



SUPPLEMENT

TO THE

NEW ZEALAND GAZETTE

OF

THURSDAY, SEPTEMBER 21, 1950

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Royal Commission to Inquire Into and Report Upon the Waterfront Industry

GEORGE THE SIXTH by the Grace of God, of Great Britain, Northern Ireland, and the British Dominions beyond the Seas, King, Defender of the Faith :

To Our Trusty and Well-beloved SIR ROBERT KENNEDY, of Dunedin, lately a Judge of the Supreme Court of New Zealand, THOMAS BLOODWORTH, of Auckland, Member of the Legislative Council, and JAMES SAWERS, of Wellington, Retired General Manager of Railways : GREETING :

WHEREAS we have deemed it expedient that a Commission should issue to inquire into the working of the Waterfront Industry in New Zealand, and to examine and report upon proposals that may be made for amending the law in New Zealand and altering the practices and customs current in the said Industry in the public interest :

Now know ye that We, reposing trust and confidence in your impartiality, integrity, and ability, do hereby nominate, constitute, and appoint you, the said

Sir Robert Kennedy
Thomas Bloodworth, and
James Sawers

to be a Commission to inquire into and report upon all aspects of the Waterfront Industry in New Zealand and all matters connected therewith and in particular but without in any way limiting the scope of the inquiry and your powers relating thereto to inquire into and report on the following matters—

1. The adequacy and efficiency of the facilities provided at the various ports throughout New Zealand for the working of cargo with particular reference to—

- (a) The adequacy, efficiency, and suitability of existing wharf berthage space, shed accommodation, mechanical wharf equipment, and methods of working cargo for the present and immediate future.
- (b) The provision of facilities and amenities for waterside workers and other workers connected with the waterfront industry including the suitability and sufficiency of those now provided and your opinion as to the persons by whom and the means by which there should be provided such additional facilities and amenities as may be found by you to be required.

- (c) The efficiency of the measures taken for the prevention of accident the provision of first-aid facilities and generally safeguarding the safety and health of waterside workers and other workers connected with the waterfront industry.
2. The adequacy of the labour force now available to cope with the waterfront work which is now offering including—
- (a) The adequacy of the present membership of the New Zealand Waterside Worker's Union to handle the volume of cargo passing through each port and the variation between the nominal membership of the Union and its effective membership.
 - (b) The justification for and effect of imposing a limitation on membership of the various branches of the New Zealand Waterside Worker's Union.
 - (c) The availability and use of non-union labour.
 - (d) The allocation of labour to various ships including particularly its allocation as between coastal and overseas ships.
3. The conditions of employment of all waterside workers including—
- (a) The rates of remuneration including any allowance for skill.
 - (b) The application of the guaranteed wage as defined in clause 51 of the Main Order of the Commission dated 6th June, 1940, to all ports.
 - (c) The provision of additional payments in respect of work which is dirty or is otherwise specially dangerous or unpleasant.
 - (d) The desirability of the continuation or extension of the present system of co-operative contracting or of the institution of some other system providing for payment by results.
 - (e) The desirability of providing for the engagement of labour on a permanent or semi-permanent basis instead of the present casual basis.
 - (f) The efficiency of the Bureau system of engagement of labour; the imposition of Bureau penalties; the desirability of introducing a gang system for the engagement of labour.
 - (g) The hours of work and the desirability and practicability of introducing a shift system.
 - (h) The desirability of and necessity for providing reasonable "rest" or "smoko" periods and the present "spelling" practice.

- (i) The justification for stop-work meetings and the extent to which they should obtain.
- (j) The desirability of increasing weights of sling loads of cargo which is not hand-trucked on the wharf.

4. The adequacy and equitability of the means provided for the settlement of disputes, to that end and for the purpose of your ultimate general report giving consideration to any relevant disputes or matters of grievance between employers and employees in the Industry whether determined or not and whether occurring before or after the date of these presents: Provided that you shall not be required to furnish any interim report upon any particular dispute or matter of grievance.

5. The desirability of providing means for the imposition of adequate and enforceable penalties on both employers and employees for causing an unreasonable stoppage of work.

6. The practicability of co-ordinating the hours of work of all sections of workers employed in connection with the delivery and receipt of cargoes.

7. The causes of the delay in clearing goods from wharf and railway goods sheds.

8. The adequacy and suitability of railway rolling-stock, marshalling yards, and storage facilities.

9. The practicability of providing for the standardization of packages for shipment and for the limitation of the number of marks on packages with the object of simplifying and expediting the sorting and stacking of cargo in wharf sheds; the provision of means to reduce delays caused through the inadequate and indistinct marking of goods by shippers.

10. The steps (if any) which could be taken by the Customs Department to expedite the release of documents; and the practicability and desirability of abolishing or "staggering" the expiry date of Import Licences.

11. Any other factors affecting the speed and efficiency of cargo handling and the turn round of shipping in New Zealand ports.

12. The further steps (if any) which should be taken to reduce losses caused through damage to goods in their handling and through pillaging of cargo.

13. The desirability of continuing or abolishing the present form of Commission Control of the waterfront industry: If its abolition is recommended, the desirability of instituting some other industrial authority to deal solely with the waterfront industry or alternatively of bringing the industry within the provisions of the Industrial Conciliation and Arbitration Act, 1925; the scope of the powers and authorities to be conferred on any special industrial authority instituted for the waterfront industry; and possible methods of improving industrial relationships in the waterfront industry.

14. The desirability of retaining Cargo Control Committees: And to make such proposals as you yourselves think fit for the amendment of the law and the alteration of any practices or customs current in the said Industry with the object of ensuring that the work of the said Industry shall be carried on with the maximum efficiency and the minimum delay to shipping having regard to the reasonable interests of all those engaged in or in connection with the waterfront industry:

And generally to inquire into and report upon such other matters as may come to your notice in the course of your inquiries and which you consider should be investigated in connection therewith and upon any matters affecting the premises which you consider should be brought to the attention of the Government.

And we do hereby appoint you the said

Sir Robert Kennedy

to be Chairman of the said Commission:

And for the better enabling you to carry these presents into effect you are hereby authorized and empowered to make and conduct any inquiry under these presents at such time and place as you deem expedient, with power to adjourn from time to time and place to place as you think fit, and so that these presents shall continue in force, and the inquiry may at any time and place be resumed although not regularly adjourned from time to time or from place to place:

And you are hereby strictly charged and directed that you shall not at any time publish or otherwise disclose save to His Excellency the Governor-General, in pursuance of these presents or by His Excellency's direction, the contents of any report so made or to be made by you or any evidence or information obtained by you in the exercise of the powers hereby conferred upon you except such evidence or information as is received in the course of a sitting open to the public:

And we do further ordain that you have liberty to report your proceedings and findings under this Our Commission from time to time if you shall judge it expedient so to do:

And, using all due diligence, you are required to report to His Excellency the Governor-General, in writing under your hands and seals, not later than the thirty-first day of March, one thousand nine hundred and fifty-one, your findings and opinions on the matters aforesaid, together with such recommendations as you think fit to make in respect thereof:

And, lastly, it is hereby declared that these presents are issued under the authority of the Letters Patent of His late Majesty dated the eleventh day of May, one thousand nine hundred and seventeen, and under the authority of and subject to the provisions of the Commissions of Inquiry Act, 1908, and with the advice and consent of the Executive Council of the Dominion of New Zealand.

In witness whereof We have caused this Our Commission to be issued and the Seal of Our Dominion of New Zealand to be hereunto affixed at Wellington, this twenty-first day of September, in the year of Our Lord one thousand nine hundred and fifty and in the fourteenth year of Our Reign.

Witness Our Trusty and Well-beloved Sir Bernard Cyril Freyberg, on whom has been conferred the Victoria Cross, Knight Grand Cross of Our Most Distinguished Order of Saint Michael and Saint George, Knight Commander of Our Most Honourable Order of the Bath, Knight Commander of Our Most Excellent Order of the British Empire, Companion of Our Distinguished Service Order, Lieutenant-General in Our Army, Governor-General and Commander-in-Chief in and over Our Dominion of New Zealand and its Dependencies, acting by and with the advice and consent of the Executive Council of the said Dominion.

[L.s.]

B. C. FREYBERG, Governor-General.

By His Excellency's Command—

W. SULLIVAN, Minister of Labour.

Approved in Council—

T. J. SHERRARD,
Clerk of the Executive Council.