

HOUSE OF REPRESENTATIVES

Supplementary Order Paper

Wednesday, 23 November 1988

BROADCASTING CORPORATION OF NEW ZEALAND RESTRUCTURING BILL
Proposed Amendment

Hon. JONATHAN HUNT, in Committee, to move the following amendment:

Clause 26: To omit this clause, and substitute the following clause:

26. Individual contracts of service—(1) Subject to this section, Radio New Zealand Limited and Television New Zealand Limited may, in such circumstances as each may determine, engage officers and employees under individual contracts of service for such terms of office or appointment, and on such terms and conditions of service, as each may decide.

(2) Subject to **subsection (3)** of this section, neither Radio New Zealand Limited nor Television New Zealand Limited shall engage any person under **subsection (1)** of this section under a contract that provides for the full-time or substantially full-time employment of that person if, at the time when the contract is entered into, the number of persons who are full-time or substantially full-time employees of the company and who are engaged under that subsection exceeds

(a) In the case of Radio New Zealand Limited, 25 percent;
and

(b) In the case of Television New Zealand Limited, 20 percent,—

of the number of persons who are full-time or substantially full-time employees of the company (including persons who are such employees by virtue of contracts under **subsection (1)** of this section).

(3) The percentages specified in **subsection (2)** of this section may be altered from time to time by agreement between—

(a) Radio New Zealand Limited or Television New Zealand Limited, as the case may require; and

(b) A union designated for the purpose from time to time by the central organisation of workers within the meaning of the Labour Relations Act 1987.

(4) Notwithstanding **section 8** of the principal Act, nothing in any award or agreement registered under the Labour Relations Act 1987 shall apply in relation to officers and employees of

Radio New Zealand Limited or Television New Zealand Limited engaged under subsection (1) of this section.

(5) Nothing in this Act—

(a) Prevents a union membership rule from covering persons engaged under subsection (1) of this section; or

(b) Prevents a person engaged under subsection (1) of this section from belonging to the union whose membership rule covers that person.

(6) This section expires with the close of the 30th day of November 1990.

EXPLANATORY NOTE

The new clause 26 differs from the clause at present in the Bill in that it—

(a) Expires with the close of 30 November 1990; and

(b) Limits the number of persons who may be engaged by Radio New Zealand Limited and Television New Zealand Limited under individual contracts of service to which awards and agreements registered under the Labour Relations Act 1987 do not apply.

The limitation applies in respect of persons who are so engaged as full-time or substantially full-time employees. The number of persons so engaged may not exceed a specified percentage of the number of persons who, at the time when the contract is entered into, are full-time or substantially full-time employees of the company. The percentages specified are 25 percent in respect of Radio New Zealand Limited and 20 percent in respect of Television New Zealand Limited.

The percentages may be increased by agreement between the company and a union designated by the central organisation of workers.

Subclause (5) of the new clause provides that nothing in the Bill—

(a) Prevents a union membership rule from covering persons engaged under individual contracts of service; or

(b) Prevents a person engaged under an individual contract of service from belonging to the union whose membership rule covers that person.