



Western Australia

GOVERNMENT RAILWAYS ACT 1904

Government Railways By-laws — By-law 76 (Licensed Luggage Porters)

These by-laws were repealed by the *Government Railways
Amendment and Repeal By-laws 2003* bl. 3 as at 12 Dec 2003 (see
Gazette 12 Dec 2003 p. 5042).

Government Railways By-laws — By-law 76 (Licensed Luggage Porters)

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GOVERNMENT RAILWAYS ACT 1904

Office of the Railway Commissioner,
Perth, 18th June 1921.

THE Commissioner of Railways, in pursuance of the powers conferred by “*The Government Railways Act 1904*,” hereby makes the following By-law for providing for the grant of licenses to porters plying for hire within the precincts of a railway, and for prescribing the conditions of such licenses (including the payment of a license fee), and also of the transfer or forfeiture thereof, and for the exclusion from Railway premises of all unlicensed porters plying for hire: —

**Government Railways By-laws — By-law 76
(Licensed Luggage Porters)**

76. Licensed Luggage Porters

1. Porters to be licensed

No person shall ply for hire as a porter, at or in connection with any station vested in the Commissioner, unless duly licensed by the Chief Traffic Manager for that purpose.

2. Porters not employees

No licensed porter shall be deemed to be in the employ of the Commissioner, and the Commissioner shall not be in any way liable for the acts or defaults of any porter to any person whether an employer of such porter or not.

3. Application for porter's license

Applications for a porter's license shall be in the handwriting of, and signed by, the applicant, and addressed to the Chief Traffic Manager, and shall give particulars of the candidate's age and previous employment, with any references or copies of testimonials as to character and fitness that the applicant may think fit to supply or submit.

4. Personal attributes for porters

Applicants for a license shall not be under the age of eighteen years nor more than fifty years of age, and shall be persons of sober habits and good moral character and address, and shall be able to read and write with facility.

5. Fee for, form of and duration of license

If the Chief Traffic Manager approves of any candidate's application he may issue to him, upon payment of a fee of 10s., a license or renewal license (as the case may be) in the form, or to the effect, of that in the Schedule hereto, to be available for a period of twelve calendar months from the date thereof (unless sooner determined or revoked as hereinafter provided), at the station therein mentioned.

6. Bond

Before, or at the time of, the issue of any license or renewed license the applicant for the same shall, in addition to the payment of the prescribed fee, deposit with the Chief Traffic Manager a sum of ten shillings (10s.) as a security for the due and faithful performance by him of the duties of his calling.

7. Uniform

Every porter shall, during the time he is on duty in connection with his calling, wear the cap, with the badge as lettered and

numbered, supplied to him by the Commissioner, and shall be clean in his person, and tidily and suitably dressed.

8. Porters to observe by-laws, directions etc.

Every porter shall observe, obey, and be bound by all general by-laws for the time being in force applicable to the conduct of persons while on railway premises not inconsistent with this present by-law, as well as any instructions for the time being in force issued generally to porters by the Station Master, and any instruction given to him specially by the station master, and shall observe, obey, and be bound by any directions that he may from time to time receive from the officers of the Commissioner authorised to give same.

9. Carriage of luggage

Every porter for a single payment in respect of each trip or article carried, on being engaged by the person having control of luggage intended to be despatched by train or placed in the Parcels Office, shall forthwith take such luggage from the vehicle by which it was brought to the station, or from the person engaging him, as the case may require, and place the same in the railway carriage or on such part of the station as his employer may indicate, or take such luggage to the luggage office or cloak room if so directed by such employer, subject, nevertheless, so far as regards luggage intended to be despatched by train, to the following proviso — that is to say, if the luggage is intended to be carried in the luggage van of any train, or if the luggage is not of a kind, or is in quantity in excess of that permitted to be carried free by the passenger or passengers concerned, having regard to the class and train by which such passenger or passengers propose to travel, the porter shall take such luggage into the place appointed and hand the same over to the proper officer of the Commissioner to be dealt with by such officer. If any such luggage, after being weighed or checked and the charges or excess fare (if any) paid, is intended

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to be carried in the carriage with a passenger, the porter, if the proper officer sanction his doing so, shall without claim for further fee or payment, at the request of his employer, place the same in the carriage selected, or on such part of the station indicated by the employer.

Save as in this clause expressly provided, no porter shall further or otherwise interfere with or handle any luggage that may be intended to be conveyed in a luggage van.

10. Collection of luggage

Every porter for a single payment in respect of each trip or article carried, on being engaged by the person having the control of luggage arriving by passenger train, shall take charge of all such luggage entrusted to his care carried in the carriage with a passenger, or handed to him by his employer, or for which checks have been handed to him to claim at the van or elsewhere on the station, and shall forthwith convey and place such luggage in the vehicle indicated by his employer, or, if so directed, in the cloak room, or place it on such part of the station as the employer may direct.

11. Fees and charges

Each porter shall be entitled to claim and be paid by the person employing him, in respect of his services, at the following rates and no more: —

	s.	d.	\$
(a) Single article of luggage	2	0	0.20
Each additional article	1	0	0.10
Maximum charge per passenger	5	0	0.50
(b) The charges set out in subparagraph (a) of this paragraph apply to each extra barrow load or trip necessarily undertaken by the porter in transporting the articles to or from the vehicle, railway carriage, cloak room, or part of the station indicated or directed, as the case may be.			

- (c) The rates set forth in the first column to subparagraph (a) of this paragraph shall be applicable until the 14th February 1966, and on and after that date the rates set forth in the second column in that subparagraph shall be applicable.

12. Unclaimed luggage

Any porter into whose hands any luggage or other property may come which is not duly claimed, or any porter finding or noticing any luggage in a railway carriage or on the station apparently overlooked by the owner, shall forthwith convey the same to the Lost Property Office, and hand it over to the officers there in charge.

13. Suspension

Upon the suspension of a porter, or at any time while such suspension remains in force, the porter, if required by the Chief Traffic Manager or Station Master, shall hand to the officer requiring the same his license and the cap with the badge supplied to him by the Commissioner, to be retained until such suspension ceases to be in force or license revoked.

14. Surrender of license

Any porter may surrender or the Chief Traffic Manager may withdraw any license issued under this by-law by giving one calendar month's written notice, and after the expiration of one calendar month from the receipt of such notice by the person for whom it was intended the license to which it applies shall cease to be in force.

15. Expiry of license

Upon the expiry or other sooner determination of a license otherwise than by revocation for misconduct the person named in the license, or his executors, administrators, or assigns, shall be entitled on demand to have returned the deposit money

lodged by such person in connection with the issue of the license to him, or if the same has been reduced by any adjudication or suspension as hereinbefore provided, any balance thereof in the hands of the Commissioner.

16. Interpretation

In this By-law the following words and expressions, unless repugnant or inconsistent with the context, shall include the meanings thereby assigned to them: —

“Luggage” includes any goods, articles, or things belonging to or over which any passenger or intending passenger by such train has any control, carried or intended to be carried by a passenger train.

“Porter” means a luggage porter duly licensed under this By-law.

“Station Master,” when used without words of limitation, includes, in addition to the officer appointed Station Master or Acting Station Master, the officer for the time being on duty in charge of the station in the absence of the Station Master or Acting Station Master.

“Chief Traffic Manager” shall mean the Chief Traffic Manager of the Western Australian Government Railways, or such other officer as may be nominated from time to time by the Railway Commissioner for Western Australia as the officer for the time being to issue or deal with the case of porters licensed under this By-law.

[By-law 76 amended by Gazettes 8 August 1952 pp.1927-8; 12 September 1952 p.2090; 25 February 1966 p.548.]

Schedule

WESTERN AUSTRALIAN GOVERNMENT RAILWAYS

By-law No. 76

Luggage Porter's License

19 , No.

....., of, is hereby licensed under and subject to
the By-law made in that behalf by the Railway Commissioner for Western
Australia to ply the calling of a Luggage Porter at and in connection with
..... Railway Station,, for a period of twelve calendar
months from the date of this license, unless the same be sooner determined or
revoked under the provisions of the said By-law.

Dated at, this day of

.....
Chief Traffic Manager.

Notes

- ^{1.} This is a compilation of the *Government Railways By-laws — By-law 76* and includes the amendments referred to in the following Table.

Compilation table

Citation	Gazettal	Commencement
<i>Government Railways By-laws — By-law 76</i>	24 Jun 1921 pp.1112-3 8 Aug 1952 pp.1927-8 12 Sep 1952 p.2090 25 Feb 1966 p.548	24 Jun 1921

These by-laws were repealed by the *Government Railways Amendment and Repeal By-laws 2003* bl. 3 as at 12 Dec 2003 (see *Gazette* 12 Dec 2003 p. 5042)
