

CHAPTER 29.

GOVERNMENT WHARVES.

AN ORDINANCE RELATING TO GOVERNMENT WHARVES.

1 of 1911.

[18th February, 1911.]

1. This Ordinance may be cited as the Government Wharves Ordinance. Short title.

2. In this Ordinance—

Interpreta-
tion.

“Government Wharf” means any wharf the property of the Crown which shall be declared to be such by the Governor in Council and published in the *Gazette*.

“Boat” means any small open or partly decked vessel, ordinarily propelled by oars.

“Harbour Master” means any person lawfully performing the duties or acting under the orders of the Harbour Master.

“Officer of Customs” means any person duly appointed in writing as such, and shall include the Collector of Customs, and any Deputy Collector of Customs, and all police constables.

3. No vessel shall be taken alongside or made fast to any Government wharf except with the permission of the Harbour Master. Any vessel alongside or made fast to any such wharf must at any time at the request of the Harbour Master be removed or shifted from alongside such wharf. The master or person in charge of any vessel who shall offend against any of the provisions of this section shall on conviction be liable for every such offence to a fine not exceeding £10.

Vessels not
to be taken
alongside
without con-
sent of
Harbour
Master.

4. When any vessel of a measurement of not less than two tons, other than a vessel under mail contract with the Government, shall be placed alongside a Government wharf for the purpose of discharging or taking in cargo or landing or embarking passengers or for any other purpose the owner or

Wharfage
charges.

master of such vessel shall pay the wharfage charges specified in the Schedule to this Ordinance. Such wharfage shall be paid or secured to the satisfaction of the Harbour Master before such vessel is removed from alongside such Government wharf. Any person or persons removing any vessel from alongside any Government wharf without such wharfage being paid or secured as aforesaid shall be liable on conviction to a fine not exceeding £10.

Tonnage of
vessels.

5. The measurement of any vessel shall be deemed to be that specified in the register, and in the case of unregistered vessels the Harbour Master shall determine the tonnage thereof.

Wharfage
charges may
be com-
muted.

6. The Governor in Council in the case of any vessel or vessels owned by the same firm or person within the Colony may permit the wharfage charges payable in respect of such vessel or vessels for any period not exceeding one year to be commuted by the payment in advance of such sum as he may determine subject to such conditions as he may deem expedient.

Exemptions
from ad-
ditional
wharfage.

7. Any vessel employed trading to or within the Colony that has paid the wharfage charge aforesaid at one Government wharf for any one day may for any portion of such day be placed alongside any other Government wharf free of wharfage.

Exclusion of
persons from
wharves.

8. The Harbour Master or any officer of Customs may prevent any person from entering upon any Government wharf and may order any person already there to leave the same, and any person neglecting or refusing to leave such wharf when requested to do so may be taken into custody without a warrant, and shall upon conviction be liable to a fine not exceeding £10.

Liability for
damage.

9. The owner or master of any vessel or boat shall be liable for any damage done to any Government wharf, or penalty incurred by such vessel or boat, and such vessel or boat may be detained by order of the Governor until such penalty or damage has been paid.

10. The master or owner of any vessel or boat from which any ashes, ballast, damaged goods, or dead animals are landed on any Government wharf without permission shall be liable to a fine not exceeding £50. Penalty for landing ashes, etc., without permission.

11. Any person who leaves or causes to be left on any Government wharf any dead animal, ballast, damaged goods, rubbish, nightsoil, or any other material without the permission of the Harbour Master or an Officer of Customs shall be liable to a penalty not exceeding £5. Penalty for leaving dead animals, etc., on wharf.

12. (1) The Governor in Council may from time to time make, alter, or revoke regulations appertaining to and for the general good management and control of any Government wharf, and such regulations may provide that any infraction thereof may be punished by fine not exceeding £10. Power of Governor to make regulations.

(2) Until the Governor in Council makes regulations under this section, the regulations in the Schedule to this Ordinance shall be in force, and shall be deemed for all purposes to be regulations made by the Governor in Council under this section.

SCHEDULE.

The Wharfage Regulations.

1. These Regulations may be cited as "The Wharfage Regulations".
2. Wharfage duty for one day or any part thereof.

	£	s	d
Vessel of 2 tons but under 10 tons	5	0	0
" 10 " " 20	7	6	0
" 20 " " 50	10	0	0
" 50 " " 60	11	0	0
" 60 " " 70	12	0	0
" 70 " " 80	13	0	0
" 80 " " 90	14	0	0
" 90 " " 150	15	0	0
" 150 tons and upwards	20	0	0

3. The Government wharf at the north end of Philomel Street, Stanley, shall, after the hour of sunset and before the hour of sunrise, be the only calling-place for all boats plying to or from vessels in the harbour, and it shall not be lawful for any boat to call at any other wharf or place, or to proceed from any other wharf or place on the shore of the harbour after the hour of sunset or before the hour of sunrise, without the permission of the Harbour Master or an Officer of Customs.

4. No vessel is to be anchored or moored within twenty yards of the two mooring buoys situated to the north-west and north-east respectively of the Government wharf at the north end of Philomel Street, without the permission of the Harbour Master, or within twenty yards of a straight line drawn between the two mooring buoys.

5. Any person failing to comply with or offending against these regulations shall be liable to a penalty not exceeding the sum of two pounds for each offence.