairing Co., Ltd., Auckland, for an extension of the limits  
of working-hours prescribed by section 3 (1) of the said  
Act.

Thursday, the 14th day of December, 1944

IN pursuance and exercise of the powers vested in it by  
section 3 (5) of the Factories Amendment Act, 1936, this  
Court doth hereby order as follows:—

(1) That in respect of the factory of the United Repair-  
ing Co., Ltd., at Auckland the limit of working-hours  
prescribed by paragraph (a) of subsection (1) of section 3  
of the said Act is hereby extended to forty-four hours (ex-  
cluding meal-times) in any one week.

(2) That this order shall come into force on the day of  
the date hereof and shall continue in force until the 10th day  
of February, 1946.

[L.S.]

A. TYNDALL, Judge.

## MEMORANDUM

This is an application by the United Repairing Co., Ltd., Auckland, an occupier of a factory, for an extension to forty-four of the weekly working-hours prescribed by section 3, subsection (1) (a), of the Factories Amendment Act, 1936. The application is made pursuant to subsection (5) of section 3 of the same Act, and is opposed by the following industrial unions of workers:—

Northern Industrial District Amalgamated Engineering,  
Coachbuilding, and Related Trades:  
Auckland District Boilermakers, Iron-ship Workers,  
and Bridge Builders:  
North Island Electrical Trades:  
New Zealand (except Wellington, Nelson, and Otago  
and Southland) Carpenters and Joiners and Joiners'  
Machinists:  
Auckland Painters and Decorators.

A similar application in respect of the factory of the Union Steam Ship Co., Ltd., known as the Port Chalmers Marine Repair Works, was granted by the Court on November 16th, 1944 (44 Book of Awards 927.) The statements contained in the memorandum which accompanied the order made on that date are equally applicable in the case of the factory of the United Repairing Co., Ltd., and the order applied for is accordingly made.

Mr. Monteith is not in agreement, and his dissenting opinion follows.

A. TYNDALL, Judge.

## DISSENTING OPINION OF MR. MONTEITH

All the reasons given by me in the case of the Port Chalmers Marine Repair Works apply here. In this district it is noticeable that all other firms doing ship-repair work work forty hours at ordinary time, and have not made any application for an extension. This means that the workers employed by this company will receive less money than any other firm doing ship-repair work in Auckland. Surely, if all other employers in Auckland are satisfied with a forty-hour week, this firm should also observe one.

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