

sider the Shops and Offices Act as in force at present and as a result there are a few minor details which they desire alteration in, now that the whole question is before Parliament. The first they wish to draw attention to is that there is no provision made for keeping open on Christmas Eve and New Year's Eve to a late hour as is provided for on Saturday night, and they desire that privilege. If Christmas Eve or New Year's Eve occurs earlier in the week they desire to have the privilege of keeping open, because, as the law now stands, they are only allowed to keep open late on the Saturday night. I think it is an oversight in the Act, and they ask that the late hours on those nights be extended to them. They also consider that the hotels which retail tobacco and cigars should be brought under the same regulations with regard to the sale of those articles as the retail shops in that trade. If hotelkeepers are found selling those articles they should be liable to a very substantial penalty, otherwise the only other redress obtainable would be to close them up, which I suppose is not advisable under a Bill of this description. I think a penalty would meet the case. The next point, and rather an important one, is that in the original Act, section 4, there are provisions made for the payment of overtime, and elsewhere in the Act it is provided that assistants are to be paid for holidays. The shopkeepers consider that if overtime is paid for the assistants should not be paid for holidays. I will just read the clause as the retailers have submitted it: "The overtime rates should be struck out altogether as they interfere with the present weekly arrangement and the reciprocal arrangements now existing. If it is right and proper that extra wages should be paid for overtime, it is neither right nor proper that wages should be paid for work not performed. It is not equity." That, I think, explains itself. There is no doubt that this question of overtime has been brought before you very often, and too much cannot be said on the point, because anything that entails a hardship either on the employers or employees should be amended if possible. Then they desire that a new clause be inserted providing that any award of the Arbitration Court shall override the Act. The Arbitration Court is mentioned in the original Act, clause 4, section 4, which reads, "This section shall operate subject to the provisions of this Act, and to any award of the Arbitration Court." That provision should be made wider. A clause should be inserted providing that any provisions of the Act should be subject to an award of the Arbitration Court. Then in section 15 of the original Act, subsection (b), there are certain provisions enabling traders, in the event of Saturday being fixed as the statutory half-holiday, to open on that day and keep the half-holiday on any other day of the week. That has been found to be very undesirable. The Labour Department have objected to it on many occasions, and it is suggested that the day chosen should be observed by all in the same trade. As many of you no doubt are aware some retailers choose Monday, others Tuesday, and so on. If the option were confined to Wednesday or Saturday, I think it would be found more satisfactory. Those are the chief minor details regarding the Act which the retailers direct attention to. Of course, the principal business which brings us here this morning is in reference to the celebrated clause 3, and I will just read a telegram from the Dunedin Association regarding their attitude on the matter.

4. *The Chairman.*] What do you mean by the Dunedin Association? Will you please define what association you are speaking of, because we have had so many witnesses who have claimed to speak for associations. Let us be clear?—*Mr. Field* and myself represent the Employers' Federation of New Zealand. The Otago Association is a constituent of that Federation.

*Mr. Field:* About five hundred employers are members of the association, but how many are engaged in retail trades I do not know. The Otago Association represents a very large proportion of the retail traders.

5. *Mr. Aiken.*] I suppose Dunedin will be similar to Wellington in that respect, and you can give more detailed information with regard to who are employers of the association in Wellington?—Yes.

6. Will you tell the Committee how the Wellington Association is formed?—We have nearly every grocer who is employing labour as a member of our association. The same is true with regard to drapers, and there is a goodly number who do not employ labour. Then with regard to bakers, we have about one-fourth, but they run their own separate union. With regard to the butchers, we have not more than one-sixth as members, but we have also restaurant-keepers, pork-butchers, and people of that class.

7. *Mr. Tanner.*] But those people claim exemption under the Act?—Yes.

8. This is rather irregular. If we hear *Mr. Wardell* now we may get this information out later?—*Mr. Wardell:* In Dunedin the retail section of the Employers' Association is more largely representative than the retail section of Wellington. The telegram I referred to from Dunedin giving us instructions in the matter reads as follows: "Otago Association convinced that no Shop Bill will be satisfactory without compulsory closing-hours. Exempted trades say 8 p.m. Factory Inspectors support this view. Hope Vigilance Committee will give evidence.—WILLIAM SCOTT."

9. Who is William Scott?—Secretary of the Otago Employers' Association.

10. That may mean anything. An employer is not necessarily a retailer?—The Employers' Association is made up of sections, and *Mr. Scott*, as Secretary of the Employers' Association in Dunedin, is speaking for the retail section thereof.

11. Have you any authority for saying this?—Undoubtedly.

12. Well, go on and let us finish your evidence?—The objection to clause 3 that has been raised is this, that it interferes with the rights of individuals. It is on that ground.

13. You are speaking now of clause 3 of the Act of last session?—Exactly, which the Bill now before Parliament seeks to repeal. The chief objection raised to the compulsory 6-o'clock closing is that it is an interference with the rights of individuals—that it interferes with a Britisher's right to do as he pleases. That, of course, we must admit is a principle which should be applied all round. The shopkeepers, it is argued, have a perfect right to keep their places open when they please and as long as they please. But the very Bill we are now discussing and the Act already in existence interferes