

Stevedoring Industry Charge Assessment

No. 111 of 1967

An Act to amend the *Stevedoring Industry Charge Assessment Act 1947–1966*.

[Assented to 14 November 1967]

BE it enacted by the Queen's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows:—

1.—(1.) This Act may be cited as the *Stevedoring Industry Charge Assessment Act 1967*.

Short title and citation.

(2.) The *Stevedoring Industry Charge Assessment Act 1947–1966** is in this Act referred to as the Principal Act.

(3.) The Principal Act, as amended by this Act, may be cited as the *Stevedoring Industry Charge Assessment Act 1947–1967*.

*Act No. 3, 1947, as amended by No. 1, 1953; No. 5, 1958; No. 61, 1960; No. 44, 1962; and No. 93, 1966.

Commencement.

2. This Act shall come into operation on the date fixed under sub-section (2.) of section 2 of the *Stevedoring Industry Charge Act (No. 2) 1967*.

Interpretation.

3. Section 4 of the Principal Act is amended—

(a) by inserting in sub-section (1.), after the definition of “ agent ”, the following definitions:—

“ ‘ class A waterside worker ’ means a waterside worker who—

(a) is employed on a weekly hiring; and

(b) is a waterside worker to whom the Fund relates;

‘ class B waterside worker ’ means a waterside worker (not being a class A waterside worker) who is a waterside worker to whom the Fund relates;

‘ class C waterside worker ’ means a waterside worker who is not a class A waterside worker or a class B waterside worker;”;

(b) by inserting in that sub-section, after the definition of “ the Commissioner ”, the following definition:—

“ ‘ the Fund ’ means the Stevedoring Employees’ Retirement Fund referred to in the recitals to the trust deed made on the sixth day of October, One thousand nine hundred and sixty-seven, between the Association of Employers of Waterside Labour, an association registered as an organization under the *Conciliation and Arbitration Act 1904–1967*, of the first part, and—

(a) Charles Henry Fitzgibbon;

(b) John Christian Beitz;

(c) Colin Lindsay Craig;

(d) John Sydney Joblin; and

(e) Denis John Stilwell,

of the second part;”;

(c) by inserting in that sub-section, after the definition of “ waterside worker ”, the following definition:—

“ ‘ waterside worker to whom the Fund relates ’ means a waterside worker who—

(a) is eligible to become, or is, a contributing member of the Fund;

- (b) is eligible to become a contributing member of the Fund only with the consent of the trustees of the Fund;
- (c) would be eligible to become a contributing member of the Fund if the trustees of the Fund had not refused their consent to his becoming a contributing member of the Fund;
- (d) is a non contributing member of the Fund and would, if he were not and had never been a member of the Fund, be eligible to become a contributing member of the Fund; or
- (e) has ceased to be a member of the Fund and would, if he had never been a member of the Fund, be eligible to become a contributing member of the Fund;”;

(d) by inserting after sub-section (1.) the following sub-section:—

“ (1A.) For the purposes of this Act, the number of man-weeks of employment by an employer during the period to which any return or assessment under this Act relates is the sum of the number of weeks, being weeks ending on a Sunday that occurs in that period, during the whole or a part of which each class A waterside worker employed by the employer was engaged after the commencement of the *Stevedoring Industry Charge Assessment Act 1967* in work, whether on behalf of the employer or of some other person, as a waterside worker.”; and

(e) by omitting from sub-section (2.) the words “ waterside worker ” and inserting in their stead the words “ class B waterside worker or class C waterside worker ”.

4. Section 11A of the Principal Act is amended by inserting in paragraph (a) of sub-section (1.), after the words “ waterside worker ”, the words “ is a class C waterside worker and ”.

Exemption from charge—
certain permanent employees.

5. Section 12 of the Principal Act is amended by omitting sub-sections (2.) and (3.).

Person liable.

6. Section 13 of the Principal Act is amended by omitting sub-section (1.) and inserting in its stead the following sub-section:—

Returns by employers.

“ (1.) An employer shall, within fourteen days after the end of each month of the year, furnish to the Commissioner a return, in accordance with a form approved by the Commissioner, of—

- (a) the man-weeks of employment by him during each pay period ending in that month;

- (b) the man-hours of employment by him in respect of class B waterside workers during each pay period ending in that month; and
 - (c) the man-hours of employment by him in respect of class C waterside workers during each pay period ending in that month,
- together with such particulars as are specified in the form.”.
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