

**NEW ZEALAND PLUMBING AND GASFITTING INDUSTRY—  
AMENDMENT OF APPRENTICESHIP ORDER**

In the Court of Arbitration of New Zealand.—In the matter of the Apprentices Act, 1948; and in the matter of the New Zealand Plumbing and Gasfitting Industry apprenticeship order, dated the 25th day of May, 1948, and recorded in 48 Book of Awards 808.

WHEREAS by section 13 (2) of the Apprentices Act, 1948, the Court is empowered to amend any apprenticeship order: And whereas application has been made to the Court by the New Zealand Plumbing and Gasfitting Apprenticeship Committee

for amendment of the New Zealand Plumbing and Gasfitting apprenticeship order, dated the 25th day of May, 1948, and recorded in 48 Book of Awards 808: And whereas the Court has heard the employers, workers, and other persons concerned and has considered the recommendations made to it by the said Committee: Now, therefore, the Court, in pursuance and exercise of the powers vested in it by the said Act, doth hereby order as follows:—

1. That the said apprenticeship order shall be amended by deleting subclause (b) of clause 15 (Overtime) and substituting therefor the following subclause:—

“(b) An employer shall not require or permit an apprentice under eighteen years of age to work overtime in excess of five hours in any one week:

“Provided that when such an apprentice is engaged on country work he shall not be required or permitted to work overtime in excess of thirteen hours in any one week, subject however to the following conditions—

“(i) That such an apprentice shall not be required or permitted to work overtime on country work in excess of five hours in any one week without the consent of his parent or guardian.

“(ii) That such an apprentice shall not be required or permitted to work overtime on country work in excess of two hours in any one day, Monday to Friday inclusive.

“(iii) That such an apprentice shall not be required or permitted to work overtime on country work in excess of eight hours on any Saturday.”

2. That this order shall operate from the day of the date hereof.

Dated this 6th day of April, 1950.

[L.S.]

A. TYNDALL, Judge.

#### MEMORANDUM

On July 7th, 1949, application was made to the Court by the New Zealand Plumbing and Gasfitting Apprenticeship Committee for an amendment to the New Zealand Plumbing and Gasfitting Industry apprenticeship order, dated May 25th, 1948 (48 Book of Awards 808).

The proposal was that clause 15 (b) of the order should be revoked and the following clause substituted therefor:—

An employer shall not require or permit an apprentice under eighteen years of age to work overtime in excess of five hours in any one week, provided that when the apprentice is engaged on country work he shall not be required or permitted to work overtime in excess of sixteen hours in any one week: Provided that the parent or guardian of an apprentice under eighteen years of age shall have the right to object to the apprentice being employed on country work.

The application was opposed by the New Zealand Plumbers, Gasfitters, and Related Trades' Industrial Union of Workers, but was supported by the New Zealand Federation of Master Plumbers' Industrial Association of Employers.

Before amending any order under the Apprentices Act, 1948, the Court is directed by section 13 (3) of that Act to afford the employers and the workers in the industry an opportunity of being heard and of calling evidence in respect thereof. A hearing was held on October 28th, 1949, at which both the employers and workers were represented.

Attention is also drawn to section 13 (5) of the Apprentices Act which reads:—

(5) Where a New Zealand Committee has been set up in connection with the industry concerned, the Court shall, in making any order under this section, take into account any recommendation that may be made by the Committee, and the Committee shall, where it can conveniently do so, ascertain the views of local Committees set up in connection with the industry before making any recommendation to the Court.

Because of the conflict of opinion on the proposed amendment the Court considered it advisable that the views of the local Committees should be ascertained, and requested the New Zealand Committee to take the necessary steps.

The views of the local Committees have now been submitted to the Court and disclose a wide variation in outlook, not only amongst the Committees but also among the individual members of the Committees.

We have given the recommendation of the New Zealand Committee most careful consideration and have decided upon a course which recognizes to some extent the objections which have been raised by the workers' union.

A. TYNDALL, Judge.

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#### DISSENTING OPINION OF MR. ALLERBY

The evidence showed that the industry is very divided on the question of overtime for apprentices on country work, and until such time as a greater measure of unanimity can be reached by the local Committees on the issue, I am of the opinion that an amendment to this order should not have been made.

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1. That the said apprenticeship order shall be amended by deleting subclause (b) of clause 10 (Wages) and substituting therefor the following subclause:—

“(b) (i) Every apprentice who, whether he has been ordered to attend classes or not, shall have obtained from the New Zealand Trades Certification Board a notification that he has passed the First Qualifying Examination of that Board shall from the date of the notification of such pass be paid for the remainder of his apprenticeship at a rate not less than 2s. 6d. a week in excess of the minimum rate provided in subclause (a) of this clause; and if he produce a notification of a pass in the Second Qualifying Examination of that Board be paid during the remainder of his apprenticeship at a rate of not less than 7s. 6d. a week in excess of the minimum rate provided in subclause (a) of this clause.

“(ii) For the purposes of paragraph (i) of this subclause the Intermediate Grade of the Technological Examinations of the Education Department shall be regarded as equivalent to the Second Qualifying Examination of the New Zealand Trades Certification Board.

“(iii) The New Zealand Committee may approve of any other examination conducted by a recognized authority for the purposes of paragraph (i) of this subclause.”

2. That this order shall operate from the day of the date hereof.

Dated this 7th day of July, 1950.

[L.S.]

A. TYNDALL, Judge.