

L.N. 254 of 2012**PORT WORKERS ORDINANCE****(CAP. 171)****Port Workers (Amendment) Regulations, 2012**

IN exercise of the powers conferred by article 17 of the Port Workers Ordinance, the Minister for Infrastructure, Transport and Communications, in consultation with the Authority for Transport in Malta, has made the following regulations:

Citation and
commencement.

S.L. 171.02.

1. (1) The title of these regulations is the Port Workers (Amendment) Regulations, 2012 and they shall be read and construed as one with the Port Workers Regulations, hereinafter referred to as "the principal regulations".

(2) These regulations shall be deemed to have come into force on the 1st August, 2012.

Substitutes the
First Schedule
to the principal
regulations.

2. The First Schedule to the principal regulations shall be substituted by the following:

"FIRST SCHEDULE**(Regulation 24)****Fees payable to Foremen**

1. Foremen of Port Workers engaged in the supervision of the handling of cargo shall be paid the following fees:

Item	Description	Fee €
1.0	To foremen engaged in the supervision of the handling of unitised cargo:	
1.1	Loading of unitised cargo:	
1.1.1	Locally manufactured goods, per ton	0.29,9
1.1.2	Other unitised cargo, per ton	0.32,9
1.2	Unloading of unitised cargo, per ton	0.36,9
1.3	Loading and unloading of empty containers and trailers, per unit ..	2.00,0
2.0	To foremen engaged in the supervision of the handling of general cargo, per ton	0.39,9
3.0	To foremen engaged in the supervision of the handling of the following bulk cargo:	
3.1	Wheat, per ton	0.12,0
3.2	Barley, maize and corn, per ton	0.16,0
3.3	Soya and alpha, per ton	0.35,0

3.4	Pellets and seeds, per ton	0.35,0
3.5	Cement, per ton	0.23,9
3.6	Other bulk cargo, per ton	0.39,9
4.0	Handling of accompanied commercial vehicles with a cargo capacity of more than 10 tons:	
4.1	Chassis cab trucks or trailers of 20ft, per unit	5.80,5
4.2	Articulated trucks or trailers of 40ft, per unit	11.57,5
4.3	Articulated trucks or trailers of over 40ft, per unit	17.03,0
4.4	Empty accompanied commercial vehicles, per unit	2.00,0
5.0	Shifting of cargo:	
5.1	Shifting of cargo, per ton	0.15,0
5.2	Shifting and restowing of cargo, per ton	0.30,0
2.	An order for foremen to start work may be placed at any time of the day:	
	Provided that:	
	(a) for night shift, an order in writing shall be placed by noon of the previous day; and	
	(b) for Saturday or national or public holiday work, an order in writing shall be placed by 1700 hours on the previous evening, while for Sunday work it shall be placed by noon of the previous Saturday:	
	Provided further that:	
	(i) when work is required on a Saturday which follows a national or public holiday, the order shall be placed by noon of the said national or public holiday; and	
	(ii) when work is required on a national or public holiday which follows a Sunday or another national or public holiday, the order shall be placed by noon of the Sunday or of the said other national or public holiday, as the case may be.	
3.	The cancellation of orders shall be governed by the following rules:	
	(a) an order for night shift on a ship not yet in port may be cancelled up to noon of the previous day;	
	(b) an order for work on a Saturday, a Sunday or a national or public holiday may be cancelled up to the time limit specified in paragraph 2 of this Schedule for the making of the relative order;	
	(c) if an order for night shift or for Saturday, Sunday or national or public holiday work is cancelled after the time limits set out in sub-paragraph (a) or (b), the employer of port workers in question shall pay a fee of €4.66 per foreman allocated to a ship or operation together with any night shift, Sunday or national or public holiday allowances, where applicable; and	
	(d) for the purposes of this paragraph an order is cancelled when the employer notifies the foreman of his definite intention not to employ the foremen ordered.	

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4. The following fees shall be paid in addition to the fees specified in paragraph 1 of this Schedule to each foreman actually employed during night shift or Sundays or national or public holidays:

- (a) On night shift from Monday to Saturday €11.65 per *foreman*
- (b) On Sundays and national or public holidays €23.29 per *foreman*".

