

GOVERNMENT WHARVES.

Ordinance No. 1 of 1911.

[18th February, 1911.]

An Ordinance respecting the use of Government Wharves.

Be it enacted by the Governor of the Colony of the Falkland Islands, with the advice and consent of the Legislative Council thereof, as follows :—

1. In this Ordinance—

Interpretation.

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

“Vessel” shall mean every description of ship, lighter, or floating water tank.

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

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

“Officer of Customs” shall mean 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.

2. No vessel shall be taken alongside of or made fast to any Government wharf except with the permission of the Harbour Master. Any vessel alongside of or made fast to any such wharf must at any time at the request of the Harbour Master be removed therefrom or shifted from alongside of 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 penalty not exceeding ten pounds.

Vessels not to be taken alongside without consent of Harbour Master.

3. When any vessel of a measurement of not less than two tons shall be placed alongside a Government

Wharfage charges.

wharf for the purpose of discharging or taking in cargo or landing or embarking passengers thereat or for any other purpose there shall be paid in respect of such vessel 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 of such Government wharf. Any person or persons removing any vessel from alongside of any Government wharf without such wharfage being paid or secured as aforesaid shall be liable on conviction to a penalty not exceeding ten pounds.

Tonnage of vessels.

4. 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 be the person to determine the tonnage of same.

Wharfage charges may be commuted.

5. The Governor in Council in the case of any vessel or vessels owned by the same firm or person within the Colony may, on application being made in writing, 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 additional wharfage.

6. 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.

7. Whenever it shall appear necessary to the Harbour Master or any Officer of Customs it shall be lawful for them to prevent any person from coming upon any Government wharf and also to 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 ten pounds.

8. 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.

Liability for damage.

9. 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 penalty not exceeding fifty pounds.

Penalty for landing ashes, etc., without permission.

10. 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 five pounds.

Penalty for leaving dead animals, etc., on wharf.

11. (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 ten pounds.

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.

12. This Ordinance may be cited as "The Wharfage Ordinance, 1911."

Short title.

SCHEDULE.

THE WHARFAGE REGULATIONS, 1911.

1. These regulations may be cited as "The Wharfage Regulations, 1911."

2. The master or owner of every vessel of a registered measurement of two tons and over shall pay wharfage to the Harbour Master in accordance with the subjoined scale of charges:—

Wharfage duty for one day or any part thereof.

Vessels of 2 tons but under 10 tons	5/-
„ 10 „ 20	7/6
„ 20 „ 50	10/-
„ 50 „ 60	11/-
„ 60 „ 70	12/-
„ 70 „ 80	13/-
„ 80 „ 90	14/-
„ 90 „ 150	15/-
„ 150 tons and upwards	20/-

3. The Government wharf at the north end of Philomel Street, in the town of 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 vessel while under mail contract with the Government will be exempt from wharfage charges.

6. 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.

COUNCIL'S VALIDITY.

Ordinance No. 4 of 1911.

[7th July, 1911.]

An Ordinance to validate certain proceedings of the Legislative Council.

Whereas doubt has arisen as to whether Montague Cecil Craigie-Halkett was a legally appointed member of the Legislative Council during the period from 10th February to 30th May, 1911.

Be it enacted by the Governor of the Colony of the Falkland Islands, with the advice and consent of the Legislative Council thereof, as follows:—

Validity of
Ordinances.

1. All Ordinances and resolutions passed, and all votes granted, by the Legislative Council during