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**NEW ZEALAND RETAIL (NON-FOOD) EMPLOYEES –  
DECISION OF THE INDUSTRIAL COMMISSION**

Dated 18/8/76

In the Industrial Commission of New Zealand – In the matter of the Industrial Relations Act 1973; and in the matter of the New Zealand Retail (Non-Food) Employees' Collective Agreement dated the 8th day of December 1975.

Amendment to Collective Agreement – Industrial Commission – New Zealand Retail (Non-Food) Employees' Collective Agreement dated 8th December 1975.

The Commission found that the above Collective Agreement should have been issued in the form of an Award and not a Collective Agreement and accordingly ordered that every reference in it to "Agreement" or "Collective Agreement" be deleted and replaced by the term "Award".

Dated 18th August 1976.

**DECISION OF THE INDUSTRIAL COMMISSION**

On 8 December 1975 the Commission registered as a collective agreement terms of settlement notified to the Commission by the parties. Representatives of both the employers' and workers' organisations concerned have pointed out to the Commission that its acceptance of clause 6 as to the Opening and Closing of Shops is subject to the requirements of the Shops and Offices Act 1955.

The parties themselves being not entitled as of right to include clause 6 without due reference to the Commission, the document finally issued should have been in the form of an award and not a collective agreement.

Therefore, in pursuance and exercise of the powers conferred upon it by section 97 (1) (a) of the Industrial Relations Act 1973 and for the purpose of remedying a defect in the New Zealand Retail (Non-Food) Employees' Collective Agreement dated the 8th day of December 1975, the Commission doth hereby order as follows:

That in the New Zealand Retail (Non-Food) Collective Agreement dated 8 December 1975 each and every reference to the term "agreement" or "collective agreement" in the document shall be deleted and replaced by the term "award".

And that this amendment shall be deemed to take effect on the day of the date hereof.

Dated at Wellington, this 18th day of August 1976.

(L.S.)

G. O. Whatnall, President.