

NORTHERN INDUSTRIAL DISTRICT TALLY CLERKS—AWARD

In the Court of Arbitration of New Zealand, Northern Industrial District—In the matter of the Industrial Conciliation and Arbitration Act 1954; and in the matter of an industrial dispute between the Northern Industrial District Tally-clerks Industrial Union of Workers (hereinafter called “the union”) and the under-mentioned union and companies (hereinafter called “the employers”):

Auckland Waterside Employers Union Industrial Union of Employers, Endeans Building, Queen Street, Auckland.

Blue Star Line (N.Z.) Ltd., Endeans Building, Queen Street, Auckland.

Fletcher, W. R., Ltd., Quay Street, Auckland.

Nelson's (N.Z.) Ltd., Childers Road, Gisborne.

New Zealand Shipping Co. Ltd., Quay Street, Auckland.

Union Steamship Co. of New Zealand Ltd., Quay Street, Auckland.

Union Steamship Co. of New Zealand Ltd., Devonport Road, Tauranga.

THE Court of Arbitration of New Zealand (hereinafter called “the Court”), having taken into consideration the terms of settlement arrived at in the above-mentioned dispute and forwarded directly to the Court pursuant to the provisions of section 130 of the Industrial Conciliation and Arbitration Act 1954, doth hereby order and award:

That, as between the union and the members thereof and the employers and each and every of them, the terms, conditions, and provisions set out in the Schedule hereto and of this award shall be binding upon the union and upon every member thereof and upon the employers and upon each and every of them, and that the said terms, conditions, and provisions shall be deemed to be and they are hereby incorporated in and declared to form part of this award; and, further, that the union and every member thereof and the employers and each and every of them shall respectively do, observe, and perform every matter and thing by this award and by the said terms, conditions, and provisions respectively required to be done, observed, and performed, and shall not do anything in contravention of this award or of the said terms, conditions, and provisions, but shall in all respects abide by and perform the same. And the Court doth hereby further award, order, and declare that any breach of the said terms, conditions, and provisions set out in the Schedule hereto shall constitute a breach of this award, and that a penalty as by law provided shall be payable by any party or person in respect thereof. And the Court doth further order that this award shall take effect as hereinafter provided and shall continue in force until the 4th day of October 1962 and thereafter as provided by section 152 of the Industrial Conciliation and Arbitration Act 1954.

In witness whereof the seal of the Court of Arbitration hath hereto been affixed, and the Judge of the Court hath hereunto set his hand, this 4th day of October 1960.

[L.S.]

A. TYNDALL, Judge.

SCHEDULE

Definition of Duties

1. (a) Tally clerks' duties shall be to receive, deliver, watch, trans-ship and tally cargo as required. Tally clerks may also prepare manifest and sorting lists, cargo stowage plans, summarise the weights of bulk cargoes at weighbridges and perform the duties of check time-keepers.

(b) The handling of cargo and baggage shall not be considered part of a tally clerk's duties.

Application of Award

2. This award shall apply to casual tally clerks employed from day to day at the ports of Auckland, Tauranga, Gisborne, Whangarei and Opuia and to permanent tally clerks at these ports, but shall not apply to the tallying or watching of cargo by ship's crew. It is also agreed that all clerical work done in connection with the receiving and delivery of cargo be performed by tally clerks who are members of the union, unless it has been customarily performed by permanent employees of the company.

Ordinary Hours of Work

3. The ordinary hours of work shall be from 8 a.m. to 5 p.m. Monday to Friday exclusive of the hours between noon and 1 p.m. on each of such days for meals. On Saturdays the hours of work shall be from 8 a.m. to noon, for which a special payment is hereinafter provided.

Place of Engagement

4. (a) Casual tally clerks shall be engaged from the platform in the tally clerks' waiting room, such room to be determined from time to time by an agreement between the committee of the union and the employers concerned or their nominee.

(b) The present customs shall continue at the ports of Gisborne, Tauranga, Whangarei and Opuia.

Time of Engagement

5. (a) Casual tally clerks shall be engaged between the hours of 8 a.m. and 10 a.m. Monday to Friday. Tally clerks required to commence work after mid-day shall be engaged during the last half hour of the times stated for engagement.

(b) Tally clerks shall not be eligible for engagement from any employer if still on the pay sheet of another employer, unless there is no labour offering at the place of engagement.

(c) The present custom shall continue at the ports of Gisborne, Tauranga, Whangarei and Opuia.

Periods of Employment

6. (a) Tally clerks once engaged and who attend for work as instructed during ordinary hours, Mondays to Fridays inclusive, shall be guaranteed employment in the port on the following basis.

(i) Between 8 a.m. and noon, four hours' employment or payment equivalent thereto.

(ii) Between 1 p.m. and 5 p.m., four hours' employment or payment equivalent thereto, except when the dinner hour or part thereof is worked, when the afternoon minimum shall be reduced by the time worked during the meal hour.

(b) (i) The foregoing provisions shall not entitle tally clerks who are transferred from one job to another, or from one employer to another, to payment other than for continuous time, exclusive of meal hours.

Tally clerks transferred for a 6 p.m. start on a new job from a job finishing before 1 p.m. that day and who are not employed during the afternoon shall be paid a retaining fee of one hour at ordinary time.

(ii) The foregoing minima shall not apply to workers who, when required, fail to accept transfer in accordance with the transfer clause.

(c) Tally clerks who are ordered and who attend for overtime Mondays to Fridays inclusive, shall be guaranteed a minimum of three hours' employment or pay at the appropriate overtime rate, except when the 5 p.m. to 6 p.m. tea hour or part thereof is worked, the evening minimum payment provided hereunder shall be reduced by the time worked during the tea hour.

(d) Tally clerks who are ordered down or back and who attend on Saturday morning shall be guaranteed a minimum of four hours' employment or pay 8 a.m. to noon at the appropriate rate of pay.

(e) Tally clerks who are ordered and who attend for overtime on a Saturday afternoon shall be guaranteed a minimum of four hours' employment or pay at the appropriate overtime rate, except when the 12 noon to 1 p.m. meal hour or part thereof is worked when the afternoon minimum shall be reduced by the time worked during the meal hour.

(f) Notwithstanding the foregoing provisions, when a tally clerk is ordered down or back at the port of Gisborne for tallying into lighters or for proceeding to the roadstead and no work is performed owing to weather conditions, the minima shall be three hours.

(g) When a tally clerk is required to continue work after 9 p.m. he shall be paid a full hour for any incomplete hour worked.

(h) Notwithstanding anything to the contrary contained in this award, when work is interrupted on account of weather, tally clerks may be ordered back for the following working day, either at noon, 3 p.m. or 4 p.m. without payment for intervening time: Provided that the minimum period of employment shall not be less than four hours on that day.

(i) When work is interrupted by reasons outside the control of the employer or on account of interruption of transport services, breakdown or withdrawal of machinery, or shortage of railway wagons, the services of tally clerks may be dispensed with at the expiration of the minimum period.

Work Within Auckland Harbour

7. (a) Tally clerks who are engaged to work anywhere within the limits of the Auckland Harbour shall be paid for the time from leaving the place of engagement until their return to the wharf at which they are engaged (exclusive of meal hours). Tally clerks so engaged shall return at the first opportunity.

(b) At Auckland, tally clerks working at the Halsey Street store, Fanshawe Street store, Jellicoe, Freyberg and Wynyard wharves and at Chelsea shall be conveyed to and from the store or wharves in the employer's time.

Working in Gisborne Roadstead

8. Tally clerks engaged for work in the roadstead shall be paid as from the time they are ordered down for and attend until they return to the wharf (meal hours excluded), except that if a tally clerk is unavoidably detained on board ship in the roadstead owing to fog or stress of weather he shall be paid at ordinary rate for each day, with a maximum of eight hours in any period of 24 hours for which he is so detained.

Outports, Travelling To and From

9. Tally clerks engaged to work at ports other than those in which they are usually employed shall be paid from the time of leaving until they return at the rate of eight hours pay at the ordinary time rate per respective day, with meals, fares and sleeping accommodation provided, and expenses at the rate of 12s. 6d. per week day and 25s. for Sundays.

Holidays

10. (a) The following days shall be observed as paid holidays: New Year's Day, Good Friday, Easter Monday, Labour Day, Christmas Day, Boxing Day, Anniversary Day, the Sovereign's birthday, and the watersiders' or cargo workers' picnic day.

(b) Anzac Day shall be observed in accordance with the Anzac Day Act. When Anzac Day falls on a Saturday tally clerks shall receive payment for this day of four hours at the Saturday morning rates as prescribed in clause 14 hereof. The qualifications for such payment shall be in the same terms as prescribed in subclause (f) hereof.

(c) Tally clerks employed on Christmas Day, Good Friday, Anzac Day and Sundays shall be paid at the special rate of 15s. 3d. per hour, in addition to any statutory holiday payment that may be applicable.

(d) Tally clerks employed on all other paid holidays shall be paid at the rate of double ordinary time in addition to any statutory holiday payment. Tally clerks employed on any of the abovementioned holidays or Sundays shall be paid a minimum of four hours, but if they commence work in the morning and are ordered back after dinner the minimum shall be eight hours. Tally clerks required to work after 1 p.m. on Christmas Eve or New Year's Eve shall be paid at the rate of double ordinary time.

(e) If any of these holidays be generally observed on any other day than that on which it falls, the provision of this award shall apply to such other day instead of the original day.

(f) Payment for holidays listed under subclause (a) of this clause and observed between Mondays to Saturdays both days inclusive, shall be as follows:

Each unionist who is employed or is attending for employment on eight of the 12 working days immediately preceding any of the aforementioned holidays, shall receive payment for such holiday of eight hours at ordinary time rate of pay, provided that payment for picnic day shall be made only to men who were employed or available for employment on the day following the day of observance of New Year's Day at ports where waterfront work is carried out on that day.

Payment for the holiday shall also be made to any unionist who qualifies for a credit of eight hours for annual holidays on that day in accordance with the provisions of subclause (f) of clause 11 of this award.

Where a tally clerk has been employed or is attending for employment for less than eight days, he shall receive one eighth of the statutory holiday pay for each day of employment or attendance.

(g) Where a tally clerk is entitled to payment for any of these holidays through his employment off the waterfront, the amount paid to him for such holiday shall be deducted from the amount due to him under this award.

(h) Union officials shall be deemed to be available for work for the purpose of holiday qualification when engaged in negotiations with the employers in regard to a review of conditions of work. Tally clerks absent on jury service shall also be deemed to be available for work for the purpose of holiday qualification.

Annual Holidays

11. (a) A record of the total hours credited to each tally clerk in each pay week shall be kept by the employers in each port.

(b) Each union tally clerk shall qualify for an annual holiday of two weeks after serving the industry for 12 months as from 1 April each year: Provided that the total number of hours recorded as having been credited to him total 1,800.

(c) Payment for the holiday shall be made on the basis of 44 hours per week at the ordinary time rate of pay as prescribed in this award.

(d) Union tally clerks who, at 31 March each year, have recorded less than 1,800 hours shall be granted a holiday in the proportion of the number of hours credited to 1,800.

(e) Any union tally clerk who has not qualified for the full holiday by recording 1,800 hours may claim and be granted the full holiday provided it can be shown that his failure to record the 1,800 hours was not occasioned by his own absence from the waterfront when work was available.

(f) An allowance of up to 1,200 hours shall be made to tally clerks who are absent from the waterfront on compensation on account of injury sustained in the industry. An allowance of up to 576 working hours shall be made to tally clerks prescribed in clause 20 who are absent from the waterfront through sickness and who produce a satisfactory medical certificate.

(g) Any tally clerk who is paid the daily minimum as specified in clause 20 and any tally clerk, who, due to a ship or job finishing, or a ship or job commencing at 6 p.m. is not paid at least eight hours, shall be credited with eight hours for each such day in computing the hours for holiday pay.

(h) In the event of any claim being made for payment for the full holiday for a tally clerk who has worked less than 1,800 hours, this, if not granted by the employers, shall be referred to a committee consisting of two representatives of the union and two representatives of the employers to decide and, should they fail to agree, the claim shall be referred to the Conciliation Commissioner for the district.

(i) Any tally clerk who fails to qualify for the full holiday pay by recording less than 1,800 hours shall not be granted more than the proportionate holiday he has earned if it can be shown that he has worked within a year elsewhere than on the waterfront under this award, such other work having entitled him to holiday payment to an extent which would return to him the equivalent of a full two weeks holiday in the year.

(j) In the event of a tally clerk leaving the industry before the completion of any full period of 12 months he shall be allowed proportionate holiday pay.

(k) Annual holidays may be granted to a tally clerk after he has recorded 1,800 hours, provided that qualifying hours for the following year's holiday shall not count until 1 April or the first day of pay week nearest to 1 April in any year.

(l) By agreement between the employer and tally clerk the holiday may be granted in two periods of one week each and the holiday, or such part thereof may be taken wholly or partly in advance.

(m) Annual holidays shall be so spread amongst the tally clerks as to ensure an adequate number of members being available at all times for the work required to be performed. If any question arises as to the number of tally clerks to be absent on holiday leave at the one time, the matter shall be decided by the disputes committee.

(n) Tally clerks employed at Whangarei, Tauranga and Opua and non unionists at all ports shall be paid for annual and statutory holidays at the rate of 6 $\frac{3}{4}$ d. per hour; provided that the total amount of the annual holiday payment shall not exceed 88 hours at the ordinary time rate of pay for each leave year.

(o) Union officers shall be deemed to be available for work for the purpose of annual holiday qualification when engaged in negotiations with the employers in regard to a review of conditions of work.

Tally clerks absent on jury service shall also be deemed to be available for work for the purpose of annual holiday qualification.

Wages

12. (a) Ordinary time Mondays to Fridays inclusive, 8 a.m. to 12 noon and 1 p.m. to 5 p.m., 7s. per hour.

(b) All wages shall be paid weekly not later than Thursday. At Gisborne, Whangarei, Tauranga and Opuia the present customs shall continue.

(c) Tally clerks employed in holds of vessels which are frozen down or declared salvage jobs or in which dusty or dangerous cargo is being worked shall be paid at an additional rate not less than that paid to the men working such cargo. In other cases where a tally clerk is employed on a job where he is subject to unusual discomfort, dirt or dust arising from the class of cargo he is tallying, receiving, delivering or watching he shall be paid such extra rate as may be agreed upon with his employer.

(d) The hourly rate of wages shall in the case of incomplete hours be paid for as a complete hour.

Overtime Rates

13. (a) Ordinary overtime, Mondays to Fridays 6 p.m. to 9 p.m., ordinary time and a half.

(b) Special overtime, 9 p.m. to 10 p.m. and 11 p.m. to 7 a.m., double ordinary time.

Saturday Rates

14. The rate of pay for Saturday shall be ordinary time and a half from 8 a.m. to 11 a.m. and double ordinary time thereafter.

Meal Hours

15. (a) Breakfast 7 a.m. to 8 a.m., dinner 12 noon to 1 p.m., tea 5 p.m. to 6 p.m., supper 10 p.m. to 11 p.m.

(b) Tally clerks shall work meal hours if required to do so, and shall be paid at the rate of double ordinary time.

(c) Tally clerks shall not be compelled to work more than five hours consecutively without having an opportunity of having at least half an hour for a meal and work shall resume at the expiration of the time allowed for a meal. Where only half an hour is taken by arrangement with the employer the minimum period immediately following shall not be reduced by the time worked during the meal hour as provided in clause 6 (a) (ii), 6 (c) and 6 (e).

(d) Where a worker is ordered back and attends or is transferred from a job finishing after noon and before 5 p.m. and attends for overtime at 6 p.m. or later or at 1 p.m. on Saturdays or holidays he shall be paid the sum of 5s. meal money, provided that where meals are supplied the meal money shall not be paid.

Efficiency Bonus

16. Tally clerks at the port of Auckland shall be paid an efficiency bonus of a flat rate of 3d. per hour additional to the ordinary or overtime rate as the case may be for each paid hour, such payment to be subject to the following conditions:

(i) Payment to be made weekly.

(ii) Payment to any individual worker may be withheld, in whole or in part, on the decision of the local industrial union of employers in cases of inefficiency or misconduct. The amount to be withheld may cover one or more pay periods, and may be in respect of inefficiency arising either during the pay period in which the deduction is made or an earlier period.

(iii) The local industrial union of employers may, in its discretion, issue a written warning in appropriate cases to the worker concerned in lieu of withholding the bonus.

(iv) In respect of any disagreement regarding the application of this clause, the matter shall be settled by reference to the local disputes committee.

Transfer of Labour

17. (a) It shall not be permitted to transfer tally clerks from one job to another, except where such tally clerks remain in the employ of the original employer. Provided that when no tally clerks are available at the place of engagement tally clerks may be transferred at any time or place to or from any job or ship. Existing practice regarding replacement of non-union labour shall continue.

(b) Nothing in the above subclause shall prevent a tally clerk being employed to watch cargo in the joint interests of more than one employer at the same time if instructed by his employer to do so.

(c) At Gisborne a casual tally clerk shall be permitted to finish the job upon which he starts and not be replaced by another tally clerk.

(d) Tally clerks who finish a job within overtime hours shall not be transferred to another job in the same minimum period.

Conditions of Employment

18. (a) When tallying at ships side directly from or into vessels or from or into railway trucks or motor trucks, tally clerks shall not tally more than one gang at a time, except where a sling tally is not required when one tally clerk may be deemed sufficient for any one ship.

(b) Casual tally clerks employed as head receiving clerk or head delivery clerk shall be paid an additional 8d. per hour ordinary or overtime. Casual tally clerks employed as manifest clerks shall receive 8d. per hour additional ordinary or overtime while a head tally clerk is employed.

(c) All tally clerks and watchmen shall be allowed a reasonable period for "smoke-oh" mornings and afternoons.

(d) If the employer requires cargo being loaded or discharged to be tallied, it shall be his responsibility to employ, when available, a sufficient number of tally clerks to enable the work to be efficiently carried out.

(e) In the case of frozen meat cargoes where the gang working such cargo is split into two parts, two tally clerks shall be employed if available.

(f) The existing custom and practice at Auckland whereby tally clerks regularly employed by freezing companies replace casual tally clerks at the port shall continue except that where casual tally clerks are so employed they shall not be replaced until the next period of engagement.

(g) A tally clerk shall not leave or terminate a job during its currency without the consent of his employer, which consent shall not be unreasonably withheld.

(h) When tally clerks are required by the employer to work overtime, orders shall be given in accordance with local practice, by the employer or his agent, not later than 4.15 p.m. or within 15 minutes of the waterside workers being given their orders, whichever is the earlier for overtime required on Mondays to Fridays, and not later than 10.45 a.m. or within 15 minutes of the waterside workers being given their orders, whichever is the earlier on Saturday for Saturday afternoon or Sunday work. Once the order has been given for extended overtime until 10 p.m. the employer shall be responsible for payment to 10 p.m. Where subsequent to the order being given for extended overtime, it is realised that the ship cannot finish by 10 p.m., work shall cease at 9 p.m. although payment is made to 10 p.m. and the clerks may be ordered back for the following working day.

An individual tally clerk requiring relief from overtime on a particular night or Saturday afternoon shall be relieved of such overtime provided that he gives notice in accordance with local requirements.

When it is uncertain as to whether work will be completed by 6 p.m. or shortly after that time, an alternative order may be given not later than 4.15 p.m. to work overtime or to work the meal hour. It shall be decided by 4.50 p.m. whether the meal hour or overtime is to be worked and the tally clerks notified accordingly. When the meal hour or part thereof is worked under this subclause the full meal hour shall be paid for.

(i) Watchmen shall not be required to keep more than one recording book and shall not be required to handle ships' keys.

Re-engagement

19. (a) Except in the case of bad weather, or except where a worker is exercising his right to be excused overtime, tally clerks who have had their time stopped for any other cause shall be re-engaged at the place of engagement before resuming work; provided, however, that any tally clerk may, with the permission of his employer (such permission not to be unreasonably withheld), have the right to sign off for a period of one day and return to the same employer without presenting himself at the room for re-engagement: Provided always that no tally clerk can exercise such right more than once in every fortnight.

(b) At Gisborne, Whangarei, Tauranga and Opuia the present customs shall continue.

Daily and Weekly Minima

20. This clause to apply to the port of Auckland only.

(a) Union members who attend the usual place of engagement during the hours of call between Monday and Friday shall be guaranteed work in each day Monday to Friday inclusive to the value of two hours at the ordinary time rate of pay, or failing provision of such work shall be paid that sum, provided that workers must accept any work offered which is covered by this award and must register their attendance at the place of engagement.

(b) Union members who are engaged for a 1 p.m. start Monday to Friday inclusive and, although available, are not offered employment during the morning shall be paid a retaining fee of two hours at the ordinary time rate of pay in addition to their earnings that day.

(c) Union members who are engaged for a 6 p.m. start Monday to Friday inclusive and, although available, were not offered employment during the day, shall be paid a retaining fee of four hours at the ordinary time rate of pay in addition to their earnings that night.

(d) Union members shall be guaranteed work in each week to the value of £12 2s. 5d. or failing provision of such work shall have their wages made up to that sum, provided that the worker shall attend every call for labour and shall accept any job offered him including transfers as provided for by clause 17 hereof.

(e) All payments made to tally clerks under this award shall be taken into account in arriving at the minimum weekly payment.

(f) Union members referred to in this clause are such members as are regularly attending and following the duties of a ship's tally clerk for a livelihood.

(g) A member who is absent from the place of engagement or from the job on which he is employed for not more than one day, having received permission for such absence, shall not be debarred from the weekly minimum guarantee and shall be paid the weekly guarantee less one fifth.

(h) Payment of the guaranteed daily and weekly minima shall be dependent on satisfactory service.

(i) The daily and weekly guaranteed payments provided for in this clause shall be suspended and shall have no effect where there is a suspension or substantial diminution of waterside work at the port by reason of war, earthquake, fire,

epidemic, strike, lockout, substantial stoppage or serious diminution of work of any transport system whether any such occurrences are in the waterfront industry in New Zealand or elsewhere.

Permanent Tally Clerks

21. Permanent tally clerks may be employed on a weekly wage.

(a) The ordinary time rate of wage shall be £13 10s. per week.

(b) The permanent tally clerks when employed as clerk-in-charge, head receiving, head delivery, or manifest clerk, shall be paid an additional 6d. per hour, ordinary or overtime, during the period in which the ship or ships to which they are attached is working.

(c) *Meal Hours*—One hour shall be allowed for meals between the hours hereinafter specified:

Breakfast	.....	.....	7 a.m. to 9 a.m.
Dinner	.....	.....	12 noon to 2 p.m.
Tea	.....	.....	5 p.m. to 7 p.m.
Supper	.....	.....	10 p.m. to midnight

(d) *Annual Holidays*—Permanent tally clerks shall receive two weeks' leave on pay in each 12 months of service during their first 10 years of service as a permanent tally clerk and thereafter they shall receive three weeks' leave on pay in each 12 months of service.

(e) There shall be no deduction from the weekly wage of a permanent tally clerk except for absence due to the worker's own default, accident, or illness.

(f) All other provisions of this award shall be applicable to permanent tally clerks with the exception of the following clauses: 4, 5, 6 (a), (b), (e), (f), (h), and (i), 10 (f), (g) and (h), 11, 12 (a), (b) and (d), 15 (a) and (b), 17 (a) and (c), 18 (b) and (g), 19, 20.

Strength of Union Membership and Employment

22. (a) The local branch of the Waterside Employers Industrial Union shall submit to the union a complete list of approved persons, who have made application for union membership.

(b) To retain the strength required new members shall be admitted by the management committee from the approved list.

(c) The maximum number of members to apply from the commencement of this award shall be:

Auckland	192
Tauranga	10
Gisborne	6
Whangarei	1
Opua	6
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					215
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(d) Employment in the industry shall be subject to the members availability for work and performance of the duties required in a satisfactory manner.

Workers to be Members of Union

23. (a) It shall not be lawful for any employer bound by this award to employ or to continue to employ in any position or employment subject to this award any adult person who is not for the time being a member of an industrial union of workers bound by this award. Provided, however, that any non-unionist may be engaged or continued in any position or employment by an employer bound by

this award during any time while there is no member of a union bound by this award who is available to perform the particular work required to be done and is ready and willing to undertake it.

If by force of circumstances a non-unionist is engaged on any vessel he shall be permitted to complete the day's work, except as provided in clause 17 of this award.

(b) For the purposes of subclause (a) of this clause, a person of the age of 18 years or upwards and every other person who for the time being is in receipt of not less than the minimum rate of wages prescribed by this award for adult workers, shall be deemed to be an adult.

Requirements of Economic Stabilisation Regulations

24. No worker bound by this award shall in any week be paid a lesser amount by his employer than the worker would have been entitled to be paid under this award if it had specifically applied the general order of the Court dated 18 September 1959 otherwise than by incorporation pursuant to the pronouncement of the Court dated 18 September 1959.

Matters Not Provided For

25. Any dispute in connection with any matter not specifically provided for in this award shall be settled between the parties concerned and in default of any agreement being arrived at then such dispute shall be referred to the local Conciliation Commissioner who may either decide the same or refer the matter to the Court. Either party, if dissatisfied with the decision of the Conciliation Commissioner may appeal to the Court upon giving written notice of such appeal to the other party within seven days after such decision shall have been communicated to the party desiring the appeal.

Exemptions

26. So long as the following firms employ permanent hands to perform their tallying work, in accordance with their present practice, they are exempt from the provisions of this award: Auckland Gas Co. Ltd., and New Zealand Sugar Co. Ltd.

Scope of Award

27. This award shall apply only to the ports of Auckland, Gisborne, Whangarei, Tauranga and Opuia.

Term of Award

28. This award, in so far as the provisions relating to the rates of wages to be paid are concerned, shall be deemed to have come into force on the 10th day of May 1960, and so far as all other provisions of the award are concerned, it shall come into force on the day of the date hereof; and this award shall continue in force until the 4th day of October 1962.

In witness whereof the seal of the Court of Arbitration hath hereto been affixed, and the Judge of the Court hath hereunto set his hand, this 4th day of October 1960.

[L.S.]

A. TYNDALL, Judge.

MEMORANDUM

The award, including the operative date of provisions relating to wages, embodies the terms of settlement arrived at by the assessors in Conciliation Council.

A. TYNDALL, Judge.