

NEW ZEALAND (EXCEPT NORTHERN AND MARLBOROUGH INDUSTRIAL DISTRICTS) PROVINCIAL DAILY NEWSPAPER JOURNALISTS—ORDER EXTENDING SCOPE OF AWARD AND ADDING PARTIES

In the Court of Arbitration of New Zealand, Northern Industrial District.—In the matter of the Industrial Conciliation and Arbitration Act 1954; and in the matter of the New Zealand (except Northern and Marlborough Industrial Districts) Provincial Daily Newspaper Journalists award, dated the 16th day of November 1955.

UPON reading the application to extend the New Zealand (except Northern and Marlborough Industrial Districts) Provincial Daily Newspaper Journalists award, dated the 16th day of November 1955, so as to add parties in another industrial district, which application was made by the industrial association of employers party to the said award, and upon hearing the duly appointed representatives of all the parties concerned, this Court, in pursuance and exercise of the powers conferred upon it by section 158 of the Industrial Conciliation and Arbitration Act 1954, doth hereby make orders as follow—

1. That the undermentioned companies be and they are hereby added as parties to the said award:—

Bay of Plenty Times Co. Ltd., Tauranga.
 Gisborne Herald Co. Ltd., Gisborne.
 Northern Publishing Co. Ltd., Whangarei.
 Rotorua Newspapers Ltd., Rotorua.
 Waikato and King Country Press Ltd., Hamilton.

2. That the locality to which the said award relates is hereby extended so as to include the Northern Industrial District, but excluding the city of Auckland.

Dated this 11th day of June 1956.

[L.S.]

A. TYNDALL, Judge.

MEMORANDUM

On 16th November 1955 the Court made the Wellington, Christchurch and Dunedin Daily Newspaper Journalists award and the New Zealand (except Northern and Marlborough Industrial Districts) Provincial Daily Newspaper Journalists award.

The New Zealand Federated Newspaper Proprietors Industrial Association of Employers is an original party bound by both the aforementioned awards.

The Court now has before it applications by the said Association to have the awards extended so as to add as parties certain employers engaged in the industry in the Northern Industrial District. The applications are made pursuant to section 158 of the Industrial Conciliation and Arbitration Act 1954, and are supported by all the employers proposed to be added and by the Auckland Journalists Industrial Union of Workers.

Section 158 reads:—

(1) Subject to the provisions of section one hundred and sixty of this Act, the Court may at any time during the currency of an award extend the award so as to add as a party thereto any union, association, or employer who is connected with or engaged in the industry to which the award relates outside the industrial district in which the award has effect:

Provided that the Court shall not extend an award under this section unless it is satisfied that the conditions of employment or of trade are such as to make it equitable to do so.

(2) Where the Court makes an order under subsection one of this section it shall also make a further order extending the locality to which the award relates accordingly.

The Court is satisfied that the conditions of employment and of the trade are such as to make it equitable to add the parties named in the applications and the necessary orders are now made adding the said parties, and also extending appropriately the localities to which the awards relate.

Attention is drawn to the fact that on 15th December 1943 the Court declined an application to extend the Wellington and Taranaki Laundry Workers, Dyers and Dry-Cleaners' Award to the Nelson Industrial District (43 Book of Awards 688.)

The opinion was expressed that the granting of the application would not constitute the making of a new award within the meaning of section 89 (1) (d) of the Industrial Conciliation and Arbitration Act 1925.

In the consolidated statute of 1954 the substituted provision is section 152, but the new section is differently worded. In the present cases we take the view that the new journalists' awards which have been duly made come into force in the Northern Industrial District upon the making of the extension orders, and thereupon the old awards no longer continue in force in that district.

A. TYNDALL, Judge.