



Docks and Harbours Act 1966

1966 CHAPTER 28

PART I

CONTROL OF EMPLOYMENT OF DOCK WORKERS

Licensing of employers

8 Determination of appeals and objections

- (1) Where an appeal is brought under the last foregoing section against, or an objection is made thereunder to, the decision of a licensing authority on an application for a licence, the Minister shall consider the matter and, after consultation with the Minister of Labour, give such decision in the matter as he thinks fit.
- (2) For the purpose of disposing of any such appeal or objection the Minister—
 - (a) shall have the like powers and duties in relation to the appeal or objection as the licensing authority had in relation to the application which gave rise to the decision appealed from or objected to (except the duty under section 5(7) of this Act to consult the Board); and
 - (b) where the appeal is brought against, or the objection is made to, a decision on an application in relation to any port made before the commencement of section 1 of this Act, may direct that all applications so made in relation to that port be referred to him and may reconsider any decision on those applications and any proposal so made in relation to that port by the licensing authority, and shall accordingly have the like powers and duties in relation to those applications as the licensing authority had (except the said duty).
- (3) Where an appeal is brought against, or an objection made to, any proposal of a licensing authority for any port under section 6(3) of this Act, the Minister shall, after consultation with the Minister of Labour, decide whether or not the authority should employ dock workers in that port and, if so—
 - (a) the number of permanent workers which it should employ there;

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- (b) the date by which it should employ them (which, in the case of a proposal made before the commencement of section 1 of this Act, shall be the commencement of that section); and
 - (c) whether or not it should employ dock workers only at a particular berth or in a particular part of the port and, if the Minister decides that it should, the berth or part of the port where it should employ them.
- (4) For the purpose of disposing of any appeal against, or objection to, any such proposal made before the commencement of section 1 of this Act, the Minister may direct that all applications so made in relation to the port in question be referred to him and may reconsider any decision on those applications, and shall accordingly have the like powers and duties in relation to those applications as the licensing authority had (except the duty under section 5(7) of this Act to consult the Board).
- (5) Where an appeal is brought against, or an objection made to, any proposal of a licensing authority for any port to employ dock workers at a berth or in a part of the port where it was not previously entitled to employ them, the Minister shall decide whether or not the authority should employ them there.
- (6) Where the Minister makes a decision under this section on an appeal or objection, he shall give notice in writing of the decision and the reasons therefor—
 - (a) in the case of a decision relating to an appeal on an application made before the commencement of section 1 of this Act, or on a proposal so made by a licensing authority, to all the applicants for a licence for the port in question;
 - (b) in the case of a decision relating to any subsequent application for a licence, to the applicant; and
 - (c) in every case to the licensing authority, the Council and the Board.
- (7) A licensing authority who is notified of a decision of the Minister under this section on a proposal of the licensing authority made after the commencement of section 1 of this Act shall give notice in writing of the decision to every holder of a licence for the port and any person who has made an application for such a licence which has not been disposed of.