

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.

(c) Except as provided in subparagraph (a) hereof, when labour is paid for but not worked in the following circumstances the full time which the labour is paid for will be charged to the ship: Provided, further, that when such payment is incurred in other than the working hours specified in paragraph 1 (a) hereof the department will meet 8c per hour of the cost of the time paid for but not worked:

- (i) When waterside workers are ordered down or ordered back and are entitled to be paid for a minimum period and the work is completed before the minimum period has expired.
- (ii) When waterside workers are transferred from one job to another and are entitled to payment for a minimum period in respect of one or both jobs.
- (iii) When waterside workers are transferred from one job to another and are entitled to continuous pay or a retaining fee. The charge will be made to the ship to which the waterside workers are transferred.

(d) In the case of the department's employees who are not paid in terms of the Waterfront Industry Tribunal's orders, a charge for a minimum period shall not be made against the ship.

4. **Sundays and Holidays**—(a) No vessel shall discharge or take in livestock at any railway wharf on Sundays except in cases of extreme urgency, and the captain or agent of the vessel shall give the Stationmaster at the port at least 2 hours' notice in writing of the intention to load or discharge the stock, and must, before the loading or discharging is commenced, obtain the written consent of the Stationmaster thereto.

(b) Except where cargo is worked or passengers are landed or embarked on Sundays or public holidays (including waterside workers' annual picnic days), berthage charges will not be enforced at wharves under the control of the department in respect of such days.

130. Westport Wharves

The following charges will apply for the use of the department's cranes at Westport wharves: Ordinary cargoes, per ton \$1.25 (minimum charge, \$7.50).

Exceptional cargoes (as determined by the department) to be charged per day, or otherwise as may be determined by Chief Stationmaster, Westport.

The charge for crantage does not include the cost of haulage to the crane when the goods have been previously deposited at a distance therefrom.

BY AUTHORITY:

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