

WHARVES

EXCEPT where otherwise specified, the following rates and charges will be made on goods for shipment or ex ship and for the other purposes specified, at the places named, in addition to the other rates and charges made under the preceding sections.

129. General

1. (a) For the purposes of this section, the working hours of the Department are from 8 a.m. to 12 noon and from 1 p.m. to 5 p.m. Monday to Friday inclusive, and from 8 a.m. to noon on Saturday, holidays excepted. Ships discharging or taking in cargo at any other time will be charged, in the case of employees engaged by the Department upon or in connection with the working of the ship and paid in terms of the Waterfront Industry Tribunal's orders, at the full rates ruling at the port less 9d. per hour, which latter amount will be paid by the Department. In the case of employees engaged by the Department in shunting, tallying, or supervising, or in any way upon or in connection with the ship, and who are not paid in terms of the Waterfront Industry Tribunal's orders, the ship will be charged for such employees at the ordinary time rate ruling for waterside labour at the port less 9d. per hour, which latter amount will be paid by the Department.

(b) When two or more ships are working simultaneously during hours other than the working hours specified in subparagraph (a) hereof and it is necessary for the Department to provide shunting staff and/or supervision in connection with the working of ships, the charge will be apportioned to each ship in proportion to the period of time such services are required.

(c) In the case of vessels loading or discharging cargo on a day in respect of which special rates are payable to the employees of the Department, the ships will be charged such rates less 9d. per hour, which latter amount will be paid by the Department, for all men engaged in connection with the working of the vessels, and an undertaking must in every case be given before the work is commenced, that the payment will be made.

2. **Special Cargo**—(a) Where ships discharge any cargo which by reason of its nature or condition comes within any provision of any Waterfront Industry Tribunal's orders or any agreement made with the representatives of the New Zealand Waterside Workers' Unions at the various ports whether or not such agreement is in substitution for any such order, and so requires the payment of a special rate exceeding the ruling rates of pay for the handling of such cargo, or for work deemed to be incidental to the discharging of the same, then, in such cases, in addition to the rates or charges that would be payable for the handling of such goods (or for the work incidental thereto) had they not been subject to such provision or agreement as aforesaid, the ships will be charged in respect of all workers engaged by the Department and entitled under such provisions or agreement as aforesaid to such rate exceeding the ruling rate of pay the extra cost incurred by the Department in the handling of such cargo or for the work incidental thereto.

(b) Where by reason of the discharge of any such cargo as aforesaid other workers, exclusive of those workers mentioned in clause (a) above, working or handling other cargo on the same ship or engaged on work deemed to be incidental thereto become entitled to the payment of such special rate exceeding the ruling rates of pay, then the ships will be charged in respect of all workers so engaged by the Department the extra cost thereby incurred in the employment of such labour.

(c) In every case where the shipowner does not have an office at the port where such extra cost is incurred, it shall be a condition precedent to the handling or working such cargo that the ship's agent shall be deemed to have agreed with the Department for the payment by such agent of such additional cost.

3. **Standing-by Time and Minimum Periods**—(a) When request is made for labour to be provided at a certain time, but owing to rain or other cause the work does not start at the time arranged, or when the work has been stopped by rain or other cause and the men stand by at the request of the ship's owner or agent, the full time the men are standing by will be charged to the ship: Provided that when by any order prescribing the conditions of work of waterside workers it is provided that if workers are "ordered down" or "ordered back" they shall be paid as for a minimum period of time (computed as from the due time of commencement of the first daily start during the recognised working-hours) such period of time shall not be time for which payment shall be made in pursuance of the provisions of this subparagraph when work is not commenced owing to weather conditions.

(b) In cases where a ship does not commence loading or unloading operations at the time for which the waterside labour is ordered down or ordered back, waiting the removal of the ship's hatches, the loading of the first sling, or other similar cause, and the waterside labour is standing by, the Department will pay for such standing-by time up to 15 minutes. When this period of time is exceeded the time in excess of 15 minutes will be charged to the ship.