

New Zealand.



ANALYSIS.

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| <p>Title.</p> <ol style="list-style-type: none"> 1. Short Title. 2. Scale of wages of Second Division. 3. Classification of Second Division. Consequential repeal. 4. Section 10 of principal Act amended. 5. Section 11 of principal Act amended. 6. Section 40 of principal Act amended. 7. Commencement of Orders in Council under section 68 of principal Act. | <ol style="list-style-type: none"> 8. Penalty for breach of provisions as to speed of motors at railway-crossings. 9. Provision for appointment of Board of Inquiry as to matters affecting administration of railways. Repeal. 10. Local authorities may contribute towards cost of railway bridge or subway. Consequential repeal. Schedule. |
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1921-22, No. 58.

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| Title. | <p style="text-align: center;">AN ACT to amend the Government Railways Act, 1908.
 <i>[11th February, 1922.]</i></p> <p>BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—</p> |
| Short Title. | <p>1. This Act may be cited as the Government Railways Amendment Act, 1921-22, and shall be read together with and deemed part of the Government Railways Act, 1908 (hereinafter referred to as the principal Act).</p> |
| Scale of wages of Second Division. | <p>2. (1.) The Schedule to the Government Railways Amendment Act, 1920, is hereby amended by repealing so much thereof as relates to the Second Division, and substituting therefor the Schedule hereto.</p> <p>(2.) This section shall be deemed to have come into operation on the sixth day of March, nineteen hundred and twenty-one.</p> <p>(3.) This section shall be read subject to the provisions of the Public Expenditure Adjustment Act, 1921-22.</p> |
| Classification of Second Division | <p>3. (1.) The Minister shall cause all members, probationers, and apprentices in the Second Division of the Department on the first day of April, nineteen hundred and twenty-one, to be classified as on that date in accordance with the classification set forth in the Schedule hereto, and shall fix the rate of pay of each such member,</p> |

probationer, and apprentice, and the date on which his first annual increment (if any) begins to be payable :

Provided that—

(a.) With respect to every member and probationer, the right to advance from one subgrade to another, or, where there are no subgrades, the right to receive any increase of pay in any year, shall in each case depend upon the efficiency and good conduct of that member or probationer, and no such advancement shall be made and no such increase shall be payable unless the permanent head of the Department certifies in writing that the member or probationer is entitled thereto :

(b.) Except in the case of promotion, or in any case where, by the Schedule hereto, the rate of pay of any member or probationer is fixed by reference to his age, no increase of the pay of any member or probationer shall begin earlier than twelve months after the date of his appointment or after the date on which his last previous increase began to be payable, as the case may be :

(c.) In any case where, by the Schedule hereto, the rate of pay of any member or probationer is fixed by reference to his age, that member or probationer shall, subject to the foregoing provisions of this section, be entitled to an increase of pay in every year as from the date of his birthday.

(2.) Subsection one of section three of the Government Railways Amendment Act, 1920, is hereby superseded in so far as it relates to the Second Division, and to that extent shall be deemed to be repealed. Consequential repeal.

4. Section ten of the principal Act is hereby amended by omitting from subparagraph (xviii) of paragraph (e) the words “ten shillings,” wherever those words occur, and substituting in each case the words “one pound.” Section 10 of principal Act amended.

5. Section eleven of the principal Act is hereby amended by the addition of the following paragraph:— Section 11 of principal Act amended.

“(g.) If in the opinion of the Minister the breach of any by-law would cause or be likely to cause danger or annoyance to the public or hindrance to the proper use or working of a railway, the Minister may by by-law authorize any Railway officer, whether in person or otherwise, to summarily interfere or otherwise to take all proper steps to prevent the occurrence of such danger, annoyance, or hindrance, or the continuance or repetition thereof, and the taking of any such steps shall not relieve any person from any penalty to which he may be liable in respect of the breach of any such by-law.”

6. Section forty of the principal Act is hereby amended in manner following:— Section 40 of principal Act amended.

(a.) As to subsection one, by adding the following proviso:—

“Provided that nothing herein shall be so construed as to limit the power of the Minister to grant any easement under this section subject to such conditions as to

revocation, as he thinks fit, in addition to the conditions specified herein."

(b.) As to subsection two, by inserting, after the words "other terms and conditions," the words "including conditions as to revocation."

Commencement of Orders in Council under section 68 of principal Act.

7. Every Order in Council issued under section sixty-eight of the principal Act shall come into force on a date to be specified therein in that behalf (whether before or after the date of such Order), and if no such date is specified shall come into force on the date of the publication of the Order in Council in the *Gazette*.

Penalty for breach of provisions as to speed of motors at railway-crossings.

8. Section ten of the Government Railways Amendment Act, 1913, is hereby amended by adding the following subsection thereto:—

"(2.) Every person who fails to comply with the requirements of this section commits an offence, and is liable on conviction to a fine of ten pounds."

Provision for appointment of Board of Inquiry as to matters affecting administration of railways.

9. (1.) The Minister may from time to time appoint any person or persons to be a Board of Inquiry to inquire into and report upon any matter arising out of or connected with the administration of the principal Act, or the control, maintenance, or working of a railway or any part thereof. Every person so appointed shall hold office during the pleasure of the Minister.

(2.) Any person concerned in an inquiry under this section may appear before the Board of Inquiry either personally or by an agent appointed by him in writing in that behalf. Such agent may be a member of the Department, or the secretary of any society of members of the Department recognized by the Minister, or, if the Minister so approves, may be a barrister or solicitor.

(3.) Any person or persons appointed as aforesaid shall, for the purpose of conducting any inquiry under this section, have the same protection and the same powers and authority to summon witnesses and receive evidence as are conferred upon Commissioners by the Commissions of Inquiry Act, 1908; and all the provisions of that Act shall apply to witnesses so summoned, and to evidence so received and given, as completely and effectually as if such witnesses had been summoned, and such evidence had been received or given, by virtue or under the authority of the said Act:

Provided that, for the purposes of this section, the reference in section eight of the said Act to the Minister of Internal Affairs shall be deemed to be a reference to the Minister of Railways.

(4.) On any such inquiry the person or persons appointed as aforesaid shall direct himself or themselves by the best evidence he or they can procure or that is laid before him or them, and may receive or reject, as he or they think fit, any evidence that may be tendered.

(5.) All evidence given in any such inquiry shall be reduced to writing and signed by the witness giving the same in each case, and the written records of such evidence shall be preserved as records of the office of the permanent head.

(6.) The Board may in each case fix the costs of any inquiry under this section, and may direct by whom and in what proportions such costs shall be payable, and any costs directed to be paid by the

Crown may be paid accordingly without further appropriation than this section :

Provided that the Minister may direct that the whole of the costs of any inquiry shall be paid by the Crown.

(7.) Any costs so directed to be paid by any person other than the Crown may be recovered from such person as a debt due to the Crown.

(8.) The persons appointed to hold any inquiry under this section may be paid such fee or remuneration as the Minister may determine.

(9.) The proceedings in any inquiry under this section shall be conducted in private unless the Minister shall direct otherwise.

(10.) The fact that a Board of Inquiry appointed by the Minister under this section proposes or proceeds to inquire into any matter arising out of or connected with the administration of the principal Act, or the control, maintenance, or working of a railway or any part thereof, shall be conclusive evidence that such Board has been duly constituted under this section and has full authority to make such inquiry and to exercise in respect thereof all the powers and authorities conferred by this section.

(11.) Section forty-six of the principal Act is hereby amended by omitting the words "the Minister or General Manager," and substituting the words "the permanent head."

(12.) Section eleven of the Government Railways Amendment Act, 1913, is hereby repealed. Repeal.

10. (1.) Any Borough Council, County Council, or Town Board, or any Road Board of a road district situated in a county in which the Counties Act, 1920, is not in full force, or any two or more of such Councils or Boards, may agree with the Minister of Railways for the construction and maintenance by the Minister of a subway under or a bridge over any Government railway (whether or not such subway or bridge is within the district of the Council or Board), and for the payment by the Council or Board of the whole or any part of the cost of such construction and maintenance.

Local authorities may contribute towards cost of railway bridge or subway.

(2.) Any agreement as aforesaid may be entered into with respect to any existing subway or bridge, or with respect to any proposed subway or bridge.

(3.) Paragraph (e) of section one hundred and sixty-four of the Municipal Corporations Act, 1920, is hereby repealed.

Consequential repeal.

Schedule.

SCHEDULE.

SECOND DIVISION.

Designation.	Grade.	Pay.		Annual Increments.
		Mini- mum.	Maxi- mum.	

CLASS 1: TRAFFIC AND STORES.

Traffic.

	Grade.	Per Hour.				
		s.	d.	s.	d.	
Guards	1	..	..	2	5½	
(Maximum number in Grade 1 not to exceed 50 per cent. of the total number of guards in both grades.)						
Guards	2	..	..	2	4¾	
Signalmen and storemen	1	2	3	2	3¾	One of ¾d. per hour.
(Maximum number in Grade 1 not to exceed 50 per cent. of total number of signalmen and storemen in both grades.)						
Signalmen and storemen ..	2	2	1½	2	2½	One of ¾d. per hour.
Shunters .. .. .	..	2	1½	2	4¾	Three of ¾d. per hour, and one of 1d. per hour.
Crane-drivers	1	2	2¼	2	3	One of ¾d. per hour.
Crane-drivers	2	..	..	2	1½	
Horse-drivers .. .. .	..	..	..	2	0½	
Per Day.						
Crossing-keepers and bridge-keepers	..	..	..	13	0	
Per Hour.						
Labourers .. .. .	..	..	..	2	0½	
Porters .. .. .	..	..	..	2	0½	
Per Day.						
Tablet-porters .. .. .	..	..	..	15	0	
Per Hour.						
Junior porters—						
20 years .. .. .	..	..	..	1	7¾	
19 years .. .. .	..	..	..	1	6	
18 years .. .. .	..	..	..	1	4¼	
17 years .. .. .	..	..	..	1	3½	
Per Week.						
Night-watchmen .. .. .	..	..	..	78	0	
Female waiting-room attendants	..	..	..	54	0	

Stores.

	Grade.	Per Hour.				
		s.	d.	s.	d.	
Leading storemen .. .. .	..	2	4¾	2	5½	One of ¾d. per hour.
Storemen	1	2	3	2	3¾	One of ¾d. per hour.
(Maximum number in Grade 1 not to exceed 50 per cent. of the total number of storemen in both grades.)						
Storemen	2	2	1½	2	2¼	One of ¾d. per hour
Labourers .. .. .	..	..	..	2	0½	
Junior labourers—						
20 years .. .. .	..	..	..	1	7¾	
19 years .. .. .	..	..	..	1	6	
18 years .. .. .	..	..	..	1	4¼	
17 years .. .. .	..	..	..	1	3½	

SECOND DIVISION—continued.

Designation	Grade.	Pay.		Annual Increments.
		Mini- mum.	Maxi- mum.	

CLASS 2 : LOCOMOTIVE.

	Grade.	Per Hour.		
		s. d.	s. d.	
Subclass 1 : Leading tradesmen—				
Leading fitters, turners, boiler- makers, springmakers, black- smiths, carpenters, pattern- makers, painters, moulders, coppersmiths, tinsmiths, trimmers, and sailmakers ..	1	2 8 ³ / ₄	2 10 ¹ / ₄	Two of ³ / ₄ d. per hour.
Ditto	2	..	2 8	
Other leading hands ..	..	..	2 5 ¹ / ₂	
Subclass 2 : Tradesmen—				
Bricklayers	1	..	2 7	
Bricklayers	2	..	2 5 ¹ / ₂	
Fitters, turners, boilermakers, springmakers, blacksmiths, carpenters, patternmakers, painters, moulders, copper- smiths, tinsmiths, trimmers, and sailmakers	1	2 4 ³ / ₄	2 6 ¹ / ₄	Two of ³ / ₄ d. per hour.
Ditto	2	..	2 3 ³ / ₄	
Boilermakers operating acetone- welding-plant .. .. .	..	..	..	1 ¹ / ₂ d. per hour in addition to the Schedule rates for Subclass 2.
Boilermakers marking off new boiler-work ; fitters marking off new work ; carpenters marking off new work (other than from templates in each case) .. .. .	..	..	..	³ / ₄ d. per hour in addition to the Schedule rates for Subclass 2.
Blacksmiths engaged on new engine-work .. .. .	..	..	..	³ / ₄ d. per hour in addition to the Schedule rates for Subclass 2.
Angle-iron smiths .. .. .	..	..	..	³ / ₄ d. per hour in addition to the Schedule rates for Subclass 2.
Subclass 3 :				
Junior tradesmen who have served an apprenticeship of less than five years : until completion of five years' service .. .. .	..	..	1 9 ¹ / ₄	
Apprentices—				
5th year .. .. .	..	..	1 5 ¹ / ₄	
4th year .. .. .	..	..	1 2 ³ / ₄	
3rd year .. .. .	..	..	1 1	
2nd year .. .. .	..	..	0 11 ¹ / ₂	
1st year .. .. .	..	..	0 10 ³ / ₄	
Subclass 4 :				
Wood and iron working ma- chinists	Special	..	2 3 ³ / ₄	
Wood and iron working ma- chinists and sewing machinists	1	..	2 2 ¹ / ₄	
Wood and iron working ma- chinists and sewing machinists	2	..	2 1 ¹ / ₂	

SECOND DIVISION—*continued.*

Designation.	Grade.	Pay.		Annual Increments
		Mini- mum.	Maxi- mum.	

CLASS 2 : LOCOMOTIVE—*continued.*

	Grade.	Per Hour.		
		s. d.	s. d.	
Subclass 5 :				
Strikers, holders-up, and fet- tlers	1	..	2 2 $\frac{1}{4}$	
Strikers, holders-up, and fet- tlers	2	..	2 1 $\frac{1}{2}$	
Subclass 6 :				
Forgemen .. .. .	..	2 8 $\frac{3}{4}$	3 0	One of 1 $\frac{1}{2}$ d. per hour, and one of 1 $\frac{3}{4}$ d. per hour.
Furnacemen and helpers	1	2 2 $\frac{1}{4}$	2 3 $\frac{3}{4}$	Two of $\frac{3}{4}$ d. per hour.
Furnacemen and helpers	2	..	2 1 $\frac{1}{2}$	
Subclass 7 :				
Labourers (leading) .. .. .	..	..	2 2 $\frac{1}{4}$	
Labourers (skilled) .. .. .	..	..	2 1 $\frac{1}{2}$	
Labourers .. .. .	..	..	2 0 $\frac{1}{2}$	

(Leading labourers when in charge of large gangs or engaged on important work may, on the approval of the permanent head, be paid 1 $\frac{1}{2}$ d. per hour additional.)

Subclass 8 :				
Depot chargemen .. .. .	..	..	2 11 $\frac{1}{4}$	
Engine-drivers	Special	..	2 9 $\frac{1}{2}$	

(Maximum number of engine-drivers in special grade not to exceed 25 per cent. of the total number of engine-drivers in all grades.)

Engine-drivers and night fore- men of cleaners	1	2 7	2 8 $\frac{1}{4}$	One of 1 $\frac{1}{4}$ d. per hour.
Engine-drivers and night fore- men of cleaners	2	2 4 $\frac{3}{4}$	2 5 $\frac{3}{4}$	One of 1d. per hour
Engine-drivers	Shunt- ing	2 4 $\frac{3}{4}$	2 5 $\frac{3}{4}$	One of 1d. per hour.
Firemen	1	2 2 $\frac{1}{4}$	2 3	One of $\frac{3}{4}$ d. per hour
Firemen	2	..	2 1 $\frac{1}{2}$	
Cleaners—				
22 years or over .. .. .	..	..	2 0 $\frac{1}{2}$	
21 years .. .. .	..	..	1 8 $\frac{1}{2}$	
20 years .. .. .	..	..	1 6 $\frac{3}{4}$	
19 years .. .. .	..	..	1 5 $\frac{1}{4}$	
18 years .. .. .	..	..	1 3 $\frac{1}{2}$	
17 years .. .. .	..	..	1 2	
Washout - men, crane - drivers, and shop-enginemmen	1	2 2 $\frac{1}{4}$	2 3	One of $\frac{3}{4}$ d. per hour.
Ditto	2	..	2 1 $\frac{1}{2}$	
Storemen	1	..	2 2 $\frac{1}{4}$	
Storemen	2	..	2 1 $\frac{1}{2}$	

Subclass 9 :				
Train-examiners and gasmen ..	1	2 3	2 3 $\frac{3}{4}$	One of $\frac{3}{4}$ d. per hour
Train-examiners and gasmen ..	2	..	2 2 $\frac{1}{4}$	
Lifters	1	2 2 $\frac{1}{4}$	2 3	One of $\frac{3}{4}$ d. per hour.
Lifters	2	..	2 1 $\frac{1}{2}$	
Coalmen in charge of steam pump .. .. .	..	2 11 $\frac{1}{2}$	2 2 $\frac{1}{4}$	One of $\frac{3}{4}$ d. per hour.
Coalmen .. .. .	..	..	2 0 $\frac{1}{2}$	

(Coalmen at important centres when in charge of coal-gangs, 1 $\frac{1}{2}$ d. per hour additional.)

SECOND DIVISION—*continued.*

Designation.	Grade.	Pay.		Annual Increments.
		Mini- mum.	Maxi- mum.	

CLASS 2: LOCOMOTIVE—*continued.*

Subclass 9— <i>continued.</i>	Grade.	Per Week.			
		s.	d.	s.	d.
Watchmen	78	0	..

Junior labourers, junior strikers, junior machinists, junior holders-up, and junior lifters—	Grade.	Per Hour.			
		s.	d.	s.	d.
20 years	1	7 $\frac{3}{4}$	..
19 years	1	6	..
18 years	1	4 $\frac{1}{2}$	..
17 years	1	3 $\frac{1}{2}$	..
Rivet-boys—					
16 years	1	2 $\frac{3}{4}$	..

CLASS 3: MAINTENANCE AND SIGNALS.

Subclass 1: Leading tradesmen— Leading masons and bricklayers	Grade.	Per Hour.				Two of $\frac{3}{4}$ d. per hour.
		s.	d.	s.	d.	
.. .. .	..	2	8 $\frac{3}{4}$	2	10 $\frac{1}{4}$	
Subclass 2: Leading fitters, blacksmiths, carpenters, painters, and plumbers	1	2	8 $\frac{3}{4}$	2	10 $\frac{1}{4}$	Two of $\frac{3}{4}$ d. per hour.
Ditto	2	..	..	2	8	
Subclass 3: Tradesmen— Masons and bricklayers	1	..	..	2	7	
Masons and bricklayers	2	..	..	2	5 $\frac{1}{2}$	
Subclass 4: Fitters, blacksmiths, carpenters, painters, plumbers, and tin- smiths	1	2	4 $\frac{3}{4}$	2	6 $\frac{1}{4}$	Two of $\frac{3}{4}$ d. per hour.
Ditto	2	..	..	2	3 $\frac{3}{4}$	
Subclass 5: Junior tradesmen who have served an apprenticeship of less than five years: until completion of five years' ser- vice .. .. .	..	..	..	1	9 $\frac{1}{4}$	
Apprentices—						
5th year .. .. .	..	..	..	1	5 $\frac{1}{4}$	
4th year .. .. .	..	..	..	1	2 $\frac{3}{4}$	
3rd year .. .. .	..	..	..	1	1	
2nd year .. .. .	..	..	..	0	11 $\frac{1}{2}$	
1st year .. .. .	..	..	..	0	10 $\frac{3}{4}$	
Subclass 6: Machinists (leading) .. .. .	..	..	..	2	5 $\frac{1}{2}$	
Wood and iron working ma- chinists	Special	..	..	2	3 $\frac{3}{4}$	
Wood and iron working ma- chinists	1	..	..	2	2 $\frac{1}{4}$	
Wood and iron working ma- chinists	2	..	..	2	1 $\frac{1}{2}$	
Subclass 7: Bridgemen .. .. .	..	2	1 $\frac{1}{2}$	2	2 $\frac{1}{4}$	One of $\frac{3}{4}$ d. per hour.

SECOND DIVISION—*continued.*

Designation.	Grade.	Pay.		Annual Increments.
		Mini- mum.	Maxi- mum.	

CLASS 3: MAINTENANCE AND SIGNALS—*continued.*

	Grade.	Per Hour.				
		s.	d.	s.	d.	
Subclass 8:						
Donkey-engine drivers, crane- drivers, and shop-enginemmen	1	2	2 $\frac{1}{4}$	2	3	One of $\frac{3}{4}$ d. per hour.
Ditto	2	..	..	2	1 $\frac{1}{2}$	
Subclass 9: Special hands—						
Storemen	1	..	..	2	2 $\frac{1}{4}$	
Storemen	2	..	..	2	1 $\frac{1}{2}$	
Strikers	1	..	..	2	2 $\frac{1}{4}$	
Strikers	2	..	..	2	1 $\frac{1}{2}$	
Labourers (skilled) .. .. .	..	..	..	2	1 $\frac{1}{2}$	
Subclass 10:						
Gangers in charge of specially important works and of large yards .. .. .	..	..	..	2	4 $\frac{3}{4}$	
Subclass 11:						
Gangers	1	..	..	2	3 $\frac{3}{4}$	
(Maximum number in Grade 1 not to exceed 50 per cent. of total number of gangers in both grades.)						
Gangers	2	..	..	2	3	
Subclass 12:						
Platelayers in relaying-gangs ..	..	..	..	2	1 $\frac{1}{2}$	
Surfacemen miners .. .. .	..	..	..	2	1 $\frac{1}{2}$	
Surfacemen .. .. .	..	..	..	2	0 $\frac{1}{2}$	
Junior surfacemen, junior platelayers, and junior labourers—						
20 years .. .. .	..	..	..	1	7 $\frac{3}{4}$	
19 years .. .. .	..	..	..	1	6	
18 years .. .. .	..	..	..	1	4 $\frac{1}{4}$	
17 years .. .. .	..	..	..	1	3 $\frac{1}{2}$	
Subclass 13:						
Fencers .. .. .	..	..	..	2	$\frac{1}{2}$	
Subclass 14: Labourers—						
Labourers	1	..	..	2	$\frac{1}{2}$	
Labourers (disabled workmen, a few special cases as places may be available).. .. .	2	..	..	1	9 $\frac{1}{4}$	
Ditto	3	..	..	1	7 $\frac{3}{4}$	
Subclass 15:						
Signal-adjusters	Special	..	..	2	7	One of $\frac{3}{4}$ d. per hour.
Signal-adjusters	1	2	4 $\frac{3}{4}$	2	5 $\frac{1}{2}$	
Signal-adjusters	2	..	..	2	3 $\frac{3}{4}$	
Signal-erectors (leading hands)	..	..	..	2	3 $\frac{3}{4}$	
Signal-erectors	1	..	..	2	3	
Signal-erectors	2	..	..	2	1 $\frac{1}{2}$	
Signal-erectors	3	..	..	2	0 $\frac{1}{2}$	
Junior signal-erectors—						
20 years .. .. .	..	..	..	1	7 $\frac{3}{4}$	
19 years .. .. .	..	..	..	1	6	
18 years .. .. .	..	..	..	1	4 $\frac{1}{4}$	

SECOND DIVISION—*continued.*

Designation.	Grade.	Pay.		Annual Increments
		Mini- mum.	Maxi- mum.	

CLASS 3: MAINTENANCE AND SIGNALS—*continued.*

Subclass 16:	Grade.	Per Hour.				
		s.	d.	s.	d.	
Electric-line men	Special	..	..	2	7	One of $\frac{3}{4}$ d. per hour.
Electric-line men	1	2	4 $\frac{3}{4}$	2	5 $\frac{1}{2}$	
Electric-line men	2	..	..	2	3 $\frac{3}{4}$	
Electric-line erectors (leading hands) .. ..	..	..	..	2	1 $\frac{1}{2}$	
Electric-line erectors .. ..	..	..	..	2	0 $\frac{1}{2}$	
Junior electric-line erectors—						
20 years .. ..	..	..	..	1	7 $\frac{3}{4}$	
19 years .. ..	..	..	..	1	6	
18 years .. ..	..	..	..	1	4 $\frac{1}{4}$	