

1960 No. 2029

HARBOURS, DOCKS, PIERS AND FERRIES

**The Dock Workers (Regulation of Employment)
(Amendment) Order, 1960**

Made - - - - - 7th November, 1960
Laid before Parliament 11th November, 1960
Coming into Operation 21st November, 1960

Whereas the Minister of Labour has pursuant to subsection (5) of section two of the Dock Workers (Regulation of Employment) Act, 1946(a), prepared the scheme set out in the Schedule hereto, being a scheme varying the Dock Workers (Regulation of Employment) Scheme, 1947(b) (hereinafter referred to as "the principal Scheme"):

And whereas the provisions of the Schedule to the said Act have been complied with in relation to the scheme set out in the Schedule hereto:

Now, therefore, the Minister of Labour, by virtue of the powers conferred on him by subsections (5) and (6) of the said section two and by section one of the Dock Workers (Pensions) Act, 1960(c), and of all other powers enabling him in that behalf, hereby makes the following Order:—

1. This Order may be cited as the Dock Workers (Regulation of Employment) (Amendment) Order, 1960, and shall come into operation on the 21st day of November, 1960.
2. The Interpretation Act, 1889(d), shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.
3. Effect is hereby given to the Dock Workers (Regulation of Employment) (Amendment) Scheme, 1960, set out in the Schedule hereto and the principal Scheme shall be varied accordingly.

Dated this 7th day of November, 1960.

John Hare,
Minister of Labour.

SCHEDULE

**THE DOCK WORKERS (REGULATION OF EMPLOYMENT) (AMENDMENT)
SCHEME, 1960**

1. This Scheme shall be called the Dock Workers (Regulation of Employment) (Amendment) Scheme, 1960.
2. The principal Scheme shall be varied in accordance with the succeeding paragraphs of this Schedule.
3. In paragraph (1) of Clause 2 of the principal Scheme (which relates to interpretations and exclusions) the following definition shall be inserted

(a) 9 & 10 Geo. 6. c. 22. (b) S.R. & O. 1947/1189 (Rev. VI, p. 63: 1947 I, p. 535).
(c) 8 & 9 Eliz. 2. c. 39. (d) 52 & 53 Vict. c. 63.

immediately after the definition of the expression "the National Joint Council", namely—

"the pension scheme" means any scheme for the time being in force which provides for the payment of retirement pensions with or without other benefits to registered dock workers, being a scheme in accordance with a national agreement between the employers' side and the workpeople's side of the National Joint Council for the Port Transport Industry".

4. At the end of paragraph (1) of Clause 3 of the principal Scheme (which establishes the National Dock Labour Board and sets out its functions) there shall be added the following subparagraph, namely—

"(j) acting as agent of the trustees of the pension scheme for such purposes in connection with the administration of the pension scheme as may from time to time be agreed by the National Board with the said trustees."

5. In Clause 6 of the principal Scheme (which relates to the functions of local boards), in paragraph (1), for subparagraphs (f) and (g) there shall be substituted the following subparagraphs, namely—

"(f) the payment as agent of the registered employer to each daily worker of all earnings properly due to the daily worker from the employer, and the payment to such daily workers of all moneys payable by the National Board to those workers in accordance with the provisions of the Scheme ;

"(g) the deduction from the payment due to a daily worker referred to in subparagraph (f) of this paragraph of any contribution due under the pension scheme and the payment of that contribution to the trustees of that scheme ;

"(h) the payment of the employer's contribution to any scheme of insurance constituted under any Act of Parliament in respect of daily workers and the custody and stamping of their insurance books or cards ;

"(i) the collection in accordance with any arrangement for the time being in force between the National Board and the trustees of the pension scheme of the contributions due from registered employers under the pension scheme, including those of the weekly workers employed by them, and any such arrangement may provide for the registered employers' own contributions to be paid by means of a levy on gross wages in the manner provided by Clause 21 hereof or by any other means ;

"(j) the payment to the trustees of the pension scheme of the contributions collected in pursuance of subparagraph (i) of this paragraph ;

"(k) the payment, as agent of the trustees of the pension scheme and in accordance with any arrangement for the time being in force between the National Board and the said trustees, of the benefits payable under the pension scheme ;

"(l) such other functions as may from time to time be delegated to it by the National Board."

6. At the end of Clause 8 of the principal Scheme (which relates to the obligations of registered dock workers) there shall be added the following paragraph, namely—

"(6) Every registered dock worker shall comply with the provisions of the pension scheme so far as they apply to him."

7. At the end of Clause 9 of the principal Scheme (which relates to the obligations of registered employers) there shall be added the following paragraph, namely—

"(8) Every registered employer shall comply with the provisions of the pension scheme, and in particular, if the pension scheme so provides, every registered employer shall deduct from the wages of weekly workers employed by him the contributions due from those workers under the pension scheme, and shall pay those contributions to the trustees of that scheme or, if the trustees so direct, to the local board."

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

This Order amends the Dock Workers (Regulation of Employment) Scheme, 1947, which is set out in the Schedule to the Dock Workers (Regulation of Employment) Order, 1947. It adds to the 1947 Scheme by providing that dock workers and their employers shall participate in any pension scheme for dock workers which is in accordance with a national agreement between the employers' and workpeople's sides of the National Joint Council for the Port Transport Industry. It also empowers the National Dock Labour Board and the local boards to take part in the administration of the pension scheme.

STATUTORY INSTRUMENTS

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