

1980 No. 1940

HARBOURS, DOCKS, PIERS AND FERRIES
The Dock Workers (Regulation of Employment)
(Amendment) Order 1980

Made - - - - - 15th December 1980

Laid before Parliament 6th January 1981

Coming into Operation 1st February 1981

The Secretary of State—

- (a) by virtue of the powers conferred on him by section 2(5) and (6) of the Dock Workers (Regulation of Employment) Act 1946(a) (“the Act”) and now vested in him (b) and of all other powers enabling him in that behalf;
- (b) having pursuant to section 2(5) of the Act prepared the scheme set out in the Schedule hereto varying the scheme contained in the Dock Workers (Regulation of Employment) Order 1947(c) (which scheme of 1947 is hereinafter referred to as “the principal Scheme” and is set out in Schedule 2 to the Dock Workers (Regulation of Employment) (Amendment) Order 1967(d));
- (c) after giving notice, pursuant to the Schedule to the Act, of the preparation of the draft Order and of the proposal to make it, and no objections having been made to the draft,

hereby makes the following Order:—

Citation and commencement

1. This Order may be cited as the Dock Workers (Regulation of Employment) (Amendment) Order 1980 and shall come into operation on 1st February 1981.

Variation of the principal Scheme

2. Effect is hereby given to the Dock Workers (Regulation of Employment) (Amendment) Scheme 1980, set out in the Schedule hereto and the principal Scheme shall be varied accordingly.

Signed by order of the Secretary of State.

15th December 1980.

P. B. B. Mayhew,
 Joint Parliamentary Under Secretary of State,
 Department of Employment.

(a) 1946 c. 22.

(b) S.I. 1968/729, 1970/1537.

(c) S.R. & O. 1947/1189, as amended by S.I. 1960/2029, 1961/2107 and 1967/1252.

(d) S.I. 1967/1252.

Article 2

SCHEDULE

THE DOCK WORKERS (REGULATION OF EMPLOYMENT) (AMENDMENT)
SCHEME 1980

1. This Scheme shall be called the Dock Workers (Regulation of Employment) (Amendment) Scheme 1980.
2. The principal Scheme shall be varied in accordance with the succeeding paragraphs of this Schedule.
3. In Clause 1 of the principal Scheme (which sets out the name, objects and application of the Scheme) for paragraph (3) there shall be substituted the following paragraph:—
 - “(3) The Scheme shall relate to the ports set out in Appendix 1 hereto and—
 - (a) at each such port (other than the port of Hunterston) it shall apply to the same classes or descriptions of dock work and dock workers as, immediately before the coming into operation of the Scheme of 1947 were included in any dock labour scheme or port registration scheme then in operation in respect of that port, that is to say—
 - (i) at the Port of Glasgow, the Port of Greenock and the Ports in the Merseyside, Manchester and Preston areas, the Ministry of Transport Schemes for Dock Labour at those Ports;
 - (ii) at each of the other ports, the approved dock labour scheme for that port under the Essential Work (Dock Labour) Orders 1943 to 1945(a), or, as the case may be, the port registration scheme approved as respects that port under the Dock Labour (Compulsory Registration) Order 1940(b); and
 - (b) at the Port of Hunterston it shall apply to the handling of ore and coal, and other commodities the handling of which is compatible with the handling of ore and coal, except the work to be carried out by employees of the British Steel Corporation and described in the manning arrangements agreed between the Transport and General Workers Union and the Iron and Steel Trades Confederation (“the ISTC”) on the 3rd November 1979 as being the work to be carried out by members of the ISTC:

Provided that the Scheme shall not apply to a dock worker at any port unless he is employed or registered for employment in, or in the vicinity of, that port on work in connection with the loading, unloading, movement or storage of cargoes, or work in connection with the preparation of ships or other vessels for the receipt or discharge of cargoes or for leaving port.”
4. In Clause 2 of the principal Scheme in the definition of “dock work” the words from “ordinarily performed” to the end of the definition shall not apply to operations at the Port of Hunterston.
5. In Appendix I of the principal Scheme after the entry “V” there shall be inserted the following:—

“W. The Port of Hunterston”

(a) S.R. & O. 1943/1114, 1944/1205, 1945/29, 1260.

(b) S.R. & O. 1940/1013.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order amends the Dock Workers (Regulation of Employment) Scheme 1947, as varied in 1960, 1961 and 1967. The 1947 Scheme as varied is set out in Schedule 2 to the Dock Workers (Regulation of Employment) (Amendment) Order 1967, and is now known as the Dock Workers (Regulation of Employment) Scheme 1967 ("the 1967 Scheme").

The Order applies the 1967 Scheme to work at the Port of Hunterston. It provides, in Clause 1(3)(b), for the Scheme to apply to the handling of ore and coal and other commodities at the Port, except certain specified work. The work which is to be excluded is referred to in the manning arrangements agreed between the Transport and General Workers Union and the Iron and Steel Trades Confederation on 3rd November 1979, and copies of the document recording those arrangements are available for inspection at any reasonable time on any weekday (except Saturdays) at the offices of the Department of Employment, Caxton House, Tothill Street, London SW1H 9FA and the Scottish Office, New St. Andrew's House, St. James's Centre, Edinburgh EH1 3JF.

SI 1980/1940
ISBN 0-11-007940-X



780110 079400