

107. Shunting Charges on Loads for Shipment

1. The classified or local rates or haulage charges on goods for shipment cover the placing of the wagons containing such goods at the ship's side. Where a request is made to the department, either before or after the wagons are placed at the ship's side, for the wagons to be sorted for a particular hold or port of discharge, and such sorting necessitates additional shunting work beyond that which would ordinarily be required to place such wagons at the ship's side, or where, owing to a ship moving to another berth, wagons which have already been placed at the ship's side require to be moved to the ship's side in its new berth, the additional service will be charged for at the rate of \$15.40 per hour; minimum charge, \$3.85 for each service.

GENERAL**108. Definitions**

- (a) "The Act" means the Government Railways Act 1949.
- (b) "The department" means the New Zealand Government Railways Department.
- (c) "The General Manager" means the General Manager of Railways.
- (d) "Officered station" means any station where a Stationmaster is in charge.
- (e) "Flag station" means any station where no Stationmaster is in charge.
- (f) "Goods" means goods, luggage, or chattels of any description, and includes live or dead animals.
- (g) "Person" includes a corporation sole and also a body of persons, whether incorporated or not.

109. Inspection of Goods

1. The department reserves the right to inspect any goods before receiving the same or while the same are in its custody, and for this purpose to call upon the owner to open any package for inspection at the expense of the owner.

2. Failure to inspect any goods or the acceptance of any goods improperly or insufficiently packed shall not impose upon the department any liability for loss or damage arising from such failure or such improper or insufficient packing or otherwise, or in any way affect any warranty given in respect of such goods.

110. "Owner's Risk" Goods: Insurance of Goods

1. Where it is provided that goods will be received, held, carried, delivered, or otherwise dealt with at "owner's risk", such goods will, unless a request in writing is made and a receipt obtained, and increased charges paid as hereinafter provided, be received, held, carried, delivered, or otherwise dealt with at the sole risk, in every respect whatsoever, of the owner (unless the loss, damage, or expense, whether due to delays in transit or any other cause, is occasioned by the negligence or wrongful act of the department or its employees or agents) and will be charged at the rates ordinarily applicable to such goods as provided in this the General Scale of Charges or the Local Rates Scale of Charges, as the case may be. Such goods will, however, be received, held, carried, delivered, or otherwise dealt with at the risk of the department (subject to the provisions of the Act and terms and conditions made thereunder) if a request in writing that the goods be received, held, carried, delivered, or otherwise dealt with at the risk of the department be delivered to the department with the goods, which request shall, in the case of goods consigned, be deemed to be sufficiently made if the consignment note relating to such goods is endorsed with the words "At Railway Risk" and a receipt for such goods similarly endorsed is obtained at the time of tendering the goods, and in such cases the goods will be received, held, carried, delivered, or otherwise dealt with at the risk of the department (subject as aforesaid) and the charges computed as provided in this the General Scale of Charges or in the Local Rates Scale of Charges, as the case may be, for such goods when received for carriage at owner's risk will be increased by one-sixth: Provided that such goods will not be accepted at the risk of the department if consigned to or from a station or siding where there is no Stationmaster (*vide* section 120).