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Factories and Shops Acts.

DETERMINATION OF THE GARDEN EMPLOYEES BOARD.

NOTES.—(1) This Determination applies to the Metropolitan District as defined in the *Factories and Shops Act 1928* (No. 3677) and the Orders in Council thereunder; and the cities of Ballarat, Bendigo, Geelong, Mordialloc, and Warrnambool.

(2) By Order in Council dated the 18th February, 1941, the Entertainment Employees (non-performers) Board was deprived of the power to determine the lowest prices or rates which may be paid to persons employed in the maintenance of grounds used in the business of conducting for private gain outdoor entertainments, outdoor shows, outdoor sports meetings, or outdoor amusements of any kind, and such power was conferred exclusively on the Garden Employees Board.

(3) By Order in Council dated the 13th September, 1947, the Garden Employees Board was deprived of the power to determine the lowest prices or rates which may be paid to any person or persons or classes of persons employed—

- (a) in the laying-out, cultivation or keeping in order of a fairway or green in connexion with any golf links or putting green;
- (b) in the laying-out, cultivation or keeping in order of a bowling green or tennis court;
- (c) at work connected with or incidental to the construction or maintenance or keeping in order of brick dust or porous tennis courts;
- (d) at work connected with or incidental to the construction, formation, maintenance or keeping in order of grounds or enclosures used in the business of conducting for gain out-door entertainments, out-door shows, out-door sports meetings or out-door amusements of any kind—

and such power was conferred exclusively on the Sports Ground Maintenance Board.

IN accordance with the provisions of the Factories and Shops Acts, the Wagus Board which since the 18th February, 1941, has had the power subject to adjustment made on the 13th September, 1947, referred to in Note (3) hereof, to "determine the lowest prices or rates which may be paid to any person or persons or classes of persons (other than persons subject to the jurisdiction of any Board heretofore appointed) employed—

- (1) As gardeners or gardeners' labourers—
 - (a) by a master gardener other than a market gardener;
 - (b) in connexion with the laying-out, cultivation, or keeping in order of gardens in connexion with private houses, guest houses, flats, factories, or registered schools;
 - (c) in the laying-out, cultivation, or keeping in order of a garden or lawn in connexion with a racecourse;
 - (d) in the laying-out, cultivation, or keeping in order of a garden, lawn, fairway, or green in connexion with any golf links or putting green;
 - (e) in the laying-out, cultivation, or keeping in order of a bowling green or tennis court or of a garden connected therewith";
- (2) At work connected with or incidental to—
 - (a) the construction or maintenance of private paths and drives or of ornamental features such as rockeries, &c.;
 - (b) the construction or maintenance or keeping in order of brick dust or porous tennis courts;
 - (c) the construction, formation, maintenance, or keeping in order of grounds or enclosures used in the business of conducting for gain outdoor entertainments, outdoor shows, outdoor sports meetings, or outdoor amusements of any kind";

has made the following Determination, namely:—

1. That on the 21st March, 1951, clauses 6 and 7 of the Determination published in *Government Gazette* No. 52 of the 23rd January, 1951, shall be amended to read:—

SPECIAL RATES.

6. For all work done on Sundays and the under-mentioned holidays by persons other than those provided for in Clause 7, rates shall be:—

Sundays	} Persons employed on gardens or lawns in connexion with golf courses (other than those employed at watering) Double time.
New Year's Day, Australia Day, Labour Day, Good Friday, Easter Monday, Anzac Day, Melbourne Cup Day, 9th May, 1951, 13th November, 1951, Christmas Day, and Boxing Day	} All persons Time and a half.

But if any other day be by Act of Parliament or proclamation substituted for any of the above-named holidays, the special rate shall only be payable for work done on the day so substituted.

HOLIDAYS.

7. Except as provided in Clause 21 hereunder, all persons shall be entitled to the following holidays without deduction of pay:—New Year's Day, Australia Day, Labour Day, Good Friday, Easter Monday, Anzac Day, Melbourne Cup Day, 9th May, 1951, 13th November, 1951, Christmas Day, and Boxing Day.

Provided that if an employee works on any one of such days he shall receive, in addition to his ordinary pay, one and a half day's holiday on full pay or one and a half day's pay in lieu thereof.

P. A. RANGLES, J.P., Chairman.
J. V. WILLOX, Secretary.

Melbourne, 6th March, 1951.

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