

L.N. 58 of 1970

**TRADE DISPUTES (EMERGENCY PROVISIONS)  
DECREE 1968  
(1968 No. 21)**

**TRADE DISPUTES (EMERGENCY PROVISIONS)  
(AMENDMENT) (No. 2) DECREE 1969  
(1969 No. 53)**

**Trade Disputes (Nigeria Shipping Federation Arbitration  
Tribunal Award) Confirmation Order 1970**

*Commencement : 19th May 1970*

In exercise of the powers conferred upon me by section 12 (2) of the Trade Disputes (Emergency Provisions) Decree 1968 as affected by section 7 (6) of the Trade Disputes (Emergency Provisions) (Amendment) (No. 2) Decree 1969 and of all other powers enabling me in that behalf, I hereby make the following Order :—

- |  |                                 |
|--|---------------------------------|
| <p>1. The Arbitration Tribunal award made on 28th October 1969 and set out in the Schedule hereto is hereby confirmed and shall have effect as therein provided.</p>         | <p>Confirmation Order.</p>      |
| <p>2. The award shall be deemed to have effect from 28th October 1969.</p>   | <p>Effective date of award.</p> |
| <p>3. This Order may be cited as the Trade Disputes (Nigeria Shipping Federation Arbitration Tribunal Award) Confirmation Order 1970 and shall apply throughout Nigeria.</p> | <p>Citation and extent.</p>     |

**SCHEDULE**

<i>Name of Arbitration Tribunal, etc.</i>	<i>Terms of Award</i>
<p>Cole Arbitration Tribunal : Nigerian Union of Seamen/ Nigeria Ship- ping Federation</p>	<p>On the basis of the evidence submitted to the Tribunal, the Single Arbitrator has made the following award :</p> <p>(a) The Black board which shows the names of seamen ashore in order of their discharge, as is kept by the Union, should also be kept by the Federation.</p> <p>(b) The spirit behind the joint agreement is commendable ; in view, however, of the employment situation which is less favourable to-day than it was nine years ago when the agreement was first entered into by the parties, a panel consisting of</p>

## SCHEDULE—continued

*Name of  
Arbitration  
Tribunal, etc.*

*Terms of Award*

representatives in equal numbers of the Federation and the Union should be set up to formulate clauses of a fresh agreement which will serve the present day needs of both the Federation and the Union, in the light of the experience which they have gained in the operation of the existing one.

(c) The Joint Supply Agreement, with the following modifications, should remain in force :

- (i) Ship-owners to notify the Federation of their labour requirements ;
- (ii) Federation by written requests to Union to ask for supply of seamen to satisfy ship-owners' requirements ;
- (iii) Union to select ratings from its roster in order of priority and send them with letter/s listing names to the Federation office ;
- (iv) Federation to submit seamen forwarded by Union for medical examination or get them to comply with formalities necessary for their employment as seamen ;
- (v) Thereafter, seamen to be sent to ships' masters for final selection and signing of articles. Each seaman to be given Federation "Provisional Employment 2 Form" which must be counter-signed by a Union official in the space provided for "Nigerian Union of Seamen";
- (vi) Seamen rejected by ships' masters to report back to Federation office and notify Federation of the rejection ;
- (vii) Federation to inform Union by letter stating why any seaman has been rejected ;

## SCHEDULE—continued

Name of  
Arbitration  
Tribunal, etc.

## Terms of Award

- (viii) Any case of unjustified rejection of a seaman must, if necessary, be referred by Union for investigation to the Standing Joint Committee whose decision is final on the issue investigated ;
- (d) In respect of incidents on the high seas :
  - (i) The Union should see to it that every foreign-going ship on which there are Nigerian ratings has a Crew Spokesman ;
  - (ii) Any dispute which the Crew Spokesman is unable to settle on the high seas should be reported to the Union's Boarding Officer as soon as the ship reaches Lagos ;
  - (iii) The Boarding Officer or other Union officials must under no circumstance approach the ship's master concerned or any of the ship's officers for the purpose of investigating the complaints made to him by the Crew Spokesman ;
  - (iv) The Boarding Officer of the Union or other Union official assigned for the purpose should inform the President or Secretary of the Union of the Crew Spokesman's complaint in order to effect a meeting of the Standing Joint Committee to look into the complaint before the ship leaves port ;
  - (v) For the purpose of dealing expeditiously with complaints, a panel of the Standing Joint Committee should be set up to consist of two members of the Union, one representative of the Federation and the Crew Manager of the Shipping Company concerned and under the Chairmanship of

## SCHEDULE—continued

*Name of  
Arbitration  
Tribunal, etc.*

*Terms of Award*

an independent person with voting powers for the purpose of hearing complaints by or against seamen ;

- (vi) Officers of the ship and Nigerian ratings involved in any dispute on the high seas must be invited to give evidence before the Standing Joint Committee looking into complaints ;
- (vii) If it is impossible to convene a meeting of the Standing Joint Committee before a ship sails, this should be done on the next call of the ship at the Port of Lagos ;
- (viii) Clause 18 of the Nigerian Maritime Board Conditions of Service for Nigerian Seamen which lays down a "Complaints Procedure" should be revised in order to bring it into line with these recommendations.

DATED at Lagos this 19th day of May 1970.

ANTHONY ENAHORO,  
*Federal Commissioner for Labour*