

NORTHERN, TARANAKI, WELLINGTON, AND CANTERBURY FOREMEN STEVEDORES, TIMEKEEPERS, AND PERMANENT HANDS—AWARD

[Filed in the Office of the Clerk of Awards, Wellington]

In the Court of Arbitration of New Zealand, Northern, Taranaki, Wellington, and Canterbury Industrial Districts—In the matter of the Industrial Conciliation and Arbitration Act 1954; and in the matter of an industrial dispute between the Northern, Taranaki, Wellington and Canterbury Federated Foremen Stevedores, Timekeepers and Permanent Hands Industrial Association of Workers (hereinafter called “the union”) and the undermentioned association (hereinafter called “the employers”):

New Zealand Waterside Employers’ Association Industrial Association of Employers, Maritime Buildings, Customhouse Quay, Wellington.

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 on the day of the date hereof and shall continue in force until the 14th day of June 1967 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 14th day of December 1965.

[L.S.]

A. P. BLAIR, Judge.

SCHEDULE

PART I—GENERAL PROVISIONS

Where any of the general provisions conflict with the special provisions in Parts II to V the special provisions shall apply.

Hours of Work

1. (a) Workers covered by this award shall conform to the port hours as are laid down for each port.

(b) (i) *Monday to Friday*—The hours of work for the day shall comprise two minimum periods of equal length together totalling 10 hours which may vary from

port to port according to local requirements. Where provision is made for one hour to be taken for dinner, the two working periods of five hours each shall be fixed within one of the following groups:

Between 7 a.m. and 6 p.m.—In which case the hours between 7 a.m. and 8 a.m., and 5 p.m. and 6 p.m. shall be paid for at double time and the remainder of the hours at ordinary time; or

Between 7.30 a.m. and 6.30 p.m.—In which case the half hours between 7.30 a.m. and 8 a.m. and between 12 noon and 12.30 p.m. and the hour between 5.30 p.m. and 6.30 p.m. shall be paid for at double time and the remainder of the hours at ordinary time; or

Between 8 a.m. and 7 p.m.—In which case the hours between 12 noon and 1 p.m. and between 6 p.m. and 7 p.m. shall be paid for at double time and the remainder of the hours at ordinary time.

(ii) At a port where the dinner break has been shortened to half an hour the principle of six hours at ordinary time for each minimum period shall be adhered to.

(c) *Saturday Morning*—Hours of work on Saturday mornings shall be from 7 a.m., 7.30 a.m., or 8 a.m., depending upon the hours introduced at each port, and shall terminate at 12 noon. Saturday morning shall be worked as required by the employer and the minimum period of employment or payment shall be for the period stipulated as normal hours of work for Saturday morning at the port and the basis of payment shall be that the hours between 8 a.m. and 11 a.m. are to be paid for at ordinary time and a half and all other time during the minimum at double ordinary time.

(d) Should the normal hours of work at any of the ports to which this award applies be altered then the award shall be amended in respect of the port or ports concerned to conform with the new hours.

(e) Notwithstanding any other provisions of this award workers under this award employed at the Inter-Island Steamer Express vessels at Wellington and Lyttelton will continue to work as in the past on the basis of ordinary hours 8 a.m. to 12 noon and 1 p.m. to 5 p.m. Mondays to Fridays, and overtime to be worked outside these hours as may be required by the employer. Payment for such work, including meal money, will be on the same basis as hitherto.

(f) (i) Men required to work in any minimum period shall be paid for the whole of that period, but shall be paid only to the time they cease work if they elect to cease work before the end of the minimum period.

(ii) Where a job ceases during the afternoon minimum period on account of weather and a worker employed at that job is not required for any further work that afternoon, he shall be paid only for the ordinary time rate hours in that minimum period.

(iii) Men required to commence work in the afternoon minimum period when they have not worked during the morning minimum period, and men employed at jobs which complete in the morning minimum period who are not required for work in the afternoon minimum period, shall be paid only the ordinary time rate hours of the minimum period not worked.

(iv) Men not required for work at all on any day shall be paid only the ordinary time rate hours for such day.

(g) At the port of Lyttelton where foremen are employed supervising the operation of receiving and delivery of cargo they shall be paid for the same minimum periods as the waterside workers with whom they are employed.

(h) If required by the employer a foreman stevedore shall advance his ordinary hours of work for the day and the dinner hour by half an hour to enable shunting and/or setting out of gear on the wharf to be performed prior to the morning

and afternoon minimum periods. Men working under this provision shall receive one hour at double ordinary time rate additional to the morning minimum. This payment is in compensation for any inconvenience occasioned by having to commence work before the normal time.

Wages

	Per Week
	£ s. d.
2. Head foremen stevedores (in companies where six or more foremen stevedores are employed)	20 10 0
Foremen stevedores and stevedoring timekeepers	20 0 0
Probationary foremen stevedores and probationary stevedoring timekeepers during a probationary period of three months	19 10 0
If at the expiration of three months a probationer is retained as foreman stevedore or stevedoring timekeeper his wages for such probationary period shall be made up to that of a foreman stevedore or stevedoring timekeeper from the commencement of such service.	
Permanent hands in charge of store	18 0 0

Meal Money

3. (a) When workers are required to commence or continue work in the afternoon minimum period they shall be provided with a meal or paid meal money of 6s., but this shall not apply to a worker who is not available to work to the end of the afternoon minimum period.

(b) *Saturdays, Sundays and Holidays*—When meal money is payable the employer shall pay a special surcharge of 6d. in addition.

Overtime

4. Overtime shall be worked as required by the employer and shall be paid for as follows:

(a) *Overtime after the Second Five-Hour Minimum Period, Mondays to Fridays inclusive*—The first hour of overtime shall be paid for at ordinary time and a half and subsequent hours at double ordinary time with a minimum period of employment or payment of three hours. Men who are required to work extended hours under this provision shall be entitled to receive a payment as provided in clause 3 of this award.

(b) *Saturday Overtime after 1 p.m.*—Payment shall be made at double time with a minimum period 1 p.m. to 5 p.m. and a further minimum of four hours 6 p.m. to 10 p.m. where work is required after 6 p.m.

(c) *Scheduled Overseas or Inter-Colonial Passenger Vessels*—For work required after normal hours on scheduled overseas or inter-colonial passenger vessels the minimum period of employment or payment shall be four hours or such other minimum period as is prescribed for the waterside workers employed at the same job and at the same ratio to ordinary time.

(d) *Meal Hours*—

(i) *Breakfast*—The hour before the time prescribed for starting normal work for the day.

Dinner—The hour between the time of finishing the morning working period and starting the afternoon working period.

Tea—The hour immediately following the end of the afternoon working period.

- (ii) Other than as provided in paragraph (iii) of this subclause work performed in meal hours shall be paid for the full hour at double ordinary time rate of pay, except on Saturdays, Sundays, and holidays when two and one half times the ordinary time rate shall be paid. In all cases where a meal hour is worked the following minimum overtime period is to be reduced by the portion of the meal hour paid for.
- (iii) To meet the requirements of a particular job workers may be required to observe their dinner hour during the last hour of the morning minimum period, resuming work at the end of the morning minimum period. In such cases their work in the afternoon minimum period shall cease one hour before the normal termination of the afternoon minimum, that is, after five hours work. In such circumstances the workers concerned shall not be paid any additional remuneration for working during the dinner hour but shall still receive the full 10 hours' pay for the day. Where workers having advanced their dinner hour, are also required for overtime under the provisions of this clause, the tea hour shall be observed during the last hour of the normal afternoon minimum period and the men can then be ordered to recommence work from the normal time of finishing the afternoon minimum period and the minimum periods and rates of pay specified in subclause (a) of this clause shall then apply from the time of commencement of the overtime work.

(e) *Sundays, Christmas Day, Good Friday, Anzac Day*—Foremen stevedores, stevedoring timekeepers and permanent hands employed on these days shall be paid at the special rate of double the ordinary time plus 1s. 7d. per hour, in addition to any statutory holiday payment that may be applicable.

Evening Off

5. Overtime shall be worked as required by the employer, but permission to take an evening off duty shall not be unreasonably withheld by the employer, provided the request is made not later than noon on the day on which the time off is required.

Outports

6. When workers are instructed to proceed to an outport they shall be paid 17s. 6d. per weekday and £1 7s. 6d. for Sundays and holidays in addition to the weekly wages prescribed in clause 2 of this award for each day or part of a day they are away from their home port. Further, they shall be provided with first-class fares, meals and accommodation.

If they are obliged to travel on holidays as prescribed in this award, or on Saturdays or Sundays, or in overtime hours on other days, they shall be paid for the time so occupied at the appropriate rates, but with a maximum payment of four hours each way where travelling overnight and sleeping accommodation is provided.

Protective Clothing

7. Protective clothing shall be provided whilst foremen and timekeepers are required to supervise labour in wet weather, except where arrangements exist for payment of an allowance in lieu of the provision of clothing.

Payment of Wages

8. (a) Wages shall be paid weekly and not later than Thursday. In the event of a holiday falling on Thursday, wages shall be paid on Wednesday.

(b) The minimum wages prescribed in this award shall be deemed to be weekly wages and no deduction shall be made from the same except for time lost through the worker's own default, or for the time taken off with the employer's permission. Time lost through accident or sickness may also be deducted at the employer's discretion.

Duties

9. Employees covered by this award shall perform the duties which have been customarily carried out by them in the past and work in the gear stores as required.

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 birthday of the reigning Sovereign, and the day which is observed as the Waterside Workers' Picnic Day. At the ports of Napier and Lyttelton 2 January shall be observed in lieu of Anniversary Day.

(b) Anzac Day shall be observed in accordance with the Anzac Day Act. When Anzac Day falls on a Saturday, workers covered by this award shall receive payment for the normal Saturday morning hours of work for the port at the Saturday morning rates as prescribed in subclause (c) of clause 1 of this award.

(c) For work performed on the above holidays and on Sundays a minimum of four hours shall apply, provided that a worker required to work before noon and after 1 p.m. shall be paid a minimum of eight hours. Except as provided in subclause (e) of clause 4 of this award the rate of pay on these days shall be double time in addition to the weekly wage.

Annual Holidays

11. Foremen stevedores and stevedoring timekeepers shall be entitled to three weeks' holiday per annum. All other workers shall receive two weeks' holiday per annum, but where a worker has had continuous service under this award with the same employer for 10 years, he shall receive three weeks' holiday. Holidays under this clause shall be taken at a time to be mutually agreed on.

Christmas Eve and New Year's Eve

12. Notwithstanding any other provisions of this award the minimum period of employment on the afternoon of Christmas Eve and New Year's Eve or the afternoon of the days observed in lieu thereof shall be until 5 p.m.; workers employed on these afternoons shall be paid for the hours to 5 p.m. at ordinary time rate additional to the prescribed weekly wage. This provision shall not apply to wool store workers.

Overtime Orders

13. When foreman stevedores, stevedoring timekeepers or permanent hands are working as foremen, timekeepers or permanent hands on a job in connection with loading or discharging of a hatch or ship and they are required to work for the same time as the gang or gangs, they shall be entitled to be paid for the same hours when the gang or gangs continue work or are paid for work outside the normal hours prescribed in subclauses (b) and (c) of clause 1 of this award.

Shift Work

14. If arrangements for shift work on the waterfront are introduced during the currency of this award the wages and conditions to apply shall be negotiated between the parties and, in the event of disagreement, shall be settled by reference to arbitration as prescribed in clause 16 of this award.

General

15. (a) The employer shall provide adequate and suitable dining and lavatory accommodation, facilities for changing and storing clothes, hot water, soap and towels for washing.

(b) Workers shall be conveyed to their homes, if they finish work and their pay has ceased, at times when the public conveyances usually used by them are not running, but this provision shall not apply to workers engaged for the normal hours of work for the port.

Matters Not Provided For

16. Any dispute in connection with any matter not specifically provided for in this award shall be settled between the particular employer concerned and the president or secretary of the union, 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 14 days after such decision shall have been communicated to the party desiring to appeal.

Unqualified Preference

17. (a) It shall be a condition of the engagement for or continuance in employment of any adult person (except a person who has been duly exempted from membership of an industrial union under the Industrial Conciliation and Arbitration Act 1954) in any position or employment covered by this award that such person shall be a member of a union of workers bound by the award or shall become a member of such union within 14 days of the date of his being requested to do so by his employer or by any officer or representative of such a union.

(b) Any worker who is required to join a union of workers covered by this award, and who is not of general bad character, shall be entitled to be admitted to membership of the union and to remain a member thereof and enjoy the privileges of membership of the union so long as he complies with the rules of the union.

(c) 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 workers of the age of 21 years and upwards, shall be deemed to be an adult.

(d) Every person whose employment is conditional upon his being or becoming a member of any union by the operation of the foregoing provisions and who fails to continue as or to become within the time specified a member of that union shall be deemed to have broken his contract of service with his employer, and no such person shall continue or be continued in such employment for more than one week after the employer has been notified in writing by the union that he has failed to become or has ceased to be a financial member of the union.

Application of Award

18. This award shall apply to the original parties named herein, and shall extend to and bind as subsequent party hereto every industrial union, industrial association, or employer who, not being an original party hereto, is, when this award comes into force or at any time whilst this award is in force, connected with or engaged in the industry to which this award applies within the part of the part of the industrial district to which this award relates, but shall not in any way prevent ships' officers from supervising any work in connection with the loading or discharging of cargo.

Scope of Award

19. This award shall be limited in its operation to the ports of Auckland, Gisborne, Onehunga, Opua, Tauranga, Whangarei (excluding Town Wharf), Napier, New Plymouth, Wellington, Nelson, Lyttelton, and Timaru.

PART II—SPECIAL PROVISIONS: PERMANENT HANDS

The following special provisions shall apply to workers employed as permanent hands.

20. (a) (i) *Duties*—Permanent hands shall do all such work as is required of them in connection with the working of ships including the handling of lines and stores, handling, making and repair of cargo gear, driving of vehicles, etc. Permanent hands shall continue to drive forklift trucks for the handling of cargo, etc. as at present customary provided this does not conflict with the rights of other workers.

(ii) When permanent hands act as foremen stevedores their rate of pay shall be made up to the rate of foremen stevedores for the minimum period of the time so occupied.

(b) *Wages*—(i) The weekly wages shall be £16.

(ii) Permanent hands employed in gear stores regularly making and repairing cargo gear shall be paid an additional sum of 11s. per week.

(c) (i) Permanent hands while employed driving cars for shipment or discharge shall be paid an additional sum of 5d. per hour ordinary time or overtime as the case may be, and while driving forklift trucks shall be paid an additional sum of 7d. per hour ordinary time or overtime as the case may be.

(ii) *Cleaning Oil*—If permanent hands are called on to clean oil from the harbour they shall be paid for such work an additional flat rate of 8s. 3d. per hour.

(iii) When permanent hands act as foremen stevedores for their employer for a period of 30 days in any one year they shall receive a *pro rata* portion of the extra one week's leave given to foremen for the period they have actually served as such. Such extra leave shall be paid for at foremen's rates of pay.

(d) *Clothing*—(i) Permanent hands shall be provided with two pairs of overalls and two pairs of gloves within each year.

(ii) Permanent hands shall be provided with one set of wet weather gear (oilskins, overboots, sou'westers), for working in the rain which shall be renewed as may be necessary and this wet weather gear shall be handed back to the employer at the termination of employment.

(iii) In lieu of paragraphs (i) and (ii) of this subclause, the employer may pay 1d. per hour for each hour worked ordinary or overtime as the case may be.

(e) *Overtime Provisions*—(i) Notwithstanding any other provisions of this award when permanent hands are called out for special jobs such as taking or casting off ships' lines between 8 p.m. and 6 a.m. they shall be guaranteed a minimum period of three hours at double time, but the minimum will be increased to four hours at the appropriate rate where the work is performed at any time on a Saturday, Sunday, or holiday.

(ii) Except as otherwise provided where a permanent hand is required to commence work before the normal starting time of the port he shall be paid for the actual time worked at the appropriate rate with minimum period in half-hour steps.

(iii) Except where otherwise provided where a permanent hand is required to continue work into the tea hour he shall be paid for the actual time worked at the appropriate rate in minimum periods of half-hour steps.

PART III—SPECIAL PROVISIONS: NORTHERN INDUSTRIAL DISTRICT

The following special provisions shall apply to the ports of Auckland, Gisborne, Onehunga, Opua, Tauranga, and Whangarei (excluding Town Wharf).

Definitions

21. (a) "Senior foreman" shall mean an employee who is appointed as such by the employer and who, in addition to the ordinary duties of a foreman as hereinafter defined, may be required to engage labour.

(b) "Foreman" shall mean an employee working under the direction of a superior whose duties for not less than 20 hours per week include the taking charge of any gang (or gangs) of men employed in loading, discharging, handling cargo or preparing hatches, and who may be required to work in the gear shed.

(c) At the ports of Auckland and Tauranga "timekeeper" shall mean an employee whose duty for not less than 20 hours per week is to engage labour, when required to do so, and to keep the time at any ship or job in connection with the loading, discharging, or handling of cargo.

(d) At the port of Gisborne employees coming under this award shall continue to perform the duties which have been customarily carried out by them in the past.

Exemptions

22. Nothing in this award shall be applicable to master stevedores or assistant stevedores.

Outports

23. Onehunga shall not be regarded as an outport from Auckland or Auckland from Onehunga.

Curtailed Meal Hour in Roadstead at Gisborne

24. Gisborne workers when working in the roadstead and required to curtail a meal hour shall be paid for a full meal hour at the meal hour rate.

PART IV—SPECIAL PROVISIONS: WELLINGTON

The following special provisions shall apply to the port of Wellington.

Travelling Time—Petone or Miramar

25. Any worker required to proceed for duty to the Petone Wharf or the Miramar Wharf shall be allowed three-quarters of an hour each way travelling time, which shall be paid for at the appropriate rate except when the time taken to reach these points is less than the normal travelling time of the worker to the Wellington wharves in which case no travelling time shall be paid.

Permanent Hands in Charge of Oil Hulks

26. (a) *Wages*—The weekly wages shall be at the rate of £16 15s. with free quarters, light, and heating.

(b) *Hours of Work*—The ordinary hours of work shall be from Monday to Friday inclusive, 8 a.m. to noon and 1 p.m. to 5 p.m. Except as hereinafter provided, all other time shall be classed as overtime.

(c) *Overtime*—All time worked outside the hours prescribed in subclause (b) of this clause shall be paid for at the rate of time and a half, except that for work done between 10 p.m. and 7 a.m. (except when loading oil) and on Sundays and holidays, double time in addition to the weekly wage shall be paid.

For the purpose of calculating overtime rate £1 (representing free quarters, etc.) shall be added to the prescribed weekly rate.

(d) *Continuous Working*—If having worked all night and being required to continue after 8 a.m. such time shall be paid for at the overtime rate, except when a relieving man is supplied from 8 a.m. to 5 p.m. When a worker has been on duty 24 hours continuously a relief man is to be provided if it is possible to obtain one.

(e) *General*—(i) When hulks are moored at a buoy and a launch is not provided, a tug boat shall be provided, but the question of the days on which the tug boat shall run shall be arranged by the employer and the hulk-keeper concerned.

(ii) Paint shall be supplied to enable hulk-keepers to paint their living quarters once a year.

(iii) Domestic tanks shall be cleaned and cemented once a year.

(f) *Raising Steam*—When it is required to raise steam for 8 a.m. or earlier or after 5 p.m. on weekdays or at any time on Sundays and holidays, one hour at the appropriate rate shall be allowed for raising steam from banked fires and two hours at the appropriate rate shall be allowed for raising steam from cold boilers.

(g) *Vessels Under Survey*—(i) When doing overhaul work aboard an oil hulk out of commission for survey, the hulk-keeper shall be paid 3s. per day or part of a day dirt money, but while employed chipping or scaling inside boilers or cleaning tubes a special rate of 2s. 3d. per hour additional to the above daily rate shall be paid.

When hulk-keepers are working on oil tanks in confined spaces where gas has accumulated a special rate of 3s. 3d. per hour is to be paid in addition to the above daily rate.

(ii) Wet weather gear shall be provided.

(h) *Meal Money*—(i) When workers are required to work after 5 p.m. Mondays to Fridays and after 1 p.m. on Saturdays, Sundays, or holidays they shall be provided with a meal or paid meal money of 6s.

(ii) When meal money is payable for Saturdays, Sundays, or holidays the employer shall pay a special surcharge of 6d. in addition.

PART V—SPECIAL PROVISIONS: WOOL STORE SECTION AT LYTTTELTON

27. (a) *Hours of Work*—The ordinary hours of work shall be from Monday to Friday inclusive, 8 a.m. to noon and 1 p.m. to 5 p.m. Except as hereinafter provided, all other time shall be classed as overtime.

(b) *Wages*—

				Per Week		
				£	s.	d.
Foreman in charge of wool store	.....	.....	.....	21	0	0
Assistant wool store foreman	.....	.....	.....	19	10	0
Store engineers	.....	.....	.....	21	0	0

(c) *Overtime*—Overtime shall be worked as required by the employer and shall be paid for as follows:

Ordinary time and a half	.....	.....	6 p.m. to 9 p.m. Mondays to Fridays inclusive. 8 a.m. to 11 a.m. Saturdays.
Double ordinary time	.....	.....	Meal hours (except on Saturdays, Sundays, and holidays). Between 9 p.m. and 8 a.m. Saturdays after 11 a.m. Sundays and holidays.
Two and one half times ordinary time	.....	.....	Meal hours on Saturdays, Sundays, and holidays.

(d) *Meal Money*—When workers are required to work after 6 p.m. Mondays to Fridays and after 1 p.m. on Saturdays, Sundays, and holidays, they shall be paid the sum of 6s. meal money. On Saturdays, Sundays, and holidays a special surcharge of 6d. additional shall be paid.

(e) *Holidays*—(i) The holidays throughout the year shall be Christmas Day, Boxing Day, New Year's Day, Good Friday, Easter Monday, Labour Day, the birthday of the reigning Sovereign, and Show Day. In lieu of Anniversary Day each individual wool store foreman or engineer shall be granted a day's holiday on pay at a convenient time to be mutually agreed between the employer and employee.

(ii) Anzac Day shall be observed in accordance with the Anzac Day Act and the provisions of subclause (b) of clause 10 of this award shall not apply to wool store workers.

(iii) For work performed on the above holidays and on Sundays double time, in addition to the weekly wage, shall be paid with a minimum of four hours, provided that a worker required to work before noon and after 1 p.m. shall be paid a minimum of eight hours.

(iv) *Annual Holidays*—Wool store foremen, assistant foremen, and engineers shall be entitled to three weeks' holiday per annum. Holidays under this clause to be taken at a time to be mutually agreed upon.

PART VI—GENERAL

Term of Award

28. This award shall come into force on the day of the date hereof and shall continue in force until the 14th day of June 1967.

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 14th day of December 1965.

[L.S.]

A. P. BLAIR, Judge.

MEMORANDUM

The award incorporates the terms of settlement arrived at by the parties in the course of an inquiry held before a Council of Conciliation.

Upon being satisfied by supporting documentary evidence that an unqualified preference provision has been agreed to by all the assessors in accordance with section 174B of the Industrial Conciliation and Arbitration Act 1954 (as enacted by the Industrial Conciliation and Arbitration Amendment Act 1961), the Court has inserted clause 17 in the award in the form in which it was agreed upon in the Council of Conciliation, but its incorporation in the award is not to be taken as an indication that the Court is satisfied with its validity.

A. P. BLAIR, Judge.