



THE DOCK LABOURERS ACT, 1934



CONTENTS

PREAMBLE.

- 1 Short title, extent, commencement and application
- 2 Definitions.
- 3 Inspectors.
- 4 Powers of inspector.
- 5 Power to Federal Government to make regulations.
- 6 Power to Federal Government to make rules.
- 7 General provisions relating to regulations and rules.
- 8 Abstracts of Acts and regulations to be conspicuously posted.
- 9 Penalties.
- 10 Provisions relating to jurisdiction.
- 11 Power to exempt.
- 12 Protection to persons acting under this Act.

THE DOCK LABOURERS ACT, 1934

¹ACT No. XIX OF 1934

[19th August, 1934]

An Act to give effect in ²[Pakistan] to the Convention concerning the protection against accidents of workers employed in loading and unloading ships.

WHEREAS a Revised Draft Convention concerning the protection against accidents of workers employed in loading or unloading ships was adopted at Geneva on the twenty-seventh day of April, nineteen hundred and thirty-two ;

AND WHEREAS it is expedient to give effect in ²[Pakistan] to the said Convention;

It is hereby enacted as follows:-

1. Short title, extent, commencement and application.-(1) This Act may be called the ³* Dock Labourers Act, 1934.

⁴[(2) It extends to the whole of Pakistan.]

(3) It shall come into force on such date⁵ as the ⁶[Federal Government] may, by notification in the ⁷[official Gazette], appoint.

(4) It shall not apply to any ship of war of any nationality.

2. Definitions. In this Act, unless there is anything repugnant in the subject or context,-

(a) “the processes” includes all work which is required for or is incidental to the loading or unloading of cargo or fuel into or from a ship and is done on board the ship or alongside it ; and

(b) “worker” means any person employed in the processes.

¹ For Statement of Objects and Reasons, see Gazette of India, 1933, Pt. V, p. 195; and for Report of Select Committee, see *ibid.* 1934, Pt. V, p. 175.

² Subs. by the Central Laws (Statute Reform) Ordinance, 1960 (21 of 1960), s. 3 and 2nd Sch. (with effect from the 14th October, 1955), for “the Provinces and the Capital of the Federation” which had been subs. by A. O., 1949, for “British India”.

³ The word “Indian” omitted by the Federal Laws (Revision and Declaration) Act, 1951 (26 of 1951), s. 3 and 2nd Sch.

⁴ Subs. by Ordinance 21 of 1960, s. 3 and 2nd Sch. (with effect from the 14th October, 1955), for the original sub-section (2), as amended by A. O., 1949.

⁵ The 10th February, 1948, see Gaz. of P., 1948, Pt. I, p. 14.

⁶ Subs. by F. A. O. 1975, Art. 2 and Table, for “Central Government” which was subs. by A. O., 1937, for “G. G. in C.”.

⁷ Subs. by A. O., 1937 for “Gazette of India”.

3. Inspectors.— (1) The ¹[Federal Government] may, by notification² in the ³[official Gazette], appoint such persons as it thinks fit to be Inspectors for the purposes of this Act within such local limits as it may assign to them respectively.

(2) All Principal Officers of the Mercantile Marine Department shall be Inspectors under this Act, *ex-officio*, within the limits of their charges.

(3) Every Inspector shall be deemed to be a public servant within the meaning of the Pakistan Penal Code ([XLV of 1860](#)), and shall be officially subordinate to such authority as the ¹[Federal Government] may direct.

4. Powers of Inspector. Subject to any rules made in this behalf under section 6, an Inspector may, within the local limits for which he is appointed,-

- (a) enter, with such assistants (if any) as he thinks fit, any premises or ship where the processes are carried on ;
- (b) make such examination of the premises or ship and the machinery and gear, fixed or loose, used for the processes, and of any prescribed registers and notices, and take on the spot or otherwise such evidence of any person as he may deem necessary for carrying out the purposes of this Act ; and
- (c) exercise any other powers which may be conferred upon him by the regulations made under section 5.

5. Power to Federal Government to make regulations.— (1) The ⁴[Federal Government] may make ⁵regulations—

- (a) providing for the safety of working places on shore and of any regular approaches over a dock, wharf, quay or similar premises which workers have to use for going to or from a working place at which the processes are carried on, and for the lighting and fencing of such places and approaches ;
- (b) prescribing the nature of the means of access which shall be provided for the use of workers proceeding to or from a ship which is lying alongside a quay, hulk or other vessel;
- (c) prescribing the measures to be taken to ensure the safe transport of workers proceeding to or from a ship by water and the conditions to be complied with by the vessels used for the purpose ;

¹ Subs. by F. A. O., 1975, Art. 2 and Table, for "Central Government" which was subs. by A. O., 1937, for "L. G.".

² For such a Notifn., see Gaz. of P., 1956, Pt. II, p.137.

³ Subs. by A. O., 1937, for "local official Gazette".

⁴ Subs. by F.A.O. 1975, Art.2 and Table, for "Central Government" which was subs. by A.O., 1937, for "G.G. in C.".

⁵ For the Pakistan Dock Labourers Regulation, 1948, see Gaz. of P., 1948, Pt., 1, pp. 84-96.

- (d)** prescribing the nature of the means of access to be provided for the use of the workers from the deck of a ship to a hold in which the processes are carried on ;
 - (e)** prescribing the measures to be taken to protect hatchways accessible to the workers and other openings in a deck which might be dangerous to them ;
 - (f)** providing for the efficient lighting of the means of access to ships on which the processes are carried on and of all places on board at which the workers are employed or to which they may be required to proceed ;
 - (g)** providing for the safety of the workers engaged in removing or replacing hatch coverings and beams used for hatch coverings ;
 - (h)** prescribing the measures to be taken to ensure that no hoisting machine, or gear, whether fixed or loose, used in connection therewith, is employed in the processes on shore or on board ship unless it is in a safe working condition ;
 - (i)** providing for the fencing of machinery, live electric conductors and steam pipes ;
 - (j)** regulating the provision of safety appliances on derricks, cranes and winches ;
 - (k)** prescribing the precautions to be observed in regard to exhaust and live steam ;
 - (l)** requiring the employment of competent and reliable persons to operate lifting or transporting machinery used in the processes, or to give signals to a driver of such machinery, or to attend to cargo falls on winch ends or winch drums, and providing for the employment of a signaller where this is necessary for the safety of the workers;
 - (m)** prescribing the measures to be taken in order to prevent dangerous methods of working in the stacking, unstacking, stowing and unstowing of cargo, or handling in connection therewith ;
 - (n)** prescribing the precautions to be taken to facilitate the escape of the workers when employed in a hold or between decks in dealing with coal or other bulk cargo ;
 - (o)** prescribing the precautions to be observed in the use of stages and trucks ;
 - (p)** prescribing the precautions to be observed when the workers have to work where dangerous or noxious goods are, or have been, stowed or have to deal with or work in proximity to such goods ;
 - (q)** providing for the rendering of first-aid to injured workers and removal to the nearest place of treatment ;
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