

CAP. 184.

CYPRUS

PORT WORKERS

CHAPTER 184 OF THE LAWS

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1959

CHAPTER 184.

PORT WORKERS.

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A LAW TO REGULATE THE EMPLOYMENT OF PORT WORKERS
AND TO MAKE OTHER PROVISIONS CONNECTED THERE-
WITH.

[31st December, 1952.]

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Short title.

1. This Law may be cited as the Port Workers (Regulation of Employment) Law.

Interpreta-
tion.

2. In this Law unless the context otherwise requires—

“Board” means a Board established under subsection (1) of section 3;

“Commissioner” means the Commissioner of Labour and includes the Assistant Commissioner of Labour;

“Customs porter” means any person approved by the Comptroller to handle, and engaged in handling, within any Customs area, any goods upon their discharge from any ship, aircraft or other vessel to a pier or dock, until delivery of such goods out of Customs control;

“employer” means, in relation to a port worker, the person by whom he is employed or is to be employed as a port worker and includes any Customs porter when he employs any port worker;

“employer’s porter” means any person regularly employed by any employer to handle—

(a) any of his goods destined for exportation, from or to any of his stores to or from any pier or dock or any store, within any Customs

area and approved by the Collector of Customs as a place of deposit therefor; or

- (b) any such goods on their conveyance from any such pier, dock or store to any sling for shipment on any lighter or, where no lighters are used, to any sling of any ship, aircraft or other vessel on which the goods are to be exported from any such pier, dock or store; or

- (c) any of his goods on their importation over his private pier;

“goods” includes anything carried or to be carried in a ship, aircraft or other vessel;

“port” means any place appointed by the Governor in Council to be a port under the Customs Management Law; Cap. 315.

“port worker” means a person employed or to be employed in any port on work in connection with the loading, unloading, movement or storage of goods, or on work in connection with the preparation of ships, aircraft or other vessels for the receipt or discharge of goods, but does not include—

- (a) a member of an engineering or other craft;
- (b) any clerical employee or a member of the administrative staff of an employer;
- (c) any Customs porter or employer's porter;
- (d) any licensed boatman engaged in conveying passengers' luggage to or from a ship, aircraft or other vessel in any port; ^{2 (a) of}
47/54.
- (e) any member of the crew of any ship, aircraft or other vessel when engaged on board such ship, aircraft or other vessel— ^{2 (b) of}
47/54.
- (i) in the handling of any machinery other than cranes, except where the superintendent of the port, after taking the views of the master of the ship or the captain of the aircraft or other vessel and of the employers and port workers, is of opinion that there is not available any port worker possessing the special technical knowledge required for the handling of that particular type of crane;

- (ii) in any other work, for the purpose of

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enabling the loading, unloading, movement or storage of goods by any port worker;

- (f) any porter regularly employed in an enclosed area allocated by the Comptroller for the use of Her Majesty's Forces.

Power to Governor to apply this Law to a port and to establish Boards.

3. (1) Whenever it appears to the Governor that the conditions of employment or other prevailing circumstances in any port are such as to render necessary or expedient the regulation of engagement and employment of port workers therein or that public interest so requires, the Governor may by Order apply the provisions of this Law to that port, and thereupon establish in respect of that port a Board bearing the name " Port Labour Board of " (inserting the name of the port) for the purpose of regulating the wages and the conditions of engagement and employment of port workers in that port and for the performance of such other functions in relation to such engagement or employment as may be prescribed.

(2) The Governor may, if satisfied that the circumstances which led to the making of an Order and the establishment of a Board under subsection (1) ceased to exist or that public interest so requires, cancel such Order and dissolve such Board.

Constitution of Boards.

4. (1) A Board established under subsection (1) of section 3 shall consist of a Chairman and two members appointed by the Governor (called " the appointed members ") and such number of other members (called " the representative members ") as may be determined in each case by the Governor, to be nominated by the employers or any association or associations thereof (called " the employers' side ") and by the port workers or their trade union or trade unions (called " the port workers' side "):

Provided that the number of representative members both on the employers' side and on the port workers' side shall be equal:

Provided further that, on the failure of employers or port workers, respectively, to nominate the required number of representative members, it shall be lawful for the Governor to appoint fit and proper persons to make up such required number.

(2) The appointed members and the representative members shall hold office for such time as may be fixed by the Governor:

Provided that the appointment of any member under subsection (1) may, at any time, be revoked by the Governor, and the nomination of any representative member may, at any time, be revoked by the side by which such member was nominated and that in either case another member shall be appointed or nominated, respectively.

(3) The Board may make rules governing its own proceedings, the convening of its meetings and the quorum thereof— 3 of 47/54.

(a) At the time of the nomination of a representative member under subsection (1) (in this subsection referred to as "a principal representative member") the employers' side or the port workers' side, as the case may be, nominating such principal representative member, shall also nominate in respect of each such principal representative member a substitute representative member.

(b) Such substitute representative member shall be entitled to attend any meeting or meetings of the Board in any case where the principal representative member, in respect of which such substitute representative member has been appointed, is, for any good and sufficient reason to the satisfaction of the Chairman, unable to attend any meeting of the Board, and any substitute representative member attending any such meeting shall be deemed to be a representative member for the purpose of such meeting.

(c) The provisions of this section shall apply to substitute representative members as they apply to principal representative members:

Provided that nothing in this subsection contained shall affect the powers and duties of a principal representative member.

(4) The Board may act notwithstanding a vacancy amongst the members thereof.

5. The Governor in Council may make Regulations for carrying into effect the purposes of this Law and, without prejudice to the generality of the power so conferred, in particular for— Power to Governor in Council to make Regulations.

(a) providing for the registration of port workers, the mode of such registration, the class in which they will be registered, and the conditions required