

PORT REGULATIONS*

783

PART 1.—PRELIMINARY.

1. These Regulations may be cited as the Port Regulations.*

Citation.

2.—(1) The Port Darwin Harbour Regulations (comprising the Regulations specified in the First Schedule) are repealed.

Repeal and saving.

(2.) Every direction, order, notice and consent given, authority and permission granted, certificate and licence issued, and appointment and application made under the Regulations repealed by the last preceding sub-regulation and in force or subsisting immediately prior to the commencement of these Regulations shall be deemed to have been given, granted, issued or made, as the case may be, under these Regulations.

3. These Regulations are divided into Parts, as follows:—

Parts.

- Part I.—Preliminary (Regulations 1-5).
- Part II.—General (Regulations 6-22).
- Part III.—Pollution of Ports (Regulations 23-25).
- Part IV.—Explosives and Inflammable Liquids (Regulations 26-29).
- Part V.—Charges and Fees (Regulations 30-36).
- Part VI.—Sorting, Stacking, Storage and Delivery of Cargo at the port of Darwin (Regulations 37-57).
- Part VII.—Obstruction in Ports (Regulations 58-59).
- Part VIII.—Vessels and Small Craft in Ports (Regulations 60-63).
- Part IX.—Miscellaneous (Regulations 64-71).

4.—(1) In these Regulations, unless the contrary intention appears—

Interpretation.
Sub-reg. (1.)
amended by
1958, No. 12.

- “business hours” means the time between eight o'clock in the morning and five o'clock in the afternoon on any day other than a Saturday, a Sunday or a public holiday;
- “container” means a sack, bag, box, case, carton, crate, drum, hide, package or thing used to contain cargo;
- “day” means a period of twenty-four hours commencing at midnight;
- “delivery office” means the delivery office, or the place used as a delivery office, on a wharf on to which goods are discharged;
- “handle”, in relation to cargo, includes all operations in or on a vessel or wharf in connexion with the loading, unloading, stowing or restowing of cargo;

* The Port Regulations, in force under the *Marine Board and Navigation Act and Ordinance 1881* to 1956, comprise the following Regulations:—

Year and Number	Date on which made	Date notified in Northern Territory Government Gazette	Date of Commencement
1956, No. 18 ..	25th October, 1956 ..	31st October, 1956 ..	31st October, 1956
1958, No. 12 ..	30th September, 1958 ..	17th September, 1958 ..	17th September, 1958
1963, No. 2 ..	1st March, 1963 ..	13th March, 1963 ..	13th March, 1963

- “Harbourmaster” means the Harbourmaster of the port of Darwin or, in his absence, a person appointed in writing by the Administrator to perform the duties and exercise the powers of the Harbourmaster of the port of Darwin;
- “flammable liquid” means a liquid which has a true flash point of less than one hundred and fifty degrees Fahrenheit;
- “lighter” means a ship, boat or other craft used for loading or unloading a vessel or carrying cargo within a port but not used in navigation;
- “master” means a person, other than a pilot, in charge or command of a vessel, lighter or small craft;
- “outside vessel” means a vessel passing through or trading in and beyond the Northern Territory of Australia;
- “owner”, in relation to goods, includes an owner, consignor, consignee or agent having the control or disposition of the goods;
- “owner”, in relation to a vessel, lighter or small craft includes an owner, part owner, or charterer and an agent of an owner, part owner or charterer;
- “port” means a port, harbour, haven, roadstead, channel or navigable creek or river where a vessel can ship or unship goods or passengers;
- “small craft” means any craft the net tonnage of which does not exceed five tons;
- “the Harbour” means the harbour at the port of Darwin, comprising all waters in that portion of the port of Darwin to the southward of a straight line passing through West Point and East Point;
- “ton”, in relation to cargo or goods, means—
- (a) a ton of 2,240 pounds avoirdupois by weight; or
 - (b) a ton of 40 cubic feet by measurement, as the Harbourmaster thinks fit;
- “vehicle” includes any means of conveyance which runs on wheels but does not include any railway rolling stock;
- “vessel” means a ship, boat, fishing vessel, or other craft used in navigation the net tonnage of which exceeds five tons; and
- “wharf” includes premises which are—
- (a) adjacent to a port;
 - (b) under the control of the Harbourmaster; and
 - (c) used in connexion with the business of the port.

(2.) In these Regulations, any reference to a Schedule shall be read as a reference to a Schedule to these Regulations, and any reference to a form shall be read as a reference to a form contained in the Second Schedule.

Authorization of officers.

5.—(1.) The Administrator may, in relation to a matter or class of matters, or to a part of the Northern Territory, by writing under his hand authorize an officer to perform a duty or exercise a power of the Harbourmaster.

(2.) An officer so authorized may perform the duty or exercise the power with respect to the matter or to a matter included in the class of matters, or with respect to the part of the Northern Territory, specified in the instrument of authorization.

(3.) An authorization under this regulation is revocable at will and does not prevent the performance of a duty or the exercise of a power by the Harbourmaster.

(4.) Where, under these Regulations, the exercise of a power or function by the Harbourmaster is dependent upon the opinion, belief or state of mind of the Harbourmaster in relation to a matter, an officer authorized under this regulation to perform that power or function may exercise that power or function upon the opinion, belief or state of mind of the officer relation to that matter.

Added by
1958, No. 12.

PART II.—GENERAL

6.—(1.) The Administrator may, by notice in the *Gazette*, declare a port to be a port to which this Part applies. Application of Part II.

(2.) This Part does not apply to a port unless the Administrator has, in accordance with the last preceding sub-regulation, made a declaration, which is in force, that the port is a port to which this Part applies.

7.—(1.) Where the Harbourmaster is satisfied that to reduce the risk of fire or explosion, smoking should be prohibited within an area on or under a wharf, he may by notice prohibit smoking in that area. Smoking and sleeping on wharves, &c.

(2.) A notice under the last preceding sub-regulation—

- (a) shall indicate the area;
- (b) shall state that smoking is prohibited in the area; and
- (c) shall be displayed in or near the area,

within which smoking is prohibited.

(3.) A person shall not smoke in an area indicated by a notice under the last preceding sub-regulation.

(4.) A person shall not sleep on or under a wharf except in an area approved in writing by the Harbourmaster.

(5.) A person engaged in handling cargo other than explosives or inflammable liquids in or on a vessel or wharf shall not carry or have in his possession any matches or any material or appliance for producing ignition other than safety matches or a small cigarette lighter of a kind ordinarily carried by persons who smoke.

8. The master of a vessel, lighter or small craft shall not anchor the vessel, lighter or small craft or permit or suffer the vessel, lighter or small craft to be anchored— Anchoring near wharf.

- (a) within three cables of an outside vessel berthed at a wharf; or
- (b) near or at the approach of a wharf in such a manner as to impede the egress or ingress of a vessel.

9.—(1.) The Harbourmaster may, if he thinks fit, direct the master or owner of a vessel, lighter or small craft in a port to cause the vessel, lighter or small craft to be moved without delay to a particular place in the port. Vessel to be moved at direction of Harbourmaster.

(2.) A person shall comply with a direction given to him under the last preceding sub-regulation.

Penalty: Twenty pounds.

(3.) Where the master or owner of a vessel, lighter or small craft fails to comply with a direction under sub-regulation (1.) of this regulation, the Harbourmaster may board the vessel, lighter or small craft and effect its removal.

(4.) The expense of removing a vessel, lighter or small craft under the last preceding sub-regulation shall be payable to the Harbourmaster by the person failing to comply with the direction.

Inserted by
1963, No. 2.

9A.—(1.) The Harbour master by notice published in the *Gazette* or in a newspaper circulating in a port may close, for a period specified in the notice, part of the waters of the port to all persons, vessels, lighters and small craft.

(2.) Where a notice is published under the last preceding sub-regulation, the waters described in the notice are, for the period specified in the notice, closed waters.

(3.) A person who is in closed waters is guilty of an offence.

Penalty: Twenty-five pounds.

(4.) A person who is in control of a vessel, lighter or small craft which is in closed waters is guilty of an offence.

Penalty: Twenty-five pounds.

(5.) The Harbourmaster or a person authorised by him, may direct a person apparently in control of a vessel, lighter or small craft which is in closed waters to remove the vessel, lighter or small craft from those closed waters.

(6.) Where a direction has been given under the last preceding sub-regulation and the person to whom the direction is given fails to comply with the direction, the person giving the direction may remove or cause to be removed, the vessel, lighter or small craft to a place outside the closed waters.

Notice of
departure.

10. The master of a vessel about to depart from a port—

(a) shall, not less than six hours before the time of the intended departure of the vessel, give notice to the Harbourmaster of the time of the intended departure; and

(b) shall not, without the permission of the Harbourmaster, cause, permit or suffer the vessel to depart before the time specified in a notice given under the last preceding paragraph.

Allocation of
berths.

11. The Harbourmaster may allocate to a vessel, lighter or small craft a berth at a wharf under the control of the Administrator.

Placing of buoy
to be notified.

12.—(1.) The Harbourmaster shall, by notice in the *Gazette*, notify the dimensions, position and purpose of any buoy placed, moored or anchored in a port.

(2.) A notification under the last preceding sub-regulation shall be given within a reasonable time after the buoy is placed, moored or anchored.

(3.) The master or owner of a vessel, lighter or small craft shall not, without the permission of the Harbourmaster, secure the vessel, lighter or small craft to a buoy under the control of the Administrator.

13. Where a vessel, lighter or small craft has damaged a buoy or mooring chain under the control of the Administrator by fouling that buoy or mooring chain— Damage to buoys and mooring chains.

(a) the master or owner of the vessel, lighter or small craft shall be liable to pay to the Administrator compensation for the damage; and

(b) the Harbourmaster may order the vessel, lighter or small craft to be detained until—

- (i) compensation for the damage has been paid; or
- (ii) security to his satisfaction for payment of compensation for the damage has been given,

by the master or owner of the vessel, lighter or small craft.

14. The owner and the master of a vessel lying at anchor in a port shall ensure that— Gangway at anchor.

(a) if the size of the vessel makes a gangway necessary, the vessel is provided with a suitable and efficient gangway fitted with man ropes; and

(b) from sunset to sunrise the gangway is properly lighted by—

- (i) an electric light over the gangway; or
- (ii) two or more oil lamps suspended one or more at each end of the gangway.

15. The owner and the master of a vessel lying alongside a wharf shall ensure that— Gangway wharf.

(a) the vessel is provided immediately after it is berthed with a suitable and efficient gangway to the wharf; and

(b) the gangway is fitted with—

- (i) stanchions at least three feet high;
- (ii) man ropes on each side;
- (iii) cross battens to prevent slipping; and
- (iv) a suitable net of sufficient size suspended beneath it in such a manner as to catch any person or thing falling from the gangway.

16. The owner of a vessel is liable severally with the master of the vessel for a breach of either of the last two preceding regulations. Liability.

17.—(1.) The Harbourmaster may allot an area on a wharf to be— Vehicles on wharves.

(a) a reserved parking area; or

(b) a general parking area,

and shall cause the area allotted to be indicated by lines on the wharf or notices exhibited at the area.

(2.) A person driving or in charge of a vehicle shall not place the vehicle or allow the vehicle to be placed in an area allotted in accordance with the last preceding sub-regulation except in the manner indicated by the lines or notices specified in that sub-regulation.

(3.) A person driving or in charge of a vehicle shall not allow the vehicle to remain stationary on a wharf for longer than five minutes unless the vehicle—

- (a) is being used for the purpose of loading or unloading goods;
- (b) is being used for the purpose of wharf construction or maintenance; or
- (c) is parked within an area indicated, by lines on the wharf or by notices exhibited at the area, as being an area at which vehicles of the class to which the vehicle belongs may be parked.

(4.) A person driving or in charge of a vehicle shall not allow the vehicle to remain in an area allotted in accordance with sub-regulation (1.) of this regulation for a longer period than is specified in the notices exhibited at the area as the maximum period during which a vehicle may remain in the area.

(5.) The Harbourmaster may remove or cause to be removed, at the risk and expense of the owner of the vehicle, a vehicle which is, in contravention of this regulation, within an area allotted in accordance with sub-regulation (1.) of this regulation.

(6.) The Harbourmaster may allot routes by which a vehicle may travel while it is—

- (a) approaching;
- (b) on; or
- (c) departing from,

a wharf and shall cause the routes allotted to be indicated by notices on the wharf.

(7.) A person driving or in charge of a vehicle on a wharf—

- (a) shall not allow the vehicle to obstruct vehicular or pedestrian traffic;
- (b) shall, if required by the Harbourmaster, move the vehicle—
 - (i) to a specified position on the wharf; or
 - (ii) off the wharf,
 as directed by the Harbourmaster;
- (c) shall cause the vehicle to travel along routes indicated by notices in accordance with the last preceding sub-regulation; and
- (d) shall ensure that the speed of the vehicle on the wharf does not exceed fifteen miles per hour.

(8.) A person driving or in charge of any railway rolling stock on a wharf shall, if required by the Harbourmaster, move that railway rolling stock—

- (a) to a specified position on the wharf; or
- (b) off the wharf,

as directed by the Harbourmaster.

(9.) A person who contravenes or fails to comply with this regulation is guilty of an offence and is liable, on conviction, to a penalty not exceeding Ten pounds and not less than Five pounds.

17A.—(1.) Notwithstanding the last preceding regulation, the Harbourmaster may, if he thinks fit, permit a vehicle to be placed, or to remain stationary, on a wharf in such place, for such time and under such circumstances as he specifies; and, if he does so, a person driving or in charge of the vehicle may place it, or allow it to be placed or to remain stationary, on the wharf in accordance with the terms of the permission.

Special powers of Harbourmaster in relation to vehicles on wharves.

Inserted by 1958, No. 12.

(2.) The Harbourmaster may, if he thinks fit, direct that no vehicle, or no vehicle belonging to a specified class of vehicles, shall be placed, or allowed to remain stationary, on a wharf or a part of a wharf.

(3.) A direction under the last preceding sub-regulation shall be by an appropriate notice exhibited at or near the entrance to the wharf, or at or near the part of the wharf, to which the notice applies, as the case requires.

(4.) The notice may specify—

- (a) the class of vehicles to which the direction applies;
- (b) the time during which the prohibition in the direction is in force; and
- (c) the part of the wharf to which the direction applies,

or any of these things.

(5.) If the notice does not specify a class of vehicles to which the direction applies, the direction shall be deemed to apply to all vehicles.

(6.) If the notice does not specify a time during which the prohibition in the direction is in force, the prohibition shall be deemed to be in force during the period that the direction is in force.

(7.) If the notice does not specify the part of the wharf to which the direction applies, the direction shall be deemed to apply to all parts of the wharf.

(8.) The Harbourmaster may, if he thinks fit, give permission to a person to place a vehicle, or allow a vehicle to remain stationary, on a wharf or part of a wharf to which a notice under this regulation applies.

(9.) The permission shall be subject to such conditions as the Harbourmaster thinks fit and specifies.

(10.) A person shall not place a vehicle, or allow a vehicle to remain stationary, on a wharf or part of a wharf in contravention of a direction given by the Harbourmaster under this regulation except in accordance with permission to do so given to the person by the Harbourmaster under this regulation.

Penalty: Not more than Ten pounds and not less than Five pounds.

(11.) The Harbourmaster may cause fences, barriers and gates, or any of them, to be erected and used in order to prevent or permit access by a vehicle to a wharf, or part of a wharf, in respect of which a direction under this regulation is in force.

18. A person shall not—

- (a) interfere with; or
- (b) unless authorized to do so by the Harbourmaster, switch on or off,

Interference with lights, &c.

a light placed on a wharf for illuminating the wharf, lighting a building on the wharf or navigational purposes.

Interference,
with buildings,
&c.

19. A person shall not interfere with—

- (a) a building, fixture, lifesaving device or fire extinguisher on a wharf; or
- (b) a buoy, beacon, punt, barge or other thing under the control of the Administrator in a port or on a wharf.

Permission to
place buoys,
&c.

20.—(1.) A person may make application for permission to place a mooring buoy, dolphin, jetty, landing, fish trap or other device in a port.

(2.) The application shall—

- (a) be in writing;
- (b) be addressed to the Harbourmaster;
- (c) state the purpose of the device; and
- (d) be accompanied by a plan of the proposed device, showing its position and dimensions.

(3.) The Harbourmaster may, in his discretion, grant or refuse permission or grant permission subject to such modifications or conditions as he sees fit and specifies.

(4.) A person shall not place a mooring buoy, dolphin, jetty, landing, fish trap or other device in a port unless the Harbourmaster has granted permission in writing to do so and has not withdrawn that permission.

Vessels not to
hinder use of
wharf.

21. The master of a vessel, lighter or small craft which is secured alongside a wharf for the purpose of loading or unloading cargo or embarking or disembarking passengers shall ensure that the vessel, lighter or small craft does not, when the loading, unloading, embarking or disembarking is completed, remain alongside the wharf so as to hinder the use of the wharf by any other vessel, lighter or small craft.

Vessels to be
kept clear of
flying boats.

22. The master of a vessel, lighter or small craft shall ensure that the vessel, lighter or small craft—

- (a) is kept clear of any flying boat or seaplane which is alighting or taking off; and
- (b) does not approach—
 - (i) at night, the lighted runway; or
 - (ii) by day, the runway marked by a control launch, until the aircraft is clear of the runway.

PART III.—POLLUTION OF PORTS.

Garbage, &c.,
not to be
deposited.

23. A person shall not deposit in a port or on the shores of a port any garbage, rubbish, refuse, putrefying matter, dead animal or offensive matter of any description.

Oil, &c.,
not to be
discharged.

24.—(1.) The master of a vessel, lighter or small craft shall not permit or suffer oil or inflammable liquid to be pumped out of or otherwise discharged from the vessel, lighter or small craft into the waters of a port.

(2.) The owner or person in charge of a tank shall not permit or suffer oil, inflammable liquid or refuse to be discharged or flow from the tank into the waters of a port.

25. The master of a vessel, lighter or small craft shall not permit or suffer ashes to be discharged from the vessel, lighter or small craft while the vessel, lighter or small craft is lying alongside a wharf or is within six hundred feet of a wharf. Ashes not to be discharged.

PART IV.—EXPLOSIVES AND INFLAMMABLE LIQUIDS.

26.—(1.) Subject to the next succeeding sub-regulation, the master of a vessel, lighter or small craft shall not permit or suffer explosives or inflammable liquids to be loaded on or in or unloaded from the vessel, lighter or small craft except— Loading and unloading.

- (a) between sunrise and sunset;
- (b) with the permission of the Harbourmaster; and
- (c) under such conditions as the Harbourmaster specifies.

(2.) The master of a vessel transporting inflammable liquids in bulk may, with the permission of the Harbourmaster, and subject to any conditions specified by the Harbourmaster, permit inflammable liquids from the cargo to be unloaded from the vessel between sunset and sunrise by means of a pipeline to a receptacle approved by the Harbourmaster.

(3.) The owner of inflammable liquids unloaded on a wharf shall—

- (a) without delay, stow them in a shed or place approved by the Harbourmaster; and
- (b) remove them from that shed or place before sunset on the day they are unloaded.

27.—(1.) Where explosives or inflammable liquids are being handled on a wharf or on or in a vessel, lighter or small craft, a person shall not— Protection from fire.

- (a) bring a fire or naked flame within one hundred feet of where those explosives or inflammable liquids are being handled;
- (b) while he is within one hundred feet of where those explosives or inflammable liquids are being handled, smoke, ignite a match or otherwise create a fire or flame; or
- (c) be on the wharf or on or in the vessel, lighter or small craft without the permission of the Harbourmaster, unless he is engaged in—
 - (i) the working, loading or unloading of the vessel, lighter or small craft;
 - (ii) the transporting of goods on the wharf or on or in the vessel, lighter or small craft; or
 - (iii) the performance of public duties which make it necessary or desirable for him to be on the wharf or on or in the vessel, lighter or small craft at that time.

(2.) Where explosives or inflammable liquids are stowed in or on a vessel, lighter or small craft, a person shall not—

- (a) bring a fire or naked flame into a hold or on to a deck of that vessel, lighter or small craft;
- (b) while he is in a hold or on a deck of that vessel, lighter or small craft, smoke, ignite a match or otherwise create a fire or flame.

(3.) Where a person is in charge of the loading or unloading of a vessel, lighter or small craft or in control of a person engaged in the loading or unloading of a vessel, lighter or small craft, he shall not permit or suffer a person under his control to commit a breach of this regulation.

Possession of matches, &c.

28. A person engaged in handling explosives or inflammable liquids on a wharf or in or on a vessel, lighter or small craft shall not carry or have in his possession any matches, or any material or appliance for producing ignition.

Lighting of hold or enclosed deck.

29. The master of a vessel, lighter or small craft in or on which explosives or inflammable liquids are stowed or are being handled may permit a hold or enclosed deck of the vessel, lighter or small craft to be illuminated by flood electric lighting suspended over that hold or enclosed deck in a manner approved by the Harbourmaster but shall not permit any other artificial light to be used in that hold or on that enclosed deck of the vessel, lighter or small craft.

PART V.—CHARGES AND FEES.

Application of Part V.

30.—(1.) The Administrator may, by notice in the *Gazette*, declare a port to be a port to which this Part applies.

(2.) This Part does not apply to a port unless the Administrator has, in accordance with the last preceding sub-regulation, made a declaration which is in force, that the port is a port to which this Part applies.

Berthage fees.

31.—(1.) Subject to this regulation, the owner or master of a vessel or lighter which is berthed at or moored to—

- (a) a wharf under the control of the Administrator; or
- (b) a vessel or lighter berthed at or moored to a wharf under the control of the Administrator,

shall pay berthage fees in accordance with the scale of charges specified in the Third Schedule.

(2.) Berthage fees are not payable in respect of a vessel or lighter which—

- (a) is of or in the commissioned service of Her Majesty or a foreign State;
- (b) not being a trading vessel, is in the service of the government of a British possession;
- (c) is chartered by or on behalf of Her Majesty or the government of a British possession for naval purposes, where the dues would, if payable, be payable by Her Majesty or the government of that British possession;
- (d) is employed solely for scientific, marine surveying or exploration purposes;
- (e) is—
 - (i) from a place outside the Northern Territory;
 - (ii) used primarily for purposes other than purposes of trade or commerce; and
 - (iii) not conveying goods or passengers for hire;
- (f) is obliged to return to port through stress of weather or other cause considered by the Administrator to be sufficient; or
- (g) is owned or chartered by a mission and used for transporting goods or passengers to or from a mission station.

32.—(1.) Where goods being cargo are unloaded from a vessel or lighter on to a wharf under the control of the Administrator, the owner of the goods shall pay, in addition to any other charge, fee, due, duty or levy, payable by him, an inwards wharfage fee in accordance with the scale of charges specified in the Fourth Schedule. Wharfage fees.

(2.) Where goods being cargo are loaded into a vessel or lighter from a wharf under the control of the Administrator, the owner of the goods shall pay, in addition to any other charge, fee, due, duty or levy payable by him, an outwards wharfage fee in accordance with the scale of charges specified in the Fourth Schedule.

33. Where a pilot is employed for a vessel which arrives at or departs from the Harbour the master or owner of the vessel shall pay pilotage fees in accordance with the Fifth Schedule. Pilotage fees.

34.—(1.) Subject to this regulation, the master or owner of a vessel arriving or trading in a port of the Northern Territory shall pay port dues in accordance with the Sixth Schedule. Port dues.

(2.) In the case of a vessel arriving in a port of the Northern Territory the port dues specified in the last preceding sub-regulation are payable when the vessel arrives at its first port of entry in the Northern Territory.

(3.) When the master or owner of a vessel pays port dues once in respect of the vessel, he is not liable to pay port dues again in respect of the vessel for a period of six months commencing on the date when the master or owner became liable to pay the dues paid by him.

(4.) The master of a vessel on which port dues are payable shall produce to the Harbourmaster the certificate of registry of the vessel—

(a) in the case of a vessel arriving in a port of the Northern Territory, within twenty-four hours after the arrival of the vessel at its first port of entry in the Northern Territory; or

(b) in the case of a vessel trading only within the Northern Territory—

(i) within six months of the date of commencement of these Regulations or of the date when the vessel began to trade only within the Northern Territory, whichever is the later; and

(ii) within six months of the date on which that certificate was last produced to the Harbourmaster.

(5.) The master or owner of a vessel which—

(a) is not a tug; and

(b) is navigated both inwards and outwards to and from a port in the Northern Territory—

(i) wholly in ballast;

(ii) without earning any freight; and

(iii) without any passengers,

is not liable to pay port dues.

35. Where the master or owner of a vessel is liable to pay berthage fees, wharfage fees, pilotage fees, port dues or any other charge, fee, due, duty or levy under these Regulations, he shall make payment at or before the time when the vessel makes entry into or clears outwards from port, as the case may require, to the Administrator or a person authorized in writing by the Administrator to receive payment. Payment of fees, &c.

Administrator
may remit fee,
etc.

36. The Administrator may in any case remit the whole or any part of a charge, fee, due, duty or levy otherwise payable under these Regulations if he is satisfied that there is a sufficient reason for doing so.

PART VI.—SORTING, STACKING, STORAGE AND DELIVERY OF CARGO
AT THE PORT OF DARWIN.

Application
of Part VI.

37. This Part applies only to the port of Darwin.

Inward
manifests.

38.—(1.) The master of a vessel which enters the Harbour shall, before commencing to unload cargo—

(a) deliver to the Harbourmaster a true, legible and complete copy of the manifest of the vessel; and

(b) furnish, within forty-eight hours of delivering the copy, a certified statement of all alterations made in the manifest because of—

(i) remeasurement of the goods included in the manifest;

or

(ii) any other reason.

(2.) The copy specified in paragraph (a) of the last preceding sub-regulation shall be—

(a) in the English language; and

(b) certified by the master as being true and complete.

Outward
manifests.

39.—(1.) The master of a vessel which is about to depart from the Harbour shall, before the vessel is cleared, deliver to the Harbourmaster a true, legible and complete copy of the manifest of the vessel.

(2.) The copy specified in the last preceding sub-regulation shall be—

(a) in the English language; and

(b) certified by the master as being true and complete.

Delivery to
Harbourmaster.

40. For the purposes of the last two preceding regulations a master may deliver to the Harbourmaster by delivering at the office of the Harbourmaster to a person apparently employed in that office.

Goods likely
to create
nuisance, &c.

41.—(1.) This regulation applies to—

(a) kalsomine, carbon black, cement, charcoal, cocoa beans, paint mediums, fertilizers, plaster, plaster of paris and whiting;

(b) goods (other than explosives and inflammable liquids) which have been declared by proclamation under section 248 of the *Navigation Act 1912-1956* to be dangerous; and

(c) any other goods in respect of which the Harbourmaster gives a direction in accordance with the next succeeding sub-regulation.

(2.) Where the Harbourmaster is satisfied that goods of a class specified in paragraph (a) or (b) of the last preceding sub-regulation or other goods to which, in his opinion, this regulation should apply—

(a) are likely to create a nuisance or dangerous or objectionable conditions on a wharf; and

(b) are about to be unloaded from a vessel, lighter or small craft,

he may direct the owner of the vessel, lighter or small craft or the owner of the goods to ensure that the goods are removed direct from the vessel, lighter or small craft and dealt with in accordance with this regulation.

(3.) Where—

- (a) goods to which this regulation applies are unloaded on to a wharf; and
- (b) the Harbourmaster has not given permission, which is in force, for the goods to be stacked on a wharf,

the owner of the goods shall ensure that the goods are immediately removed direct from the vessel, lighter or small craft to a place beyond the limits of any wharf.

(4.) Where the Harbourmaster gives permission for goods to which this regulation applies to be stacked on a wharf, a person shall not stack those goods on a wharf unless the goods are stacked on pallets which are placed upon a portion of the wharf which is—

- (a) set aside by the Harbourmaster for the stacking of the goods; and
- (b) covered with clean sawdust, or other substance specified by the Harbourmaster, to a depth of at least two inches.

(5.) Where goods to which this regulation applies have been stacked on a wharf with the permission of the Harbourmaster, the owner of the goods shall remove the goods, the pallets on which they are stacked and the sawdust or other substance with which the portion of the wharf under the pallets is covered from the wharf within eight business hours after the end of the hour in which the goods were unloaded.

(6.) If goods are stacked or if goods, pallets, or sawdust or any other substance remain or remains on a wharf in contravention of this regulation, the Harbourmaster may give a direction to the owner to remove the goods, pallets or sawdust or other substance forthwith; and the owner shall comply with the direction.

41A.—(1.) The Harbourmaster may give a direction in accordance with this regulation if he is satisfied that the direction should be given to enable space on a wharf to be properly used.

Harbourmaster may give direction as to placing of goods, &c., on wharf.

(2.) The Harbourmaster may give a direction that goods placed or about to be placed on a wharf shall not be placed on the wharf unless they are placed as and where he specifies in the direction.

Inserted by 1958, N. 12.

(3.) The Harbourmaster may give a direction that nothing shall be placed on such part of a wharf as is specified in the direction.

(4.) A direction under this regulation—

- (a) may be given to a person—
 - (i) orally; or
 - (ii) in writing in a document served by a method specified in paragraph (a), (b), (c) or (d) of regulation 70 of these Regulations; and
- (b) shall be deemed to have been given to all persons if an appropriate notice is exhibited at or near the part of the wharf to which the direction applies.

(5.) The Harbourmaster may, if he thinks fit, permit a person to do an act in contravention of a direction under this regulation.

(6.) A person to whom a direction under this regulation is given shall not, without the permission of the Harbourmaster, do an act in contravention of the direction.

(7.) Where a person to whom a direction under this regulation is given is an owner of goods or an owner of a vessel, lighter or small craft, he shall ensure that goods of which he is the owner, or goods which have been or are about to be unloaded from a vessel, lighter or small craft of which he is the owner, as the case may be, are not, without the permission of the Harbourmaster, placed or allowed to remain on a wharf in contravention of the direction.

Containers to be sound.

42.—(1.) A person shall not deliver on to a wharf for shipment any goods enclosed in a container unless the container is of sound material and of sufficient strength and durability to hold the goods without leakage or spilling until they are delivered to the consignee.

(2.) If any goods are delivered on to a wharf in contravention of this regulation, the Harbourmaster may give a direction to the person who so delivered them or the owner of the goods to remove them forthwith; and a person receiving the direction shall comply with it.

Removal of goods causing nuisance, &c.

43.—(1.) If any goods, by breaking bulk, spilling, leaking or in any other way—

- (a) damage a wharf or any goods on a wharf;
- (b) create a nuisance or a dangerous or offensive condition; or
- (c) hinder the work on a wharf,

the owner of the goods shall forthwith remove the goods and, if they are stacked on pallets, the pallets on which they are stacked and the sawdust or other substance with which the portion of the wharf under the pallets is covered and cause any matter or substance deposited on the wharf from the goods to be cleared away, and any damage done to the wharf to be repaired.

(2.) If the owner of the goods fails to do an act which the provisions of the last preceding sub-regulation require him to do, the Harbourmaster may give a direction to the owner to do the act forthwith; and the owner shall comply with the direction.

Cargo location record book.

44.—(1.) The owner of a vessel from which goods are unloaded on to a wharf or into a lighter shall—

- (a) cause a book, to be called the cargo location book, to be kept in the delivery office;
- (b) forthwith after a consignment of goods is unloaded from the vessel or lighter on to the wharf, cause to be entered in the book, as far as possible in alphabetical order according to the first letter of the marks on the goods—

- (i) the distinguishing marks or numbers of the goods, the number of the bill of lading relating to the goods or of the line on which the goods are entered in the manifest of the vessel and the number and type of packages comprising the goods;
- (ii) The date or dates on which the consignment was unloaded;
- (iii) the position on the wharf of the goods, the position being described by reference to the known divisions of the wharf; and

- (iv) if a consignment is divided and stacked in different places, the position, described by reference to the known division of the wharf, of each part of the consignment; and

(c) permit—

- (i) a consignee or agent of a consignee of goods unloaded from the vessel; or
- (ii) the Harbourmaster,
to inspect the book during any hours during which the work of unloading vessels is usually carried on.

(2.) Where goods are unloaded on to two or more wharves from the same vessel, either directly or by means of a lighter, the owner of the vessel shall, unless the Harbourmaster otherwise permits, cause to be kept, entered up and made available a separate cargo location record book for each wharf on to which the goods are unloaded; and the provisions of these Regulations shall apply as if each separate cargo location record book were the cargo location record book.

45.—(1.) A person who places goods, which are inwards cargo, on a wharf for removal shall cause those goods to be sorted and stacked on the wharf in their separate consignments in such a manner as to give easy access to each consignment and to permit of its speedy removal from the wharf. ON Sorting and stacking of cargo.

(2.) Notwithstanding the last preceding sub-regulation a person may cause consignments of under five tons by measurement to be stacked together in one stack if the consignments are stacked so that each consignment can be readily identified and removed.

(3.) A person shall not—

- (a) take delivery of any goods in a stack except from the face of the stack; or
- (b) disarrange a stack.

(4.) The owner of a vessel from which goods have been unloaded on to a wharf, either directly or by means of a lighter, shall cause to be kept open, during business hours and any other hours which the Harbourmaster specifies in a direction to the owner, all parts of the wharf which it is necessary to keep open for the purpose of permitting the goods to be removed from the wharf.

46.—(1.) Subject to the next succeeding sub-regulation, after a consignment of goods has been unloaded from a vessel on to a wharf, either directly or by means of a lighter, the owner of the vessel shall— a Notice to consignees.

- (a) within twenty-four hours after the completion of the unloading of that consignment, inform the consignee—
 - (i) of the fact that the goods have been unloaded; and
 - (ii) of the location of the goods on the wharf; and
- (b) forthwith after so informing the consignee make an entry, in the cargo location book kept under these Regulations, of the time when the consignee was so informed.

(2.) The owner of a vessel need not comply with the provisions of the last preceding sub-regulation if the name of the consignee—

- (a) is not known to him;
- (b) cannot be ascertained from any documents in the possession of the owner.

Removal of inward cargo from wharves.

47.—(1.) The Harbourmaster may, by general notice, require all goods unloaded or about to be unloaded from a vessel, lighter or small craft to be removed from a wharf within a time specified in the notice.

(2.) A notice under the last preceding sub-regulation shall—

- (a) be in writing;
- (b) be applicable to all goods unloaded or about to be unloaded from the vessel, lighter or small craft;
- (c) name of vessel, lighter or small craft from which those goods are unloaded or about to be unloaded; and
- (d) be exhibited—
 - (i) in the transit shed at the berth at which the goods are or are about to be unloaded; or
 - (ii) in the case of goods unloaded or about to be unloaded at the open berth, in the transit shed nearest to that berth.

(3.) Notwithstanding the provisions of the last two preceding sub-regulations, the Harbourmaster may at any time give a special notice to—

- (a) the owner of a vessel, lighter or small craft from which goods have been unloaded on to a wharf; or
- (b) the owner of goods which have been unloaded on to a wharf, requiring the person to whom the notice is given to remove the goods specified in the notice from the wharf before the expiration of the time specified in the notice.

(4.) The owner of any goods to which a notice under sub-regulation (1.) of this regulation applies and a person to whom a notice is given under the last preceding sub-regulation shall comply with the terms of the notice, and shall be deemed to commit a separate offence on each day on which he does not comply with the terms of the notice.

(5.) This regulation does not affect the duty of an owner of goods to remove them from a wharf within any special period prescribed by these Regulations.

Stowage charges on inward cargo.
Amended by 1958, No. 12.

48. If any goods unloaded from a vessel, lighter or small craft are not removed from a wharf within the period prescribed by these Regulations or by a notice under these Regulations, a storage charge shall be payable to the Harbourmaster by the owner of the goods at the rate of Five shillings per ton for each ton of the goods, for each day during which the goods remain on the wharf after that period has expired.

Free period for outward cargo.

49.—(1.) Goods placed on a wharf for shipment in a vessel may remain on the wharf free of storage charges—

- (a) for a period fixed by the Harbourmaster by notice to the owner of the vessel; or
- (b) if no period is fixed in accordance with the last preceding paragraph, while the vessel is berthed at the wharf and during the two days immediately before the arrival of the vessel at the wharf.

(2.) Where goods placed on a wharf for shipment on a vessel remain on the wharf longer than is allowed under this regulation, the owner of the vessel shall pay a storage charge at the rate of Sixpence per ton of the goods for each day in excess of the period of free storage allowed.

50.—(1.) The owner of a vessel from which goods are unloaded on to a wharf, either directly or by means of a lighter, shall— Cargo delivery book.

- (a) cause a book to be kept to be called a cargo delivery book;
- (b) forthwith, upon the delivery of any of the goods to the owner or his agent, enter in the book—
 - (i) the date of delivery of the goods;
 - (ii) the name of the owner of the goods or his agent;
 - (iii) particulars of the marks on the goods;
 - (iv) the number of the bill of lading relating to the goods or of the line in which the goods are entered in the manifest of the vessel; and
 - (v) the number and types of packages of the goods;
- (c) each day forward to the Harbourmaster a copy of all entries made in the book on the previous day; and
- (d) produce the book on demand to any person authorized in writing by the Administrator to inspect cargo delivery books and permit that person to inspect the book.

(2.) The owner of a vessel, lighter or small craft using a wharf for the purpose of taking goods on board shall, upon the request of the Harbourmaster for particulars relating to goods placed on the wharf for shipment on the vessel, lighter or small craft supply those particulars in writing to the Harbourmaster.

51.—(1.) Notwithstanding any other provision of these Regulations, if the Harbourmaster is of the opinion that any goods on a wharf are impeding the business of the wharf, he may direct— Removal of goods impeding work on wharves.

- (a) in the case of goods being inward cargo, the owner of the goods or the owner of the vessel from which the goods were unshipped or both those owners; or
 - (b) in the case of goods being outward cargo, the owner of the vessel in which the goods are intended to be shipped or the owner of the goods or both those owners,
- to remove them from the wharf forthwith or within a time specified by the Harbourmaster.

(2.) A person receiving a direction under this regulation shall comply with it, and shall be deemed to commit a separate offence on each day on which he does not comply with it.

52.—(1.) In this regulation "equipment storage shed" means a building which the Administrator permits to be used for the storage on a wharf of power operated handling equipment. Power operated handling equipment.

(2.) A fee of Four pounds shall be charged for the use of an equipment storage shed—

- (a) for each week; and
- (b) for each portion of a week not included in the last preceding paragraph.

(3.) A person who uses an equipment storage shed shall pay the prescribed fee to the Harbourmaster.

(4.) A person shall not use an equipment storage shed without the permission of the Harbourmaster.

(5.) The lessee, or if there is no lessee the owner, of power operated handling equipment used on a wharf shall ensure that the power operated handling equipment is not on the wharf between the hours of five o'clock in the afternoon of any day and eight o'clock in the morning of the next succeeding day unless that equipment—

- (a) is being used between those hours for the handling of cargo;
or
- (b) is stored in an equipment storage shed.

(6.) If a person fails to comply with the provisions of the last preceding sub-regulation the Harbourmaster may direct that person to remove the power operated handling equipment from the wharf forthwith or within a time specified by the Harbourmaster.

Manually
operated
handling
equipment.

53.—(1.) The owner of a vessel, lighter or small craft shall ensure that manually operated handling equipment used in connexion with the unloading or loading of the vessel, lighter or small craft is removed from the wharf as soon as the unloading or loading of the vessel, lighter or small craft is completed.

(2.) If the owner of the vessel, lighter or small craft fails to comply with the provisions of the last preceding sub-regulation the Harbourmaster may direct him to remove the manually operated handling equipment from the wharf forthwith or within a time specified by the Harbourmaster.

Power of
Harbourmaster
to remove cargo
or do work on
default.

54.—(1.) If a person fails to comply with a direction—

- (a) to remove goods; or
- (b) to do any other act,

given to him by the Harbourmaster under a regulation in this Part, the Harbourmaster may remove the goods or do the act directed to be done.

(2.) Where goods are removed by the Harbourmaster pursuant to this regulation, the Harbourmaster may store them in any place which he considers to be appropriate.

(3.) The expense of removing and storing the goods or doing the act shall, on demand by the Harbourmaster, be payable to the Harbourmaster by the person who has failed to comply with the direction.

(4.) Where goods are stored pursuant to this regulation in a store other than a store provided for the transit accommodation of cargo, a storage charge for each ton of the goods for each day during which the goods are stored shall be payable to the Harbourmaster by the owner of the goods at the rate of—

- (a) One shilling per ton for each of the first, second and third days;
- (b) One shilling and sixpence per ton for each of the fourth, fifth and sixth days;
- (c) Two shillings per ton for the seventh day;
- (d) Three shillings per ton for the eighth day;
- (e) Four shillings per ton for the ninth day;
- (f) Five shillings per ton for the tenth day;
- (g) Six shillings per ton for the eleventh day; and
- (h) Seven shillings per ton for each day after the eleventh day.

(4.) The Harbourmaster shall not be liable for any loss or damage to goods which are removed or stored pursuant to this regulation, unless the loss or damage is caused by the negligence or wilful wrong of the Harbourmaster or a person acting under his authority or by his direction.

(6.) Where goods have been stored pursuant to sub-regulation (2.) of this regulation for not less than thirty days, the Harbourmaster—

- (a) may cause the goods to be sold by public auction; and
- (b) if he causes the goods to be sold, shall deduct from the proceeds of the sale the expenses of the sale and any sums due for storage charges under these Regulations and pay the balance, if any, to the owner of the goods.

55.—(1.) Notwithstanding anything contained in this Part, the Harbourmaster may, by notice in writing, exempt a person from compliance with a requirement of this Part if, in the opinion of the Harbourmaster—

Harbourmaster may grant exemption.

- (a) the requirement has been substantially complied with;
- (b) compliance with the requirement is, in the circumstances of the case, impracticable or unnecessary; or
- (c) other action taken in regard to the subject matter of the requirement is a satisfactory substitute for action specified in the requirement.

(2.) The Harbourmaster may subject an exemption under this regulation to any condition or limit he considers necessary.

(3.) If he considers that the circumstances of the case justify him in doing so, the Harbourmaster may, by notice in writing to the person exempted—

- (a) revoke an exemption; or
- (b) vary a condition of an exemption,

granted under this regulation.

56. For the purpose of calculating a storage charge under these Regulations—

Calculation of storage charges.

Amended by 1958, No. 12.

- (b) "day" does not include a Saturday, a Sunday or a public holiday;
- (c) a part of a ton is deemed to be a whole ton, where—
 - (i) the goods subject to the storage charge are less than one ton in weight or measurement, as the case requires; or
 - (ii) the part of a ton remains after every whole ton is subtracted from the total weight or measurement of the goods, as the case requires; and
- (d) a part of a day is deemed to be a whole day, where—
 - (i) the storage charge is made in respect of a total period of less than one day; or
 - (ii) the part of a day remains after every whole day is subtracted from the total period in respect of which the storage charge is made.

Administrator
may remit
portion of
storage charge.

57. On application in writing made by or on behalf of a person who has paid or is liable to pay a storage charge under these Regulations the Administrator may, in his discretion, remit such portion of the storage charge as he thinks fit.

PART VII.—OBSTRUCTION IN PORTS.

Removal of
obstruction.

58.—(1.) Where any timber, raft or thing in or afloat in a port is, in the opinion of the Harbourmaster, an obstruction or impediment to—

- (a) the navigation of the port; or
- (b) the lawful use of a wharf or mooring or a structure on the shore of the port,

the Harbourmaster may, in his discretion, remove or order the removal of the timber, raft or thing.

(2.) The owner of the timber, raft or thing shall—

- (a) pay the expenses of removal; or
- (b) where an order is given under the last preceding sub-regulation, comply with the order.

Lights on
sunken vessels,
&c.

59.—(1.) Where a vessel, lighter or small craft is sunk, stranded, or run ashore in a port, the Harbourmaster may, before or during the removal of the vessel, lighter or small craft in accordance with the Act, order to be affixed to the vessel, lighter or small craft such lights or marks as he considers necessary.

(2.) An order under the last preceding sub-regulation may be directed to the owner or master of the vessel, lighter or small craft; and the owner or master receiving the order shall comply with it.

PART VIII.—VESSELS AND SMALL CRAFT IN PORTS.

Licences of
vessels and
small craft.

60.—(1.) The Harbourmaster may grant to the owner of a vessel or small craft a licence to ply for hire for the carriage of goods or passengers in a port in respect of the vessel or small craft and may renew the licence from time to time.

(2.) The Harbourmaster shall not grant or renew a licence under this regulation in respect of a vessel or small craft unless he is satisfied after a survey that the vessel or small craft is—

- (a) in good repair;
- (b) in a seaworthy condition; and
- (c) equipped with sufficient properly functioning life-saving appliances and fire extinguishers.

(3.) A licence under this regulation—

- (a) shall specify—
 - (i) the number of the licence;
 - (ii) the name, type, length, beam, loaded draft and colour of the vessel or small craft;
 - (iii) the number and make of the engine and the type of fuel used in the engine of the vessel or small craft;
 - (iv) the number of persons and amount of cargo the vessel or small craft is licensed to carry;

(v) the number of lifebuoys and life-jackets and the type and number of each type of fire extinguisher which the vessel or small craft is required to carry; and

(vi) the date on which the licence expires; and

(b) may be in accordance with Form 1.

(4.) A licence granted under this regulation expires after a period of one year from the date of the grant or renewal unless it is renewed for a further period of one year.

(5.) The fee for the grant or renewal of a licence under this regulation is Two pounds and is payable to the Administrator or a person authorized in writing by the Administrator to receive payment.

(6.) A person shall not use a vessel or small craft to ply for hire for the carriage of goods or passengers in a port unless the vessel or small craft is licensed under this regulation.

61. The owner of a vessel or small craft licensed under the last preceding regulation shall cause to be painted and kept painted in legible letters in a conspicuous place inside the hull— Licence number, &c., to be shown inside hull.

(a) the licence number of the vessel or small craft, preceded by the words "Licence No."; and

(b) the words "Licensed to carry persons", together with a number, inserted after the word "carry", being the number of persons the vessel or small craft is licensed to carry.

62.—(1.) The Harbourmaster may issue to a person a certificate in accordance with Form 2 if he is satisfied that the person is a competent boatman. Boatman's certificate.

(2.) The fee for a certificate under this regulation is Ten shillings and is payable to the Administrator or a person authorized in writing by the Administrator to receive payment.

(3.) A person shall not be in charge of a vessel or small craft plying for hire for the carriage of goods or passengers in a port unless he holds a certificate issued under this regulation.

(4.) The Harbourmaster may at any time, by notice in writing to the holder of this certificate, cancel a certificate issued under this regulation.

(5.) A person to whom notice of cancellation is given in accordance with the last preceding sub-regulation shall, within fourteen days after the date of the notice, deliver the certificate to the Harbourmaster.

63. The owner of a vessel or small craft not licensed under these Regulations shall keep the vessel or small craft in repair and in a seaworthy condition to the satisfaction of the Harbourmaster. Unlicensed vessels and small craft.

PART IX.—MISCELLANEOUS.

64.—(1.) The Administrator may, by notice in the *Gazette*, declare a port to be a port to which this regulation applies. Wharf construction.

(2.) A person shall not build a wharf or other structure having its foundation below high-water mark in any port declared by the Administrator to be a port to which this regulation applies unless he has obtained the consent in writing of the Administrator to do so and has not been notified in writing of the withdrawal of that consent.

Commonwealth
not liable.

65.—(1.) The Commonwealth shall not be liable for any damage to a vessel, lighter or small craft arising from the defective condition of a mooring.

(2.) The Commonwealth shall not, by reason of any provision of or requirement under these Regulations, be deemed to have taken charge of a vessel, lighter or small craft; and the safety of a vessel, lighter or small craft, whether at sea or lying within a port, whether at anchor or moored alongside a wharf or at a buoy, shall be at the risk of the master or owner of the vessel, lighter or small craft.

Owners to be
severally
responsible.

66. Where, under these Regulations, a duty or obligation is imposed upon the owner of a vessel, lighter, small craft or goods, each person who is the owner within the meaning of these Regulations is severally responsible for the performance of the duty or the fulfilment of the obligation.

Recovery of
money payable.

67. Money payable under these Regulations to the Administrator or the Harbourmaster may be recovered as a debt due to the Commonwealth in any court of competent jurisdiction.

Payment of
expenses to
be additional
to penalty for
offence.

68.—(1.) The prosecution or punishment of a person for a breach of these Regulations does not take away or restrict the liability of the person to pay any money payable under these Regulations to the Administrator or the Harbourmaster.

(2.) The payment of any money payable under these Regulations to the Administrator or the Harbourmaster does not take away or restrict the liability of a person to a penalty for any breach of these Regulations.

Offences.

69. A person who contravenes, or fails to comply with, a provision of these Regulations is guilty of an offence punishable on conviction, where no other penalty is provided, by a fine not exceeding Fifty pounds and not less than Five pounds.

Service of
notice, &c.

70. Except where otherwise provided in these Regulations, a notice or other document required or permitted by these Regulations to be given or served upon a person may be given or served—

- (a) by handing it to or tendering it to that person;
- (b) by posting it to that person at his last known or usual place of abode or business;
- (c) by leaving it with some person apparently over the age of sixteen years at the last known or usual place of abode or business of that person; or
- (d) where the person to be served is the master of a vessel—
 - (i) by leaving it with some person on and apparently employed on the vessel; or
 - (ii) by affixing it to the mast of the vessel.

Proof of
signature to
notice, &c.

71. A notice or other document purporting to be issued in pursuance of these Regulations by the Administrator or the Harbourmaster, and to be signed by him, shall be deemed to have been so issued and signed unless the contrary is proved.

Port Regulations

THE SCHEDULES.
FIRST SCHEDULE
REGULATIONS REPEALED.

Regulation 2.

- Regulations made on 8th May, 1939.
- Regulations made on 21st December, 1939.
- Regulations 1941, No. 7.
- Regulations 1943, No. 3.
- Regulations 1954, No. 10.

SECOND SCHEDULE.

Regulation 60.

Form 1.

THE NORTHERN TERRITORY OF AUSTRALIA.
Port Regulations.
CERTIFICATE OF LICENCE TO PLY FOR HIRE.

Licence Number.....

PARTICULARS OF VESSEL OR SMALL CRAFT.

- Name:
- Type:
- Length:
- Beam:
- Draft loaded:
- Colour:
- Engine number:
- Engine make:
- Type of fuel used:

CONDITONS OF LICENCE.

- Persons carried not to exceed
- Cargo carried not to exceed
- Equipment carried not to include at least:—

Lifebuoys:

Life-jackets:

Fire extinguishers:	Type	Number
	Type	Number

Date of expiry of licence:

This is to certify that the vessel or small craft of which the particulars are set out above is licensed to ply for hire for the carriage of goods or passengers in the port of , subject to the conditions set out above.

Date: Harbourmaster.

THE NORTHERN TERRITORY OF AUSTRALIA.
Port Regulations.

Form 2.

Regulation 62.

BOATMAN'S CERTIFICATE.

This is to certify that , of
is a competent Boatman for the purposes of regulation 62 of the Port Regulations.
Date: Harbourmaster.

Port Regulations

THIRD SCHEDULE.

Regulation 31.

BERTHAGE FEES.

1.—(1.) Berthage fees are payable in respect of the period which commences when a vessel or lighter is secured at a berth and finishes when the last line from that vessel or lighter is cast off at a berth.

(2.) Subject to this clause, the scale of charges for berthage fees is—

	£	s.	d.
(a) For the first period of twenty-four hours or portion of twenty-four hours—			
(i) for a vessel or lighter not exceeding 60 tons net registered tonnage	0	15	0;
(ii) for a vessel exceeding 60 tons but not exceeding 200 tons net registered tonnage	5	0	0;
(iii) for a vessel exceeding 200 tons but not exceeding 600 tons net registered tonnage	10	0	0;
(iv) for a vessel exceeding 600 tons but not exceeding 4,000 tons net registered tonnage	20	0	0;
<i>or</i>			
(v) for a vessel exceeding 4,000 tons net registered tonnage ..	25	0	0;
			and

(b) for each period of six hours after the end of the first period of twenty-four hours—for a vessel or lighter specified in the last preceding paragraph, one-fourth of the amount specified in that paragraph as the charge for that vessel or lighter for the first period of twenty-four hours or portion of twenty-four hours.

(3.) For the purposes of this clause, where the total period in respect of which berthage fees are payable is more than twenty-four hours and a portion of six hours remains after every complete period of six hours is subtracted from the total period, that portion of six hours is deemed to be six hours.

2. Notwithstanding anything contained in the last preceding clause, where a vessel or lighter does not exceed sixty tons net registered tonnage and operates only in or from a port in the Northern Territory, the scale of charges for berthage fees is Ten pounds for each year commencing on the first day of July, if that fee is paid on or before the thirty-first day of July in that year.

FOURTH SCHEDULE.

Regulation 32.

WHARFAGE FEES.

1. The scale of charges for wharfage fees, except for a motor vehicle of weight exceeding three tons, is—

	£	s.	d.
(a) for each ton of outward cargo shown on the manifest	0	5	0;
(b) for each ton of inward cargo shown on the manifest	0	5	0;
(c) for each horse, cow, or animal of similar or greater size	0	2	0;
(d) for each motor vehicle of weight not exceeding three tons	1	0	0;
and			
(e) for each ton of naval fuel oil received in bulk, calculated at the rate of 250 gallons of fuel oil per ton	0	2	6.

2. The scale of charges for wharfage fees for a motor vehicle of weight exceeding three tons is One pound and, in addition, Five shillings for each ton by weight.

FIFTH SCHEDULE.

Regulation 33.

PILOTAGE FEES.

The scale of charges for pilotage fees in the port of Darwin is the cost of hiring the launch used by the pilot and—

- (a) where a vessel is piloted from Channel Rock Buoy to anchorage or berth or from anchorage to berth—
 - (i) where the vessel does not exceed 5,000 tons gross tonnage—Twenty pounds; or
 - (ii) where the vessel exceeds 5,000 tons gross tonnage—Twenty-five pounds; or
- (b) where a vessel is piloted from berth to anchorage or abeam Lameroo Baths—
 - (i) where the vessel does not exceed 5,000 tons gross tonnage—Fifteen pounds; or
 - (ii) where the vessel exceeds 5,000 tons gross tonnage—Twenty pounds.

SIXTH SCHEDULE.

Regulation 34.

PORT DUES.

The scale of charges for port dues is 4½d. for each ton of gross registered tonnage.