



VICTORIA GOVERNMENT GAZETTE

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The Melbourne Harbor Trust Commissioners

IN PURSUANCE of the Melbourne Harbor Trust Act, 1928, THE MELBOURNE HARBOR TRUST COMMISSIONERS make the following regulations:—

1. In the construction, and for the purposes of these Regulations, the following terms shall, if not inconsistent with the context or subject matter, have the respective meanings hereby assigned to them:—

The Act means, and shall include, the "Melbourne Harbor Trust Act, 1928," and any Act amending the same.

Ballast includes every kind of stone, gravel, sand and soil, and every commodity or thing commonly used for the ballasting of vessels.

Boat includes every description of vessel used in navigation not being a ship.

Boatman (see "Master").

Buoys and Beacons include all other marks and signs of the sea.

Cargo (see "Goods").

Collector means any person authorized by the Commissioners to collect or receive moneys on their behalf.

Commissioners, Trust, each means the Melbourne Harbor Trust Commissioners.

Consignee (see "Owner").

Consignor (see "Owner").

Day-time means from sunrise to sunset.

Explosive shall have and include the several meanings assigned to, or comprised within it, or defined in the "Explosives' Acts," or in any Act or Order-in-Council amending the same or regulation thereunder.

Goods, Cargo, each includes all wares, merchandise and articles of every description.

Harbor Master includes any person acting as such, or as Traffic Manager, Assistant Harbor Master, or Assistant Traffic Manager, under the authority of the Commissioners.

Master includes any pilot and any person having lawfully or "de facto" the command or management of a vessel for the time being, and in reference to any boat belonging to a vessel, includes the Master of the vessel and includes also boatman, waterman or other person temporarily, or otherwise, engaged in the navigation or management of the boat.

Month means calendar month.

Night-time means from sunset to sunrise.

Officer of the Commissioners means any person employed by the Commissioners.

Owner, when used in relation to goods, includes the Agent of the Owner, and also any Consignor, Consignee, Shipper or Agent for the sale or custody, loading or unloading, of such goods, as well as the Owner thereof, and includes also the holder of any Bill of Lading or other document representing such goods, and every person having or claiming any right, title or interest thereto or therein.

Owner, when used in relation to a vessel, includes any person and a shareholder in any Company or body corporate to whom the whole or part of a ship belongs, either beneficially or otherwise.

Person includes a corporation, whether aggregate or sole, and any Commission or other public body, although not incorporated, and persons trading together in partnership.

Port, the Port.—"The Port" means so much of the Port of Melbourne, the waters falling into it, and the lands on the margin as is included within the metes and bounds described in Parts I. and IV. of the Second Schedule of the Act excluding therefrom the lands described in Part II. of the said Schedule.

Rate, Rates, each means any toll, rate, charge, due, licence fee or other payment in the nature thereof, now or hereafter imposed or made payable by or under the Act or these Regulations, or any amendment of or addition to either.

River includes the Coode Canal and all rivers and creeks over which the Commissioners have jurisdiction.

Secretary means the Secretary to the Commissioners, or any person acting as such under their authority.

Ship includes every description of vessel not propelled exclusively by oars, and includes hulk store and repairing ship.

Shore means the shore, so far as the tide flows and reflows, between high and low water marks at ordinary tides.

Tonnage, Tons or words of similar import, when used in connection with a vessel's carrying capacity, means the gross registered tonnage (British standard).

Ton means (except where otherwise stated) a ton of 2,240 lbs. weight avoirdupois, or 40 cubic feet measurement, at the option of the Commissioners.

Trust (see "Commissioners").

Vehicle includes any mechanical or artificial contrivance used or capable of being used upon any wharf, road, street, or way for the conveyance or transport of persons, animals, or goods, and in whatsoever manner the same may be drawn or propelled.

Vessel means any ship, lighter, keel, barge, boat, wherry, raft or craft or any other kind of vessel whatever, whether navigated by steam or otherwise, or any sea-plane, hydroplane, or other similar craft.

Wharf includes pier, jetty, landing stage, quay, dock, slip, platform, breastwork, and all approaches to and all sheds or other constructions upon either, and shall include any storage or shelter shed of the Commissioners adjacent to or used in connection with any wharf as herein defined.

Wreck includes jetsam, flotsam, lagan and derelict.

Week, Day or Hour means and includes a portion of a week, day or hour when the whole has not been required or used.

Conduct of Business and Officers

2. The offices of the Commissioners shall be open for the transaction of business between the hours of 8.45 a.m. to 12.45 p.m., and from 1.30 p.m. to 5.6 p.m. on Monday to Friday inclusive, and between 8.45 a.m. and 11.45 a.m. on Saturday, excepting the office for the collection of Wharfage Rates, which shall be open to the public from 8.45 a.m. to 3.30 p.m. on Monday to Friday inclusive, and from 8.45 a.m. to 11.30 a.m. on Saturdays.

Business Hours.

3. The Common Seal of the Commissioners shall be kept under lock and key in a box having two locks, of one of which locks the Chairman shall have a key, and of the other of which lock the Secretary shall have a key, and a duplicate of each such keys shall be lodged at such bank as the Commissioners may direct. The Common Seal shall not be affixed to any document unless by order of the Commissioners, and in the presence of the Chairman and one other of the Commissioners, or, in the absence of such Chairman, unless two Commissioners be present, and every document sealed shall bear the signature of two Commissioners and the Secretary.

Common Seal.

4. All moneys due or payable to the Commissioners shall be paid to them only, or to such Collector or Officer as they may authorize to collect or receive the same. No payment otherwise made shall be binding on the Commissioners in any way whatsoever.

Who may give valid receipt.

5. Every Collector or Officer, as last aforesaid (except Collectors of Wharfage Rates, as hereinafter provided), shall, upon the day on which he has collected or received money, or within such other time as the Commissioners may direct, pay over the same to the Treasurer of the Commissioners, and at the same time furnish him with particulars thereof, and the receipt of such Treasurer for the moneys so paid shall be a sufficient discharge to said Collector or Officer.

Moneys Collected.

6. The Treasurer shall make or cause to be made true entries in the books provided by the Commissioners for that purpose of all moneys or cheques paid to or received by him for and on behalf of the Commissioners, and he shall within twenty-four hours after receipt thereof, or such shorter period as the Commissioners may direct, pay the same moneys and cheques into such bank as the Commissioners may from time to time appoint to the credit of the Harbor Trust Fund. No money shall be drawn out of the bank save by cheque signed by one Commissioner and countersigned by the Secretary and Treasurer, or by such substitute or substitutes for the Secretary and/or Treasurer as the Chairman of the Trust shall from time to time appoint.

Duties of Treasurer as to making entries and lodgments.

7. Collectors of Wharfage Rates shall daily pay the amount of such rates received by them, without any deduction whatever, to the credit of the Harbor Trust Fund, in such bank as the Commissioners may from time to time direct, and shall, on the day following the receipt by them of such moneys, deliver to the Secretary a credit slip showing the receipt of such moneys by the bank.

Wharfage Rates to be paid into Bank.

8. Every Officer who receives or pays any moneys for or on behalf of the Commissioners, shall first provide security to an amount, and of such a nature, as may be approved of by the Commissioners, for the due and proper payment by him of all such moneys as he shall receive on behalf of the Commissioners and for the faithful execution of his office.

Collectors to provide security.

9. No Officer and no Assessor or Auditor of the Commissioners shall be surety for any other Officer, or for the performance of any contract made with the Commissioners.

Disqualification for becoming Surety.

10. Every Officer of the Commissioners who receives any gift or consideration, or any benefit or advantage whatsoever by way of an inducement or reward for any act done, or to be done, or any forbearance observed, or to be observed, or any favor or disfavor shown or to be shown in relation to the affairs or business of the Commissioners, or for obtaining or having obtained, or aiding or having aided to obtain for any person an agency or contract for or with the Commissioners, shall be liable to be prosecuted for every such offence and to be dismissed.

Secret Commission or Bribery.

11. Every Officer of the Commissioners who divulges to any person not in the service of the Commissioners any particulars from or contained in any document submitted or

Officers not to divulge business.

furnished to the Commissioners, or to such Officer for them, or any information whatever not of a public nature, unless authorized by the Commissioners, shall be dismissed from the service of the Commissioners.

No loans
between
employees.

12. No Officer or other person employed by the Commissioners shall lend to or borrow from any employee of the Commissioners.

Powers of
Harbor
Master.

13. The Harbor Master is hereby authorized and required to give such orders and directions relative to the following matters and purposes as may be necessary to promote order within the Port, and for the safety and equal convenience of all vessels therein. That is to say—

- (a) For regulating the time at and the manner in which any vessel shall enter into, go out of, or lie in the Port, and its position, mooring or unmooring, placing and removing whilst therein.
- (b) For regulating the position in which any vessel shall take in or discharge its cargo, or any part thereof, or shall take in or land passengers, or shall take in or deliver ballast within the Port.
- (c) For regulating the manner in which any vessel entering the Port shall be dismantled, as well for the safety of the vessel as for preventing injury to other vessels, and to the Port and the moorings thereof.
- (d) For removing unserviceable and neglected vessels and other obstructions from the Port, and keeping the same clear, or for removing any such vessel from one part of the Port to another.
- (e) For regulating the quantity of ballast or dead weight in the hold which each vessel in the Port shall have during the unshipping of her cargo, or after having discharged the same.

Provided that nothing in this Regulation shall authorize the Harbor Master to do, or cause to be done, any act repugnant to or inconsistent with the Act, or any other Act of Parliament, or any law relating to Customs or any Regulation thereunder.

Harbor
Master may
order vessels
to be
scuttled.

14. Without prejudice to the exercise of any of the powers conferred by Regulation 13 of these Regulations, the Harbor Master is hereby authorized and required whenever in his opinion it is essential to take emergency measures for the safety of the Port and of the vessels therein and for the preservation of life and property—

- (i) To order the Master of any vessel in the Port to scuttle such vessel forthwith, and
- (ii) to give all necessary directions in relation thereto.

If the Master of any vessel neglects or refuses to obey any such order or direction the Harbor Master is hereby authorized and required to scuttle such vessel forthwith, and for that purpose the Harbor Master may call upon any officer or member of the crew of such vessel, any Officer or other person employed by the Commissioners, any constable, peace officer, or other authority, or any other person to assist him in scuttling such vessel.

Repairs not
to be
undertaken
at a berth
without
permission.

15. The Master, Owner or Agent of any vessel moored at a berth within the Port shall give notice to the Harbor Master of any intention to undertake repairs to engines or other repairs of whatsoever nature to the vessel whilst such vessel is moored at the berth, and no work of any such nature shall be commenced unless permission in writing authorizing the same shall first have been obtained from the Harbor Master.

Duties of
Master of
Vessel.

16. The Master of a vessel shall keep his vessel sufficiently stiffened so that it may be moved safely at any time, and regulate such vessel according to the directions of the Harbor Master, and any Master of a vessel who neglects or refuses to obey such direction, or does not, after notice in writing, forthwith regulate his vessel in accordance therewith, shall be liable, in addition to any penalty imposed, to pay all expenses incurred in consequence of such neglect or refusal.

17. Every person employed at any work, or engaged in any occupation on any wharf, and every boatman or waterman lying with his boat at any landing or passenger stairs, shall promptly and without question obey every order of the Harbor Master.

Harbor Master to be obeyed.

18. The Harbor Master may at any time order any person to quit any wharf, shed, building, land or any place within the Port under the control of the Commissioners, and every such person must instantly obey every such order.

Harbor Master may order persons off Wharf.

19. The Harbor Master if he considers that the holding of any meeting or the addressing of any assemblage within the Port may interfere with or impede the safe orderly convenient or efficient operation of the Port may direct any person that he shall not hold such meeting or that he shall not address such assemblage and any person so directed who neglects or refuses to obey such direction shall be guilty of an offence.

Holding of Meetings.

20. The Harbor Master may regulate all vehicles delivering or removing goods at or from any wharf, and in the case of goods intended for shipment, the Master, Owner or Agent of the vessel in which goods are to be shipped shall cause the goods to be unloaded from such vehicles as and when directed by the Harbor Master, or when, in the opinion of the Harbor Master such is necessary, give a permit to enable the carter to pass through the gate with his load.

Harbor Master to regulate vehicles.

21. A person shall not enter upon any part of the Port which shall have been enclosed by the Commissioners with any wall, fence, channel, or otherwise unless he has previously obtained in respect of such entry from the Commissioners, or from a person acting under the authority of the Commissioners, a ticket permitting such entry, or satisfying the Commissioners, or the person acting under the authority of the Commissioners, at any gate or other entrance to such enclosed place, that such person is entitled to go upon some vessel from such enclosed place, or is employed in such enclosed place in connection with some vessel. The Commissioners may for every such ticket as mentioned in this Regulation make such charge as they shall from time to time determine by resolution. Any ticket issued under this Regulation shall, upon every request of the Commissioners, or of a person acting under the authority of the Commissioners, be produced to the person making such request, and shall, if required by any of the persons mentioned, be delivered up to him.

Tickets necessary to enter or leave enclosed place.

22. No person shall, without reasonable excuse, enter (except from a vessel) or leave (except by going upon a vessel) any such enclosed place as mentioned in the last preceding Regulation otherwise than by means of an entrance or exit provided thereat and appointed for the use of persons who desire to enter or leave such enclosed place.

Entering or leaving enclosed places, regulation of persons.

23. A person shall not, without reasonable excuse, upon any such enclosed place as mentioned in Regulation 21 open or otherwise interfere with any gate, grille, or door which has been closed or locked by the Commissioners, or a person acting under the authority of the Commissioners, or close or otherwise interfere with any gate, grille, or door which has been opened by any such authorized person.

Interference with gates, etc.

24. A person who commits any breach of any of the provisions of Regulations 17, 18, 19, 20, 21, 22, or 23 may, if he fails to leave any premises of the Commissioners immediately upon being requested so to do by the Commissioners, or by a person acting under the authority of the Commissioners, and notwithstanding any penalty such person may have incurred under the Regulations, be forthwith removed from the premises.

Power to remove offenders.

25. (1) In any case where any Officer of the Commissioners or any member of the Police Force has reasonable grounds for believing or suspecting that any person found on any part of the Port has contravened these Regulations or the Act, such Officer or member may request such person to state his name and address and to produce to such Officer or member such evidence of his identity as in the circumstances may reasonably be required.

Offender's name and address.

(2) If such person refuses to state his name and address or states a false name or a false address, or fails or refuses to produce to such Officer or member such evidence of his identity as in the circumstances might reasonably be required, he shall be guilty of an offence against these Regulations.

Navigation of Vessels

Port Signals. 26. The following are the signals to be observed within the Port of Melbourne:—

Meaning	Signal	
	Day	Night
Want Customs Officer.	Flags EHC. International code.	
Want Pilot.	Flags PT or flag G. International code or Pilot Jack at foremast.	
Want Medical Assistance.	Flag W. International code.	
Want Tug.	Flags YA. International code.	
Want Water.	Flags YJ. International code.	
Want Police.	Flags ST. International code and/or 3 short blasts followed by 1 long blast (ST) on whistle or siren.	
Am Carrying Mails.	Flag Y. International code at foremast head or where it can best be seen.	
Explosives on Board.	Flag B. International code.	Red Light.
Inflammable Liquids on Board.	Red Flag with a white circular centre.	Red Light.
Pilotage Exemption.	White Flag at mainmast head or where it can best be seen.	
Vessel at Anchor.	Black ball at forestay or where it can best be seen.	
My Ship is Healthy and I Request Pratique.	Flag Q. International code.	
My Ship is Suspect.	Flags Q. and Q (1st substitute). International code.	
My Ship is Infected, I Have Not Received Pratique.	Flags QL. International code.	Red Light over White.
Vessel Swinging in River or Narrow Channel.	4 short blasts on whistle or siren. Note. — In addition, after a short interval, the International signal on whistle or siren indicating the movement of the ship's head or engines going astern, should be given.	
Keep clear of me; I am swinging.		
Artillery Practice. Keep clear of firing range.	Flags IB International code.	
PORT CLOSED (made at or near Signal Station at entrance to Port).	Signal consisting of 3 shapes shown vertically one over the other; the upper and	Signal consisting of 3 lights in a vertical line one over the other. The upper

Meaning	Signal	
	Day	Night
	lower shapes being circular and red and the middle shape triangular (apex up) and green.	and lower lights red and the middle light green.

Note. — For details, see Defence Department Notice to Mariners, No. 9, published by Hydrographic Branch, Royal Australian Navy, each year.

Caution When Approaching British Ports.

1. Closing of Ports. 3 red balls disposed 3 red lights disposed
Entrance to Port vertically. vertically.
prohibited.

(Signal exhibited in some conspicuous place in or near approach).

2. Examination Service. Distinguishing Flag 3 white lights vertically disposed.
Entrance to Port white over red horizontal surrounded by a blue border.
permitted.

Entrance to Port prohibited. Distinguishing Flag 3 red lights vertically disposed.
(Signal exhibited on examination steamer). white over red horizontal surrounded by a blue border.
Also 3 red balls disposed vertically.

Note. — For details, see Admiralty or Defence Department Notice to Mariners, No. 1, of each year.

27. (1) The Master of a vessel proceeding inwards shall not enter the River Yarra whilst any one or more of the following signals is or are exhibited:—

Signals against entering River.

In Day-time—

- (a) A black ball suspended from the yard-arm 34 feet above high water on the mast erected on the Breakwater Pier, Williamstown.

In Night-time—

- (a) an occulting red light every six seconds exhibited on the Breakwater Pier, Williamstown, 34 feet above high water, and 10 feet vertically below the green navigation light;
(b) An occulting red light every six seconds exhibited 24 feet above high water, and 6 feet vertically below the flashing green light on the beacon on the south side of the River entrance.

- (2) This Regulation shall not apply to any vessel the property of or used in the service of the Commissioners, or to any self-propelled vessel of less than the following dimensions:—

Length, between perpendiculars—130 feet.

Breadth—26 feet.

except when any such vessel is towing one or more other vessels.

28. Signals to be used by vessels navigating the Victoria Dock and River:—

Signals Victoria Dock and River.

- (a) The Master of a vessel proceeding from the Victoria Dock to the River shall, when abreast of the east end of No. 3 Shed, give a prolonged blast on the whistle of not less than six seconds duration, to be repeated when abreast of the centre of No. 1 Shed.
(b) If such vessel shall have another vessel or vessels in tow, the Master shall give three blasts in succession, viz., one prolonged blast as above, followed by two short blasts, the short blasts to be of one second duration, with an interval of one second between each blast.

- (c) The Master of a vessel moored on either side of the Dock to the westward of the east end of No. 3 Shed, shall give the signals immediately upon leaving the berth, to be repeated when abreast of No. 1. Shed.
- (d) The Master of a vessel proceeding down the River, upon hearing a warning signal given from a vessel proceeding down the Dock, shall reply by a prolonged blast on the whistle of not less than six seconds duration, and, if towing one or more vessels, shall also give the two additional short blasts, as above, but not otherwise.
- (e) The above sound signals must be given in all cases, and at all times, day or night, at the points stated, but they may be repeated at any point as often as the circumstances may demand.
- (f) The Master of a vessel proceeding either up or down the River to a berth in any of the areas hereinafter mentioned shall, when the vessel enters the River or when she leaves her berth, as the case may be, hoist at the fore and keep flying until the vessel has berthed in the said area, the following flag signals:—
 - "A" when proceeding to Appleton Dock Berths.
 - "M" when proceeding to Newport, Yarraville, or Footscray Berths.
 - "N" when proceeding to North Wharf Berths.
 - "S" when proceeding to South Wharf Berths.
 - "V" when proceeding to Victoria Dock Berths.
 These flag signals shall be hoisted and kept flying on the towing vessel when lighters or barges are being towed, and, whenever a vessel other than a lighter or barge is being towed, these flag signals shall be hoisted and kept flying on the vessel being towed.
- (g) On vessels not having a foremast, a temporary pole or staff, on which to show the flag, may be used.
- (h) This Regulation shall not apply to vessels of less than 20 tons gross tonnage.

Permission to
depart from
Berth.

- 29. (1) A vessel moored or berthed in the River Yarra or in Victoria Dock or in Appleton Dock or in the Maribyrnong River shall not leave its moorings or its berth except during the currency of a permission granted by the officer in charge of the Control Station at Dockhead.
- (2) A permission to leave its moorings or berth granted to a vessel by the officer in charge of the Control Station at Dockhead shall be current for fifteen minutes after the time it is granted and no longer.
- (3) Notwithstanding the currency of such a permission a vessel moored or berthed in the River Yarra or in Victoria Dock shall not leave its moorings or berth—
 - (a) in the case of a vessel moored or berthed in the River Yarra—
 - In day-time**—when a ball is suspended from the yard-arm at the Dockhead Control Station,
 - In night-time**—when a single flashing red light every 5 seconds; thus: Flash 1.0 second, eclipse 4.0 seconds, is exhibited on the mast-head at the Dockhead Control Station;
 - (b) in the case of a vessel moored or berthed in Victoria Dock—
 - In day-time**—when a cone is suspended from the yard-arm at the Dockhead Control Station,
 - In night-time**—when a double flashing red light every 7.5 seconds, thus: Flash 1.0 second, eclipse 1.0 second, flash 1.0 second, eclipse 4.5 seconds, is exhibited from the masthead at the Dockhead Control Station.
 - (c) in the case of a vessel moored or berthed either in the River Yarra or in Victoria Dock or in Appleton Dock—
 - In day-time**—when a ball and a cone are suspended from the yard-arm at the Dockhead Control Station,
 - In night-time**—when a triple flashing red light every 10 seconds, thus: Flash 1.0 second, eclipse 1.0 second, flash 1.0 second, eclipse 1.0 second, flash 1.0 second, eclipse 5.0 seconds, is exhibited from the masthead at the Dockhead Control Station.

Note.—The yard-arm is at a height of approximately 45 feet, and the masthead is at a height of approximately 50 feet above high water.
- (4) In this regulation "in day-time" means between sunrise and sunset, and "in night-time" means between sunset and sunrise.

(5) This regulation shall not apply to any vessel, the property of or used in the service of the Commissioners, nor to any self-propelled vessel of less than the following dimensions:—

Length, between perpendiculars, 130 feet.

Breadth, 26 feet—

except when any such vessel is towing one or more other vessels:

30. The following signals shall be used before swinging in the River:—

Signals to be used before swinging.

- (a) The Master of a vessel proceeding up or down the River shall, when at least 1,500 feet distant from the point at which it is intended to swing, give a warning signal, consisting of four (4) short blasts, on the whistle or siren. Immediately prior to the commencement of swinging repeat the signal and in addition after a short interval the International signal on whistle or siren indicating the movement of the vessel's head or engines going astern should be given.
- (b) When tug-boats are towing sailing vessels, hulks or steamers not under steam, the above signal shall be given on the tug-boat, by the Master of the Tug, in place of on the vessel being towed.
- (c) The Master of a vessel leaving her berth to swing at a point in the River at a distance of less than 1,500 feet from her berth, shall give the first signal immediately on casting off.
- (d) The Master of a vessel shall not cast off the moorings thereof for the purpose of swinging at her berth unless or until the River be sufficiently clear of traffic to enable the vessel to be swung without causing an obstruction.
- (e) This Regulation shall not apply to vessels whose length between perpendiculars does not exceed 130 feet.

31. No vessel of less than 50 tons gross measurement shall enter or leave the Victoria Dock between sunset and sunrise without the special permission in writing of the Harbor Master.

Small vessels not to enter Victoria Dock without permission.

32. No vessel of less than 20 tons gross measurement shall enter the waters at Williamstown bounded by Nelson Pier, Gellibrand Pier and an imaginary straight line joining the north-western end of Gellibrand Pier to the north-eastern end of Nelson Pier except with the permission of the Commissioners.

Small vessels not to enter specified area of Williamstown.

This Regulation shall not apply to any vessel the property of Her Majesty or of the Commissioners whilst it is being used in the service of Her Majesty or the said Commissioners.

33. (1) Any person who is unable to produce evidence of his intention to embark on board a vessel from Gellibrand or Nelson Pier, Williamstown, who intrudes on either pier after being warned by an appointed person not to do so shall be guilty of an offence against these Regulations.

Entry to Williamstown Piers prohibited.

(2) Any person who unnecessarily lingers or loiters on either of the said piers after being told by an appointed person to leave it shall be guilty of an offence against these Regulations.

(3) Any person who takes a photograph from Gellibrand Pier or Nelson Pier without the lawful authority of the Commissioners shall be guilty of an offence against these Regulations.

(4) "An appointed person" in and for the purposes of this Regulation means a person duly appointed by the Commissioners under section 92 of the Act.

34. The Master of every vessel exceeding 20 tons burden shall in the day-time hoist and keep flying her national colors, under the following circumstances:—

National Colors.

1. When entering the Port from the time of entering until the vessel has arrived at her final destination.
2. On Sundays and public holidays while lying in Port, weather permitting.
3. On leaving the Port.

35. The Master of every vessel within the Port shall observe and obey the Regulations for Preventing Collisions at Sea, or any Collision Regulations of the Commonwealth of Australia substituted therefor or in addition thereto, as well as the Regulations of the Commissioners.

Collision Regulations.

36. The Master of every vessel shall cause the guns thereof to be unshotted before entering the Port, and no person shall, whilst therein, unless permission in writing be given by the Harbor Master, or in case of urgently requiring assistance at night-time, discharge or use any gun, firearm, blue lights, rockets or other explosive.

Guns, Firearms, Signal Lights.

Complement of Crew.	37. Every vessel under weigh within the Port shall be in charge of a competent Master, and shall be manned by a sufficient number of experienced seamen, and in the case of mechanically propelled vessels, shall carry a properly qualified Engineer and necessary staff.
Man on lookout.	38. The Master of every steam and every sailing vessel, being under weigh within the Port, either by day or night, shall, provided an uninterrupted view over the bow is not obtainable from the look-out bridge or deck of his ship, cause a special look-out to be kept by a man stationed in such a position that an uninterrupted view over each bow and also right ahead, may be obtained with certainty.
Steam includes other power. Speed of vessels.	39. Any Regulation applying to steam vessels shall apply to vessels propelled by any other mechanical power. 40. (1) No vessel having a draft of seven or more feet of water or having engine-power of 25 horse-power nominal or greater shall be navigated at a higher speed per hour over the ground than— (a) From Spencer Street bridge to west side of entrance to Appleton Dock—four nautical miles. (b) From west side of entrance to Appleton Dock and through the remainder of Coode Canal—five nautical miles. (c) From west end of Coode Canal to beacons at entrance to River Yarra—seven nautical miles. (d) Within any other part of the Port—eight nautical miles. (e) When passing works in progress on banks of a river, sunken vessels, vessels aground or at anchor, tugs with train in tow, or vessels moored at any wharf—four nautical miles. (2) A mechanically powered vessel having a draft of less than seven feet of water shall not be navigated in the Port— (a) In any manner whatsoever dangerous to any persons swimming or bathing in any waters in the vicinity of the vessel, or, (b) At a rate of speed such that the vessel shall by its wash endanger the safety of any person, boat or structure in the Port, or, (c) At a higher speed than:— (i) Five nautical miles per hour over the ground in any waters lying within a distance of 300 yards from the low-water mark on the nearest fore-shore; (ii) Except with the consent of the Commissioners, ten nautical miles per hour over the ground in any other waters within the Port.
Speed of Vessels over Spotswood Tunnel.	41. No vessel having a draft exceeding 28 feet of water shall be navigated at a higher speed per hour over the ground within a quarter of a mile of the Spotswood Sewer Tunnel than four nautical miles.
Silencer to prevent offensive noise.	42. Every motor boat or motor launch shall be fitted with an effective silencer for the purpose of preventing offensive noise from the machinery or engine of such boat or launch. The Owner and the person in charge of any such vessel emitting an offensive noise shall be guilty of an offence.
Small boats not to obstruct channels	43. The Master or person in charge of any motor or steam launch, yacht, small sailing or rowing boat, when in any fairway, channel, or river in the port, shall keep clear and not obstruct the movement of any vessel of 500 tons or upwards.
Vessels coming up the River. Speed when towing.	44. Vessels proceeding up the River shall give way to vessels proceeding down the River. 45. The Master of a mechanically propelled vessel having a vessel or vessels in tow shall, when meeting another mechanically propelled vessel also towing a vessel or vessels, slacken speed as far as practicable, and keep a reduced speed until the respective mechanically propelled vessel and the tow of each have passed each other.
Manner of towing.	46. The Master of any vessel employed in towing any vessel shall not, except with the written permission of the Harbor Master— (a) In the river or the entrance to Victoria Dock, tow such vessel alongside or abreast of such towing vessel excepting when two vessels are employed in towing. (b) Nor tow any vessel stern foremost, excepting between the Spencer Street Bridge and the Victoria Dock entrance, and between the Yarraville and Footscray Wharves. (c) Nor tow two vessels alongside or abreast of each other.

- (d) Nor tow vessels in train, when such train exceeds 160 yards in length measured from stem of the towing vessel to the stern or end of the last vessel towed.

47. The Master of a vessel when approaching another vessel proceeding in the opposite direction shall, at a distance of not less than 100 yards apart, reduce speed and keep on that side of the fairway or mid-channel which lies on starboard side of such vessel, so as to afford all possible facility for the vessels safely passing each other. This Regulation shall not apply to dredgers in course of being shifted from one place to another, or to tugs with trains of punts or barges in tow; but the Master of every vessel meeting such dredgers or tugs, and the Masters of such dredgers and tugs, must use every exertion to avoid collision.

Vessels passing each other.

48. The Master of every vessel within the Port shall, during night-time, exhibit the lights required by the Regulations for Preventing Collisions at Sea, or any Regulations of the Commonwealth of Australia substituted therefore, or in addition thereto.

Vessel to carry lights.

49. The Master of every vessel in tow during night-time shall cause to be exhibited thereon a red light on the port side, and a green light on the starboard side, as described in the said Collision Regulations, but shall not exhibit a white light. If the vessel in tow is under 20 tons gross, and does not carry the lights prescribed by such Regulations, the Master thereof shall carry thereon a lantern, having a green slide on one side and a red slide on the other side, and on the approach of any other vessel shall, at a sufficient distance therefrom to prevent a collision, exhibit such lantern so that the light thereof shall show through the red slide only on the port side, and through the green slide only on the starboard side.

Lights when in tow.

50. The Master of every boat under weigh at night-time, and not in tow, shall exhibit an efficient white light thereon, in such a position as to be plainly visible all round, and shall also carry, and cause to be as therein mentioned exhibited, the lantern referred to in the preceding Regulation for vessels under 20 tons burden in tow.

Lights on boats under weigh.

51. The Master of a vessel at anchor, or fastened to a mooring buoy or other fixture, shall, during night-time, cause to be exhibited a bright white light in a globular lantern, of not less than eight inches in diameter, and so constructed and placed as to show a clear, uniform, unbroken light, visible all round the horizon at a distance of at least one mile. In cases of vessels over 150 feet in length there shall be exhibited thereon two such lights, one at the bow and one at the stern thereof, as prescribed by the Regulations for Preventing Collisions at Sea.

Anchor Lights.

This Regulation shall not apply to vessels moored to the shore, or to any wharf, or to vessels within the following limits, viz:—

1. A line drawn from the boat landing at the Port Melbourne Town Pier to the south end of the steam-boat jetty on the east side of the Station Pier, Port Melbourne.
2. A line drawn from the inshore end of the Princes Pier, Port Melbourne, to the red dolphin at the northern side of the entrance to the River Yarra.
3. A line drawn from the black dolphin at the southern side of the entrance to the River Yarra, to the end of the Ann Street Pier, Williamstown.

52. A vessel lying in tier outside a vessel moored to the shore or to any wharf, shall, during night-time, exhibit from her off-side bow, and also from her off-side quarter, a light of the same character, and so placed as to effect the same purpose as in the preceding Regulation prescribed for vessels at anchor.

Lights on Vessels in tier.

53. In the event of a vessel grounding, the Master thereof shall, in addition to the white light or lights required by Regulation 51 for vessels at anchor, exhibit or cause to be exhibited at night-time two red lights, placed vertically six feet apart, in globular lanterns not less than eight inches in diameter, and of such a character as to be visible all round the horizon at a distance of at least 2 miles, and in such a position relative to the white light or lights as to indicate to the Master of an approaching vessel the position and extent of the obstruction caused by such grounding, and he shall also have a man on board, or in a boat adjacent, so stationed as to enable such man to give warning to approaching vessels; and the Master shall also during day-time exhibit, or cause to be exhibited, on the vessel grounded, two balls or shapes placed in same positions as the red lights are required to be in the night-time.

Grounded Vessels.

**Dredge Lights
and Signals.**

54 (1) The Master of a dredger having its moorings laid out, whether such dredger is at work or not, shall in the under-mentioned circumstances cause the following signals to be exhibited in day-time and night-time respectively, so as to be open to vision from vessels approaching from any direction:—

- (a) While the dredger is in a position which in the opinion of the Master thereof would render it proper for any vessel which might approach from seaward to keep the dredger on the starboard side of such vessel in passing—

In Day-time. — A black cone having its base at least 2 ft. 9 in. in diameter and the length of its axis one and a half times the diameter of its base, suspended (with its axis vertical and its base downwards) from the yardarm on side on which the dredger is to be passed.

In Night-time. — In addition to the white light or lights required under Regulation 51, a bright light showing green through a globular lantern of not less than 8 inches in diameter directly above a bright light showing red through a globular lantern of the said diameter, such lanterns to be suspended from the yard-arm on the side on which the dredger is to be passed, and the distance between such lanterns to be not less than 4 feet nor more than 6 feet.

Any passing vessel from whatsoever direction it may approach the dredger shall pass such dredger on the side upon which the signal is exhibited.

- (b) While the dredger is in a position which in the opinion of the Master thereof would render it proper for any vessel which might approach from seaward to keep the dredger on the port side of such vessel in passing—

In Day-time.—A red cylinder having each of its ends at least 2 ft. 9 in. in diameter and the length of its axis one and a half times the diameter of one of its ends suspended (with its axis vertical) from the yard-arm on side on which the dredger is to be passed.

In Night-time.—In addition to the white light or lights required under Regulation 51, a bright light showing red through a globular lantern of not less than 8 inches in diameter directly above a bright light showing green through a globular lantern of the said diameter, such lanterns to be suspended from the yard-arm on the side on which the dredger is to be passed, and the distance between such lanterns to be not less than 4 feet nor more than 6 feet.

Any passing vessel from whatsoever direction it may approach the dredger shall pass such dredger on the side upon which the signal is exhibited.

- (c) While dredger is blocking a channel—

In Day-time. — A green cone having its base not less than 2 ft. 9 in. in diameter and the length of its axis one and a half times the diameter of its base (with its axis vertical and its base downwards) between two red spheres each having its axis not less than 2 ft. 9 in. in length suspended from the masthead in a vertical line and having a distance between each shape of not less than 4 feet nor more than 6 feet.

In Night-time.—In addition to the white light or lights required under Regulation 51, three bright lights showing consecutively red, green, red through globular lanterns each of not less than 8 inches in diameter and suspended from the masthead in a vertical line, and having a distance between each of not less than 4 feet nor more than 6 feet.

Any vessel approaching from whatsoever direction must not pass such dredger until one of the signals mentioned in paragraphs (a) and (b) of this sub-clause of this Regulation is exhibited.

- (2) A white light shall be shown on the outer rail of a silt barge moored to a dredger on the side upon which any signal indicates that such dredger should be passed, but not otherwise.

- (3) Self-propelling dredgers under weigh when dredging, and unable to manoeuvre as required by the Navigation (Collision) Regulations of the Commonwealth of Australia for the time being in force so as to keep out of the way of other

vessels shall by night-time show the lights and by day-time exhibit the shapes prescribed by such Regulations for vessels not under command.

(4) The Master of a dredger having its moorings laid out and being in or near a channel in which ships may be moving during fog, mist, or heavy rain, shall cause the following fog signals to be sounded by the ringing of a bell or gong at intervals of not more than two minutes:—

(a) While dredger is in a position which in the opinion of the Master thereof would render it proper for any vessel which might approach from seaward to keep the dredger on the starboard side of such vessel in passing:—

A short ring of about $1\frac{1}{2}$ seconds, followed after an interval of about $1\frac{1}{2}$ seconds by a long ring of about 4 seconds duration (Morse code sound signal for the letter "A").

(b) While dredger is in a position which in the opinion of the Master thereof would render it proper for any vessel which might approach from seaward to keep the dredger on the port side of such vessel in passing:—

A long ring of about 4 seconds duration followed after an interval of about $1\frac{1}{2}$ seconds by a short ring of about $1\frac{1}{2}$ seconds duration (Morse code sound signal for the letter "N").

(c) When dredger is blocking channel:—

Three short rings each of about $1\frac{1}{2}$ seconds duration with intervals between each of about $1\frac{1}{2}$ seconds (Morse code sound signal for the letter "S").

55. The Master of a mechanically propelled vessel shall, at least 300 yards from any works on the River bank or any dredging machine, diving punt, or rockbreaking machine, belonging to the Commissioners, go "dead slow," and prior to his vessel passing over or along the mooring chains of any dredging or rockbreaking machine or punt, he shall stop the engines of such vessel until his vessel has passed clear of such mooring chains. Passing
Dredgers,
etc.

56. The Master of every vessel shall, at least 300 yards from any ferry, slow the engines of his vessel to "dead slow" until his vessel has passed clear of such ferry and ferry boat's chains. Nor shall the Master of any vessel navigating the River pass or approach within 50 feet of any part of any ferry boat while such ferry boat is moored in her dock on either side of the River. Vessels
passing
Ferries.

57. (a) When any vessel (except a vessel towing another vessel equipped with an efficient sound signal) is approaching the Williamstown Road Ferry the Master thereof (if such vessel be not under pilotage) or the Pilot having the conduct thereof (if such vessel be under pilotage) shall, when the bow of the vessel is abreast of the points set out in paragraph (b) hereof, sound or cause to be sounded upon the whistle of such vessel a prolonged signal blast of six seconds duration. Signals
approaching
Short Road
Ferry.

(b) The points at which such signal blast shall be sounded shall be the following:—

(i) When a vessel is proceeding upstream towards the Williamstown Road Ferry: No. 12 beacon on the starboard hand approximately 2,000 feet from the said Ferry and indicated in day-time by the word "Whistle" shown in red letters on a white ground and in night-time illuminated by an occulting Green Neon light of the following characteristic:—

Light, 5 seconds; eclipse, 1 second.

(ii) When a vessel is proceeding downstream towards the Williamstown Road Ferry: No. 19 beacon on the starboard hand approximately 2,000 feet from the said Ferry and indicated in day-time by the word "Whistle" shown in red letters on a white ground and in night-time illuminated by an occulting Red Neon light of the following characteristic:—

Light, 5 seconds; eclipse, 1 second.

(c) When such signal has been sounded by any vessel approaching the Williamstown Road Ferry the person in charge of such Ferry shall not permit the said Ferry to leave her berth until the vessel which has so sounded the signal shall have passed clear of the Ferry.

58. Except for purposes of navigation, no whistle, siren, bell or fog-horn shall be sounded on any vessel navigating the Port. Use of
Whistles,
Fog-horns,
etc.

- Boat Races,
Regattas,
etc.
59. On the occasion of any race, regatta or public procession within the Port, the Masters of vessels under weigh shall cause them to be navigated so as not to obstruct, impede, or interfere with such race, regatta or procession, or to endanger the safety of any persons assembled thereat, and shall obey all directions given by the Harbor Master or any person authorized by the Commissioners to superintend or assist in superintending the observance of their Regulations or orders.
- Vessels not
to be docked
without the
sanction of
the Harbor
Master.
60. No vessel shall be taken up or down the River for the purpose of being admitted into any graving dock, nor shall any vessel be docked, undocked, or moved to or from any dock or dock wharf, unless a permit in writing has been obtained from the Harbor Master.
- Approaching
or leaving
Wharf or
Dock.
61. No Master of any vessel shall permit her to approach any dock or wharf, for the purpose of coming thereto, whilst any vessel is passing therefrom, or until ordered to do so by the Harbor Master; nor shall the Master of any vessel take, or attempt to take, such vessel out of any dock, or leave any wharf, whilst another vessel is entering or approaching thereto, or until ordered to do so by the Harbor Master.
- Vessels on
fire or in
leaky
condition.
62. No vessel, any part whereof, or the cargo therein, is on fire, or (if carrying cargo consisting entirely or principally of oils, chemicals, or any other substance of a dangerous or inflammable nature) on which a fire existed within twenty-four hours previously to her arrival in the Port, or being in such a leaky or otherwise unusual condition, as may in the opinion of the Harbor Master endanger the safety or navigation of the Port, shall enter the River without the special permission in writing of the Harbor Master. The Master of such vessel shall forthwith on arrival in the Port, notify in writing to the Harbor Master, the existence of such fire, or the fact that a fire had existed on board thereof within twenty-four hours previously to her arrival, or the leaky or unusual condition of such vessel, as the case may be.
- Survey of
Vessels.
63. The Harbor Master may at any time survey and examine any vessel and the state of repair thereof, and if after such survey and examination such vessel is or is likely in the opinion of the Harbor Master to become a menace to navigation, the Master, Owner, or Agent on receiving notice in writing from the Harbor Master so to do, shall effect necessary repairs to or clear the Port of the same.
- Boarding
Officer to
be assisted.
64. While any vessel is entering, departing from, or within the Port, the Master shall by every means in his power, consistent with the safety of such vessel, assist every duly authorized Officer of the Government or of the Commissioners in boarding or leaving such vessel, and no person on board any such vessel shall interfere with or obstruct any such officer or any Pilot whilst carrying out their duties respectively.
- Vessels liable
to Pilotage
not to move
in Port with-
out Pilot.
65. No vessel which is liable to pilotage on entering or leaving the Port of Melbourne shall be navigated within the Port, unless such vessel be in charge of a Pilot duly licensed for the purpose, or except under the supervision of the Harbor Master.
- Sunken
Vessels,
etc.
66. If any vessel be sunk or stranded within the Port, or if any obstruction shall impede the navigation and use of the Port, or any part thereof, the Master, Owner or Agent of such vessel, or the Owner of the property by which such obstruction is caused, shall immediately notify the Harbor Master of the position of such obstruction, and immediately take steps for the removal thereof, and pending such removal, shall mark the position of such vessel or obstruction as the Harbor Master may direct.
- For the purposes of this Regulation Owner when used in relation to a vessel means the Owner immediately prior to the time of the loss or abandonment of the vessel.
- Collisions,
etc., to be
reported.
67. Should a collision take place whereby any damage is caused to any vessel, wharf, or property within the Port, or should any vessel ground or sink within the Port then the master of every such vessel and every other person concerned in any such collision, grounding, or sinking, shall immediately deliver to the Harbor Master a report in writing

in accordance with the following form describing the circumstances of the collision, grounding or sinking (hereinafter referred to as the 'accident') and supplying all particulars therein set out (where applicable):—

MARINE ACCIDENT REPORT.

Pursuant to Regulation 67 of the Melbourne Harbor Trust Commissioner's Regulations.)

To the Harbor Master, Port of Melbourne—

I, _____ have to report
that on the _____ day of _____, 19____, Full name, address, and occupation. Insert general description of accident.
(a) Name or names of any vessel or vessels concerned in such accident
(b) Time of accident
(c) Place of accident
(d) Direction and force of wind
(e) State of weather
(f) State and force of tide
(g) Course and speed of vessel when other vessel or wharf or property with which former vessel collided was first seen
(h) Lights (if any) carried by vessel or vessels
(i) Distance and bearing of other vessel or wharf or property when first seen
(j) What measures were taken and when to avoid accident
(k) Part of vessel which first came into contact with other vessel or wharf or property
(l) What sound signals (if any) and when, were given
(m) Any special circumstances considered to have contributed to accident

68. The Master and Owner of every vessel shall severally be responsible for the due performance and observance of such of the Regulations as apply to such vessel; and when any vessel is under the direction of a Pilot, the said Pilot shall be responsible for the due performance and observance of the Regulations; but the responsibility of the Pilot shall in no wise relieve the Master and the Owner of the vessel of their responsibility. Liability of Masters, Owners and Pilots of Vessels.

Mooring of Vessels

69. No vessel shall be permitted, unless unavoidable circumstances compel, to be anchored, moored or to lie in any fairway or channel or near the middle of any river; nor shall any cable, chain, hawser, rope or other obstruction be placed across either through or above water in any such fairway, channel or river, without the permission in writing of the Harbor Master. The Commissioners may from time to time, by notice published at least twice in one Melbourne daily newspaper, at intervals of not less than four nor more than seven days, set apart and define by bearings or otherwise, as they may deem most convenient, any other portion of the Port within which no vessel shall be brought up or moored. No Vessel to lie in fairways. Ropes across River, etc.

70. Whenever by unavoidable circumstances it has become necessary to anchor a vessel in any fairway, channel or River, the Master of the vessel so anchored shall, as soon as possible, weigh anchor, and place the vessel in such a situation as not to interrupt or interfere with the free passage of other vessels. Fairways to be kept clear.

71. The Master of a vessel which is not under weigh shall cause her to be, and be kept, properly and effectually moored. If she be moored with her two anchors, they must not be placed in a position which may endanger the safety of other vessels navigating or moored in the Port. Such extra anchors, warps, moorings and chains for securing such vessel shall be run out from time to time as the Harbor Master may direct. Manner of Mooring.

72. A Master or Pilot in charge of any vessel intending to anchor in Hobson's Bay or Port Phillip Bay within the territory of the Commissioners for a period of over 48 hours shall moor such vessel with two anchors in a clear berth, and in such position as will permit her to swing clear of the channels and fairways. Bay Anchorage.

73. The Master of a vessel whose anchor is let go shall cause to be attached to it a watch buoy capable at all stages of the tide of marking the position of such anchor but shall at any time remove such watch buoy if so required by the Harbor Master. Anchor Buoy.

Anchors and Cables to be kept clear, etc.	74. The Master of a vessel moored with two anchors shall cause both cables to be kept clear, and the Master of a vessel moored with one anchor shall keep the second anchor ready to be cast. Every cable shall be kept by the Master ready to be slipped, veered or hove in.
Parting from Anchor or Mooring. Losing Anchor.	75. If any vessel parts from her anchor or mooring, or should an anchor be accidentally dropped overboard from any vessel not being attached thereto, the Master of the vessel concerned shall cause the fact to be reported to the Harbor Master as soon as practicable. Every anchor, kedge, cable or mooring slipped, parted or cut from, or dropped as aforesaid, shall be weighed within two hours, unless permission in writing to the contrary has been obtained from the Harbor Master.
Anchorage of Vessels forbidden in certain positions.	76. A vessel shall not anchor or drop anchor near any of the following positions:— (1) A line across the River Yarra, between Johnson Street and the western end of No. 6 Shed. (2) A line between the Melbourne and Metropolitan Board of Works pumping station at Spotswood and a point due east on the Port Melbourne side of the River Yarra. (3) A line across the River Yarra, between the Williamstown Road and the Strand. (4) Any part of the Port in which a ferry-chain, cable, telephone wire or oil or water or sewerage pipe is laid. Any breach of this Regulation shall be punishable by a fine of £20.
Berthing at Wharf. What constitutes.	77. Every vessel riding by a hawser or rope, or otherwise attached to any portion of a wharf, or to another vessel moored or berthed thereat, shall be considered as moored or berthed at a wharf, and shall be subject to all rates and Regulations affecting vessels moored directly to or berthed at a wharf.
Berthing in tier.	78. No vessel shall lie in tier third off from any berth in the Port, except by special permission in writing of the Harbor Master.
Berthing Vessels.	79. The Harbor Master shall appoint the place where all vessels shall lie or take up an anchorage within the Port and no vessel shall be anchored in such place of anchorage, or brought or placed alongside of any wharf, without his authority or contrary to his directions, nor shall the position of any vessel be changed, nor shall any vessel be moved from or leave any berth, without his permission.
Priority of Berthing.	80. The Harbor Master shall in all cases decide the question of priority when two or more Masters of vessels desire to occupy a particular berth at a wharf at the same time. Any vessel on being appointed to a berth must immediately proceed to occupy it, and go on discharging or loading, otherwise the berth may be given to another vessel.
Notice for Berth.	81. At least 48 hours before a berth at a wharf is required for a vessel, the Agent or Master thereof shall make application to the Harbor Master on the form appointed therefor.
Certificate of Registration to be produced.	82. The Master or Agent of every registered vessel shall produce the certificate of the registry of such vessel to the Harbor Master, and, on demand, to any other Officer of the Commissioners. In the event of any alteration being made in any vessel which requires the certificate to be amended, the Master or Agent shall forthwith advise the Harbor Master thereof, and produce to him the amended certificate.
Mooring or Berthing in tier.	83. The Master of a vessel berthed at a wharf shall, if so directed by the Harbor Master, permit mooring or berthing in tier to his vessel, and also give free passage for persons and goods across and over the deck of his vessel to and from the wharf and any other vessel moored or berthed in tier to the vessel first named.
Extra Warps, etc.	84. The Master of any vessel berthed alongside any wharf, or moored or anchored within the Port, shall run out such extra warps, moorings, chains and anchors for securing such vessel as the Harbor Master may direct.
Ropes to be stacked.	85. The Master of a vessel which shall be moored or navigated on any part of the River with a warp, hawser, rope or chain across the River, or which shall have a rope across the River for any purpose whatever, unless in the act of entering or departing from any dock, or swinging in any

basin, shall, when practicable, cause the same to be slacked down and sufficiently sunk on the approach of any other vessel which shall be proceeding, dropping, steaming or sailing up or down the River, so that such last-mentioned vessel may pass safely over and without delay.

86. The Master of a vessel in Port shall cause at least one seaman to be at watch on deck, except— Watch on Board.

1. Vessels laid up, coal hulks, ballast, or other lighters being within such limits as the Harbor Master may have authorized them to occupy; but all such vessels shall have always one person on board.
2. Vessels (not being vessels moored to or lying at any wharf), and boats lying within either of the areas limited in Regulation 51.

In case of non-observance of this Regulation the Master of such vessel shall be liable for any expense incurred by the Commissioners in remedying the neglect. Where there is no Master the Owner or Agent of such vessel or person having lawfully or de facto the control of the vessel shall be liable for any breach of this Regulation and for any such expense as aforesaid incurred by the Commissioners in remedying the neglect. Any such expense shall be recoverable in addition to the penalty imposed for breach of this Regulation.

87. Every person in charge of or on watch on board a vessel shall at once answer a challenge by Police, Customs Officer or Officer of the Commissioners. Challenge to be answered.

88. No Master of a vessel shall moor or make fast, or hang on to any buoy or beacon not being a compass adjusting, mooring or warping buoy or beacon, and no vessel shall be moored, made fast, or hung on to any mooring buoy without the permission of the Harbor Master. Beacons not to be made fast to.

89. No person shall make fast any rope or mooring to any wharf other than to the mooring piles, rings, hooks or bollards provided for mooring purposes, nor to any steps or hand-rail, nor to any shed, pillar, lamp-post, crane or other erection on a wharf. Manner of Mooring at Wharves.

90. The Master of a vessel at anchor shall not permit any boat to ride astern of or be attached to such vessel at a greater distance therefrom than 18 feet, nor shall he permit any lighter or deeply-laden boat, log or logs of timber or other floating object, likely to obstruct or injure any other vessel, to ride astern of or be fastened to his vessel while at anchor. Boats, etc. astern of Vessel.

91. No vessel shall, for any purpose of trade or commerce (except vessels plying for hire with passengers only), be unmoored or got under weigh on Sundays, and no work shall be done on or in connection with any vessel in the Port on Sundays, except such as may be necessary for the cleanliness or safety thereof and of the crew, and in the case of the excepted vessels the comfort and safety of the passengers, unless by the express permission in writing of the Harbor Master. Work on Sundays.

92. No vessel shall be anchored or shall lie at a less distance than one hundred fathoms from any wharf, except for the purpose of immediately hauling alongside. Vessels near Wharves.

93. Every hawser or rope by which a vessel is made fast to a wharf or the shore shall be defended by at least one metal disc of a size and pattern approved of by the Harbor Master, and every such metal disc shall, if not affixed to the hawser or rope to the satisfaction of the Harbor Master, be removed to a position on the said hawser or rope pointed out by him. The Master of every such vessel shall comply with every Regulation of the Commonwealth Department of Health affecting vessels moored to a wharf or to the shore. Rats—Protection against. Board of Health Regulations.

94. Every vessel moored to a wharf or to another vessel moored to a wharf shall be provided with a good and sufficient gangway stage, which shall be effectively lighted at night-time, for the use of persons coming from or going on board such vessel, and every such stage shall be made of not less than two (2) inch planks, and shall be at least two (2) feet six (6) inches broad, with cross battens and ropes on both sides from the vessel to the wharf, or from vessel to vessel, supported by wooden or iron stanchions not less than three (3) feet high, and also with a good and sufficient net of not less than the following dimensions, viz., length, eighteen (18) feet; breadth eight (8) feet; to be made of not

less than one and a half (1½) inch rope, to be seven and a half (7½) inches from seizing to seizing, so as to form fifteen (15) inch meshes, placed underneath the stage.

So much of this Regulation as refers to providing nets shall not extend or apply to tugs, steamers, or small vessels which trade within Port Phillip Bay.

Gangways on
Vessels not
at a Wharf.

95. Every vessel lying in the Bay and not alongside any wharf shall be provided with a good and sufficient gangway ladder, and the same shall be sufficiently lighted at night-time, such gangway and the lighting thereof to be subject to approval by the Harbor Master.

Deck and
side
openings.

96. During night-time every deck opening or opening in the side of a vessel moored at a wharf shall, unless work in loading or unloading is proceeding on such vessel, either be closed or efficiently lighted and protected.

Lights for
passengers
when
landing.

97. The Master of every vessel carrying passengers shall, when arriving at or departing from a wharf or transferring passengers at night-time, provide and use a sufficient number of bright lights, so placed as to enable passengers to land, board or transfer with ease and safety. Such lights shall both, as to quality and number, be subject to the approval of the Harbor Master.

Vessels'
furnace
fires, etc.

98. The Master of every vessel moored shall:—

(a) Cause all furnace fires therein to be so regulated as to prevent accidents by fire and nuisance from smoke.

(b) Have all fires for domestic purposes safely secured.

The Harbor Master may at any time board any vessel to ascertain by inspection whether this Regulation is being complied with, and may extinguish all fires and lights contrary thereto.

Flare-up
lamps and
naked lights.

99. Except with the written permission of the Harbor Master the use of flare-up lamps or naked lights of any sort or design whatsoever in the holds of vessels lying at any of the wharves or jetties of the Port, whether for the purpose of working cargo or for any other purpose, is prohibited.

Fire Buckets.

100. The Master of every vessel shall comply with the Regulations set out in the Commonwealth Navigation Act 1912-1953, for Life Saving Appliances and Fire Protection.

Vessel
on fire.

101. In the event of any fire occurring on board a vessel in the Port, or on any wharf, all persons in charge of or otherwise belonging to any vessel then in the Port, shall afford such assistance towards extinguishing the fire, and the protection of the neighbouring vessels, as the Harbor Master, or person deputed by him, may demand.

Propellers
not to be
worked when
at Wharf.

102. The Master of a vessel shall not, without the permission of the Harbor Master, work, or allow to be worked, the propeller of his vessel whilst moored to a wharf.

Whistles.

103. No vessel's whistle or siren shall be used on board any vessel whilst moored alongside any wharf, whether as a signal of arrival or departure, or for any other purpose whatever; but a bell may be rung for a reasonable time previous to the departure of any vessel from the wharf.

Wharves to
be cleared
of rubbish,
etc.

104. No vessel shall be unmoored from a wharf until the portion of the wharf which has been occupied for, or devoted to, the service of such vessel has been thoroughly cleared of all rubbish and swept clean, and all portable appliances and material used in loading or unloading such vessel, and all rubbish and litter, have been removed to some place appointed or approved of by the Harbor Master. In case of non-observance of this Regulation, the Master, Owner and Agent of the vessel shall respectively be liable for any expense incurred by the Commissioners in remedying the neglect, and any such expense shall be recoverable, in addition to the penalty imposed for breach thereof.

Boats at
landing
stage.

105. No person shall permit a boat in his charge to remain at any landing place for passengers longer than required to receive or land passengers, which must be done expeditiously.

To give way
to other
boats.

106. The Master of any boat lying alongside any steps or landing place or ship's gangway shall cause such boat to give way to Government vessels on duty, to the vessels of the Commissioners, and also to other vessels with passengers.

Steam pipes
to be
screened.

107. No refuse of any kind shall be discharged from any vessel or the scuppers thereof whilst in the Port, and all steam pipes shall be effectively screened. No ash ejector shall be used on any vessel within the Port.

108. The Master of every vessel shall moor, unmoor, place or remove such vessel according to the directions of the Harbor Master, given in accordance with the Act and these Regulations, but should there be no person on board of any such vessel to whom directions could be given, or, in the opinion of the Harbor Master, competent to attend to such directions, the Harbor Master, may cause such vessel to be moored, unmoored, placed or removed as he shall under the circumstances think fit, and for that purpose he may cast off, unloose, slacken or cut the rope, or unshackle or break the chain by which any such vessel is moored or fastened, and all expenses attending the mooring, unmooring, placing or removing of such vessel shall be paid to the Commissioners by the Master thereof, together with any costs of ascertaining and recovering the same. Provided always that, before the Harbor Master shall cast off, unloose, slacken, cut, unshackle or break any rope or chain by which any vessel without any person on board competent to protect the same shall be moored or fastened, he shall cause a sufficient number of persons to be put on board of such vessel for the protection thereof, the cost and expense attending which, and of recovering the same, shall also be paid by the Master of such vessel to the Commissioners.

Duties of Master of Vessel and authority of Harbor Master.

109. The removal by, or in charge of, the Harbor Master, to or from a wharf, of a vessel shall be deemed to be a service performed in respect of such vessel, and shall be paid for by the Master, Owner or Agent of or for the vessel. The Commissioners may from time to time determine the fees to be charged and paid for such removals.

Removals.

Cargo of Vessels

110. Except where otherwise provided herein, the Owner of all goods and the Owner or Agent of any vessel in whose custody goods have been placed on any wharf, for the purpose of import or export, shall be bound to see that the Regulations of the Port in all matters affecting such goods are properly observed and carried out, and shall be liable for every breach of such Regulations, whether committed by himself or those acting for him.

Liability of Owners of goods.

111. The Master, Owner or Agent of any vessel shall, within 24 hours after its arrival, deliver to the Harbor Master a statement in writing in the form appointed, signed by such Master, Owner or Agent, and showing the gross and net registered tonnage of the vessel, and the gross tonnage of the cargo on board, which is to be discharged within the Port, and if required by the Harbor Master, furnish him with a copy of the ship's manifest. The Master or Agent of every vessel by which goods are or have been shipped shall, within 48 hours after shipment thereof, deliver to the Commissioners a true copy of the outward manifest of such vessel, upon the form appointed therefor, and shall faithfully render all particulars required in such form and sign the same as correct, and, if required by the Commissioners, verify the same by statutory declaration. In the case of a vessel having no cargo on board when entering or leaving the Port, the statement shall be marked "Nil," and shall be delivered as aforesaid.

Master to furnish particulars to Harbor Master.

112. Within twenty-four hours after the arrival of any vessel from which goods other than coal are to be landed, discharged or transhipped in the Port, the Master or Owner shall deliver to the Collector of Wharfage Rates a true and complete copy of the manifest of the said vessel, in respect of all goods intended to be landed, discharged or transhipped in the Port, and such copy shall be in the form appointed therefor, and shall be signed by the Master or Owner and by the Agent (if any) as being correct, and, if required by the Commissioners, the Master or Owner or Agent shall verify the same by statutory declaration. The Master, Owner or Agent of the vessel shall on demand by the Collector of Wharfage Rates, produce and submit to the said Collector the Master's copy of all Bills of Lading. No goods shall be landed, discharged or transhipped in the Port without the consent of the Collector until such copy manifest as aforesaid has been delivered to him. If the Master, Owner or Agent fails to deliver the copy of the manifest within the time aforesaid, or lands, discharges or tranships any goods from his vessel before such copy manifest is delivered to the Collector, or prior to his consent being obtained, he shall be liable to a penalty of £20. If the copy

Manifest to be delivered to Collector.

manifest delivered to the Collector be inaccurate in any material respect, any person by whom, or by whose authority the said copy was signed as being correct, shall be liable to a penalty of £20.

Unladen
Vessels.
Discharge of
ballast.

113. In the case of a vessel not laden, the manifest form shall be marked "Nil" as to goods other than ballast, and shall be delivered as aforesaid, and if any such vessel has ballast on board which the Master thereof intends to discharge, he shall give written notice of his intention to the Collector of Wharfage Rates, and in such notice shall state the nature and quantity of ballast to be discharged.

Goods not to
be left on
Wharf
without
permission.

114. No goods shall be left, placed or allowed to remain upon any wharf or in any shed without the permission in writing of the Harbor Master.

Goods to be
delivered to
Licensed
Wharfinger.

115. No goods shall be unshipped or deposited upon any wharf or road, or in any shed, unless same are delivered to a Licensed Wharfinger and until the Master, Owner or Agent of the vessel, from which goods are to be unshipped has delivered to the Harbor Master and the Licensed Wharfinger a statement signed by such Master, Owner or Agent, containing full particulars of the quantities and descriptions of the cargo which it is intended to unship.

Wharfinger
to be
licensed.

116. No person shall act as a Wharfinger unless licensed by the Commissioners for that purpose, and all licences shall be issued under such conditions as the Commissioners may direct. The Owner or Agent of the vessel may be appointed as a Licensee.

Returns to
be made in
certain cases.

117. When goods are delivered to a Licensed Wharfinger, other than the Owner or Agent of the vessel, the Master of the vessel shall deliver to the Commissioners before the vessel casts off or is unmoored from the wharf, a statement in writing, signed by himself and the Licensed Wharfinger, bearing the date of such signatures and containing the following particulars:—

- (a) The name of the ship or vessel from which such goods were unshipped and the name of the Owner and Master of such ship or vessel.
- (b) A description of the goods unshipped and the identifying marks or numbers on the goods or on the outside packages of cases containing the goods, as the case may be.
- (c) The state, order and condition in which the goods were unshipped, or of the outside packages or cases containing the goods, as the case may be.
- (d) The nature and extent of any apparent damage to the goods unshipped, or to the outside packages or cases containing the goods, as the case may be.

Notwithstanding anything herein contained, the Commissioners may exempt any vessel or any berth from the provisions of Regulations Nos. 115 and 117.

Conditions of
Licence

118. Licenses granted to act as a Wharfinger shall be subject to the Regulations of the Commissioners, and (inter alia) to the following conditions:—

1. The Licensed Wharfinger shall take delivery of the goods of Owners as and when the same are discharged from the vessel, and shall deal with the goods as the Regulations of the Commissioners prescribe, and shall not part with the possession of the goods except by delivery thereof to the Consignee or Owner of the same, or by delivering same to the Commissioners for removal to a warehouse.
2. All goods taken delivery of by the Licensed Wharfinger shall be deemed to have been received by him in good order and condition, unless the receipt given by him to the vessel for same, and/or the Bill of Lading shows that they were in a damaged or bad condition, and produce to the Owner proof to that effect, then, the Licensed Wharfinger shall not be responsible for any such damage if he shall have delivered the goods to the Consignee or Owner thereof, or to the Commissioners, in the same damaged or bad condition in which he shall have received them.
3. The Licensed Wharfinger shall be liable for loss of, or injury to, goods received by him as in good order and condition (damage from fire or causes arising therefrom excepted) in an amount not exceeding the declared value or invoice value (whichever shall be the least) of goods paying freight on

an ad valorem basis, or in case of other goods the sum of £100 per package or unit. The Licensed Wharfinger shall not be liable for loss of, or injury to, such goods occurring after the expiry of 24 hours after notice to remove the goods has been received by the Commissioners from him, provided

- (a) that such notice shall not be given prior to 5 p.m. on the third day after the vessel from which the goods were unshipped ceased to discharge at the berth.
 - (b) that the quantity of goods to be removed does not exceed 200 tons in weight or measurement.
 - (c) that a notice, in form approved by the Commissioners, stating when the Licensed Wharfinger's liability will cease, has been given to consignees by advertisement in at least one Melbourne daily paper, and by posting in a conspicuous place in the shed containing the goods.
4. The Licensed Wharfinger shall place all packages unshipped in apparent bad order in the cage provided in the shed at which the vessel is discharging, and shall post a list of such goods in a conspicuous place in the shed, so as to be available for inspection by Owners. He shall be liable for the number of packages received by him.
 5. Should a person entitled to their delivery desire to repair or open for Customs inspection or sampling any packages landed in apparent good order and condition, he must first sign and deliver to the Licensed Wharfinger an acknowledgment that such packages are thenceforth to be held at the sole risk and expense of such person, and such packages shall be thereafter at his risk and expense. After such repairing, inspection or sampling, such packages must be removed from the shed the same day, but if this is found impracticable, removal may be held over until the next working day, and pending such removal the packages shall be placed in the cage.
 6. The charges to be made by Licensed Wharfingers for receiving, stacking, holding, and delivering goods, shall not exceed the amount specified by the Commissioners, who may, by resolution, from time to time vary the amount of all or any of such charges:—

Plate Glass (in cases of one ton or over)	9/5½ per ton (Weight and/or Measurement)
Bark	6/4½ per ton (Weight)
Sulphur	8/11½
Bran	7/2½
Chaff	8/6½
Straw and/or Hay	9/8½
Pollard	7/2½
Rice	6/6
Oats, Maize and Lead	6/2½
Pig and Scrap Iron	5/2½
Oil (in barrels)	5/0½ .. (Measurement)
Oil (in drums)	5/4½
Hemp	7/8½ .. (Weight)
Kapok (single bales to 10 feet)	1/2½ per bale
Kapok (over 10 feet to bale)	5/4½ per ton (Measurement)
All other Goods	5/6½ per ton

Charges on all other goods to be calculated on weight or measurement, according to the option of the Commissioners.

(These charges are reviewed quarterly.)

7. A Licensed Wharfinger shall not use any wharf or shed for the storage of outward cargo unless with the consent of the Commissioners, who may from time to time determine the charges that may be made by the Licensed Wharfinger for the storage and handling of such goods.
8. The Licensed Wharfinger shall not deliver any goods unless the Commissioners' authority to deliver is presented, as provided in Regulation 120.
9. Each Licensed Wharfinger shall use the wharf and shed accommodation allotted to the vessel for which he is acting to the satisfaction of the Harbor Master, and shall keep and leave the wharf, shed and offices

thoroughly cleared of all rubbish and litter, and swept clean. He shall in all matters obey the orders of the Harbor Master.

10. Every Licensed Wharfinger shall give to the Commissioners an undertaking in writing to hold the Commissioners indemnified against all claims of the Department of Trade and Customs in respect of the goods taken delivery of by him.
11. The Commissioners may appoint a Licensed Wharfinger to act in regard to any vessel, or at any berth, provided that when a Licensed Wharfinger, being the Owner or Agent of a vessel, undertakes to act as such for every vessel of which he is either the Owner or Agent, the Commissioners will not require him to act as the Wharfinger in regard to any vessel of which he is not the Owner or Agent.
12. Every person licensed by the Commissioners to act as a Wharfinger, immediately after the granting of such licence and before he shall be capable of acting as such Wharfinger, shall give to the Commissioners a bond, to be approved of by them, for the sum of £100, for the due fulfilment of the above conditions, and that he will act whenever called upon by the Commissioners.
13. (1) The Licensed Wharfinger of a vessel from which goods in an aggregate amount exceeding 500 tons weight and/or measurement are unshipped or to be unshipped on to any wharf or wharves shall—
 - (a) Keep in the delivery office a book to be called the Cargo Location Record Book.
 - (b) Forthwith upon the unshipping of any consignment of goods from such vessel enter in the Cargo Location Book—
 - (i) The distinguishing marks or numbers of the goods and the number and type of packages comprising them.
 - (ii) The date or dates upon which the consignment was unshipped.
 - (iii) The position on the wharf of the goods, such position being described by reference to the known divisions of the wharf.
 - (iv) If a consignment is divided and stacked in different places the position (described as aforesaid) of each part of the consignment.
 - (c) Permit any Consignee or Agent of the Consignee of goods unshipped from such vessel or any officer of the Commissioners to inspect the book during any hours within which the work of unloading ships is usually carried on. The entries in the Cargo Location Record Book shall as far as possible be in alphabetical order according to the first letter of the marks of the goods.
- (2) Where goods are unshipped on to two or more wharves from the same vessel the Licensed Wharfinger shall cause to be kept entered up and made available a separate Cargo Location Record Book for each such wharf unless the Commissioners otherwise permit.
- (3) In this Regulation the words "delivery office" mean the delivery office or the place used as a delivery office or depot on the wharf on to which the goods are unshipped.

Cart Note for goods to be shipped.

119. No person shall enter upon any wharf with goods for shipment without first delivering to the Licensed Wharfinger or Agent of the vessel in which the goods are to be shipped a cart note or other written document in duplicate, as may be required by the Commissioners, containing a full and true account, with the numbers and measurements or weights of such goods. Such Wharfinger or Agent shall give a receipt on the duplicate copy of such cart note or other document for goods received by him.

Wharfage to be paid before removal of goods.

120. The Owner or Consignee or his Agent of all goods intended to be landed other than coal, shall, before inspecting or removing the goods, sign and deliver to the Collector full and accurate particulars of such goods according to the prescribed form, and shall submit invoices, freight notes, or other documents relating to the goods, and pay to the Collector the rates, tolls and charges payable in respect thereof,

and no Licensed Wharfinger, Company, person or persons, occupying any wharf at which goods may be landed, shall deliver such goods unless the Commissioners' authority to deliver is presented. Such authority shall be the Bill of Lading, sub-order on Bill of Lading, or delivery order bearing the "please deliver" stamp of the Trust. Any person interfering with or removing goods, or causing or permitting goods to be removed before the provisions of this Regulation have been complied with, shall be liable to a penalty of £10.

121. (1) No person shall remove any goods from any wharf or shed within the fenced area without delivering to the person acting under the authority of the Commissioners at the gate to the fenced area a permit to remove such goods issued by—

Permits to remove goods.

(a) The Master, Owner, or Agent of the importing vessel, or

(b) such other person as may be authorized by the Master, Owner, or Agent as aforesaid to effect removal of such goods.

(2) For the purpose of ascertaining whether any goods in respect of which such permit is required are contained in any vehicle the said person, acting under the authority of the Commissioners, may stop and search such vehicle, and any person driving or conducting such vehicle refusing to stop such vehicle or allow such search when requested in the name of the Commissioners shall be liable to a penalty of £10.

(3) For the purpose of ascertaining whether any goods in respect of which such permit is required are contained in any case, bag, receptacle, or container of whatsoever nature carried by any person, or being transported upon any vehicle, the said person, acting under the authority of the Commissioners, may seize and search such case, bag, receptacle or container, and any person refusing to allow such search when requested in the name of the Commissioners shall be liable to a penalty of £10.

122. (a) A person in charge of any vehicle in the Port shall not without the authority of the Commissioners or of their officer or agent—

Persons in charge of vehicles responsible for goods thereon.

(i) Place any goods in or on such vehicle. or

(ii) Permit or allow any goods to be placed on such vehicle.

(b) When any goods have, without such authority, been placed on any vehicle in the Port, the person in charge of such vehicle shall not move or attempt to move such vehicle from the Port.

(c) When any goods for the removal of which a permit under Regulation 121 is requisite are in or on any vehicle in the Port, the person in charge of such vehicle shall not move or attempt to move such vehicle from any wharf or shed within the fenced area unless or until he is in possession of such a permit which by appropriate identification enumeration or description covers all such goods as are in or on such vehicle; and unless or until such permit has been signed by him.

(d) (i) Every permit for the removal as aforesaid of any goods in or on any such vehicle delivered by the person in charge thereof to the person acting under the authority of the Commissioners at the gate to the fenced area shall contain a complete and accurate record of all such goods then in or on such vehicle.

(ii) If any such permit delivered as aforesaid does not contain a complete and accurate record of all such goods then in or on any such vehicle the person so delivering such permit shall, whether the omission or inaccuracy therein was caused intentionally, by mistake, inadvertently, or howsoever otherwise, be guilty of an offence against these Regulations.

(e) Any person who aids or abets any person in charge of a vehicle in doing any act or thing contrary to Sub-regulations (a), (b), (c), or (d) of this Regulation shall be guilty of an offence against this Regulation.

(f) In this Regulation "person in charge" of a vehicle includes the person who is for the time being the driver of such vehicle or who is otherwise in apparent control or charge of such vehicle.

123. Where goods are intended for transhipment, whether to be landed on any wharf or to be discharged into lighters, or to be transhipped from one vessel to another, the Owner or Consignee or his Agent of the goods shall, before the

Goods for transhipment.

goods are so discharged or transhipped, deliver to the Collector true and accurate particulars, according to the prescribed form, of all goods intended to be so discharged or transhipped.

Goods for
other Ports.

124. Goods manifested for other Ports, and not intended for transhipment, shall not be landed on the wharf without the consent in writing of the Harbor Master.

Transhipment
of goods
discharged.

125. Goods unshipped, but not removed from the wharf or vessel whereon or into which they have been discharged, may be transhipped, although not specified therefor in the copy manifest of the vessel from which the same were unshipped, provided that within 48 hours after the unshipment thereof, true and accurate particulars in the form appointed therefor are delivered to the Collector of all goods intended to be transhipped.

Trans-
shipment,
Meaning of.

126. Transhipment in these Regulations, when used in relation to goods, means transhipment within the Port of goods to be sea-borne without the Port, and the word "transhipped" and the word "transshipping" respectively have a meaning corresponding with that of "transhipment."

(a) Any person transshipping goods shall, within 48 hours after such goods have been finally discharged in the Port, and before transhipment, give notice to the Commissioners in writing of the intention to tranship such goods; and shall specify therein the description of the goods and the name of the vessel or place from which the goods are to be taken, and the name of the vessel into which same are to be placed.

(b) Goods transhipped within the Port not later than 10 days after such goods have been discharged shall, in addition to the exemption provided by Section 110, Sub-section 3, of the Act, be exempt from tolls and rates, if notice of intention to tranship the same shall have been duly given in manner hereinbefore required. Provided that in case notice of intention to tranship goods shall not have been given within the time hereinbefore required, the wharfage rate shall be 1/- per ton, if the goods have not been removed from the wharf or vessel upon or into which they have been discharged, and if, before the actual transhipment of such goods takes place, notice in writing of the intention to tranship such goods be given to the Commissioners.

(c) The following provisions shall apply in the case of goods manifested as through cargo for transhipment at Melbourne, if notice of intention to tranship has been duly given, as provided by Sub-clause (a) of this Regulation, and if shipping space is not available for the purpose of transhipment within the period allowed under the Act or these Regulations for transhipment free of tolls and rates. If within 30 days after such goods have been discharged the same are transhipped, or are forwarded by rail to the Port for which they were to be transhipped, a refund may be allowed of any amount paid as wharfage rates on the goods in excess of 1/- per ton. Provided that no such refund shall be allowed if the goods have been removed from the Trust's property (other than in the course of their immediate transhipment), or have not been forwarded directly from the Trust's property to the custody of the Victorian Railways Commissioners. The cost of any re-stacking of the goods considered necessary by the Commissioners, and the cost of removing the goods, shall in every case be borne by the Owner. The Commissioners may, in any case, refuse to allow any refund unless the Owner of the goods furnishes the Commissioners with a statutory declaration verifying the facts of the case as the Commissioners may require.

Trans-
shipment
after 48
hours.

127. Where a transshipping entry has not been passed before the expiry of 48 hours, payment at the rate of 1/- per ton may be accepted as the wharfage rate on goods for transhipment, provided that the goods have not been removed from the wharf or vessel whereon or into which they have been discharged, and that the transshipping entry is passed, and the goods be actually re-shipped within 10 days of the final discharge of the vessel in which they were imported.

Coal
discharge of.
Entries to be
passed.

128. When coal is landed upon any wharf from any vessel carrying coal, hereinafter called a collier, or from any vessel used for storage of coal, hereinafter called a lighter, complete entries must be passed by the Master, Owner, or Agent of the vessel within seven days from the date of commencement of discharge.

Entry to be
accompanied
by
Stevedore's
certificate.

129. All such entries must be delivered to the Collector, accompanied by a stevedore's certificate, showing the distribution of the coal and the time and date of the final discharge of the vessel.

130. Pit certificates, issued by the Owner or Owners of collieries, or their duly authorized agents, shall be produced to the Collector by the Master or Agent in Victoria of the vessel carrying such coal at the time of entering such vessel inwards.

Pit certificates to be produced.

131. All coal put overside from any vessel into other vessels will be treated as transshipments, free of wharfage rates, but in all instances (except in the case of lighters used for storage purposes) when coal is put from one vessel into another vessel not intended to go beyond the State of Victoria, import entries must be passed, such as will satisfy the Collector that no wharfage rates are payable. When coal is put into lighters used for storage purposes, transshipment entries shall immediately be passed, clearly stating the word "Lighter" before the name of the receiving vessel.

Coal delivered into other Vessels.

132. All coal landed from any vessel at any wharf within the Port, and not transhipped within forty-eight hours of the final discharge of such vessel, shall be subject to payment of wharfage rates.

Coal landed and not transhipped after 48 hours.

133. Receipts for all coal exported or transhipped shall be produced to the Collector, and such receipts shall, after the entries aforesaid have been endorsed thereon by him, be retained and filed by him.

Receipts to be produced.

134. Register books shall be kept by the coal importers at their offices on the wharf, and such register shall show the distribution of the inward cargo of each collier; that is to say, the number of tons landed, the number of tons transhipped into any vessel, and the number of tons retained for stores, and the number of tons (if any) then remaining in such vessel. Such transactions shall be entered immediately after the final discharge of a collier, and must be available for signature by the Collector or any person to be appointed by him to check the same. Such books shall be accessible at any time, and as often as may be required, to any Officer of the Commissioners.

Register of books to be kept.

135. All coal landed from lighters at any wharf within the Port will be subject to payment of wharfage rates, and an "Import" entry must be passed for such coal, the name of the lighter appearing therein as the importing vessel.

Coal landed from lighters must pay wharfage.

136. No coal transhipped from a lighter or lighters shall be subject to payment of wharfage rates; but a transshipment entry must be passed for such coal by the Company or person desiring to tranship, and the name of the lighter or lighters shall appear in such entry as the importing vessel or vessels.

Coal transhipped from lighters.

137. Every lighter intended to be used for the storage of coal shall be registered by the Owner thereof with the Collector, and no lighter shall be recognized by the Commissioners for such purpose unless so registered, and books shall be kept at the coal importers' offices on the wharf, showing weight of all coal received and discharged into and from every lighter, the name of the Owner of coal received, and the distribution of all coal, with the names of the persons to whom the same was delivered; such transactions shall be entered within twenty-four hours after the transaction; such books shall be available for inspection, verification and signature by the Collector or any person to be appointed by him for such purpose, so soon after each transaction as he shall think fit, and shall be accessible to, and may be inspected at any time and as often as he may require, by any Officer of the Commissioners.

Register of lighters must be kept.

138. The lighter books mentioned in the last preceding Regulation shall be balanced at the end of each quarter year; that is to say, at the end of the months of March, June, September and December in every year, and the Collector or other person aforesaid shall certify as to the correctness or otherwise of each such balance.

Lighter books to be balanced each quarter.

139. A false entry in any Register above referred to, shall render the person making the same, and the Master of the vessel, and the Owner of the coal, in respect of which such false entry has been made liable to be prosecuted.

Penalty false entries.

140. The Master of a vessel shall, if required by notice in writing, signed by the Harbor Master and left on board such vessel, cause the loading or unloading thereof to be proceeded with vigorously and without any intermission day or night (except for Sundays), and to the Harbor Master's satisfaction, and shall render all necessary facilities, material

Prosecution of loading and unloading.

and gear to permit of expeditious loading or unloading. Sundays and any period during which the weather conditions may, in the opinion of the Harbor Master, be such as to render it impracticable to comply with the notice, or to furnish the assistance required, or be liable to damage the cargo whilst in course of loading or unloading, being excepted.

Cargo may be discharged over another vessel.

141. Cargo may be discharged from or taken in by any vessel berthed in tier over and across the deck of the vessel berthed at the wharf. The Master of the latter vessel shall allow and afford such facilities for the purpose as the Harbor Master may direct.

Vessel discharging or taking in cargo may be removed.

142. Vessels discharging or taking in cargo shall be removed to any berth pointed out for that purpose by the Harbor Master.

Goods on wharves and in sheds. Time allowed.

143. Subject to the provisions of these Regulations, all goods (other than ales, wines, spirits, or other fermented or spirituous liquors) landed and placed upon a wharf or any area which by resolution of the Commissioners is annexed to a wharf or in a shed shall be removed therefrom—

(a) If the goods be cement, carbon black, plaster, or whiting — within eight hours from the time of landing: Provided that any such cement, carbon black, plaster, or whiting landed between 5 p.m. and 8 a.m. of the following day shall be deemed to have been landed at 8 a.m. on such following day;

(b) In the case of any other goods—

(i) If notice requiring removal be delivered by the Harbor Master to the Owner, Consignee or person claiming a right to the goods—within three days of the delivery of such notice.

(ii) In any other case—within three days after the vessel from which they have been landed has ceased discharging cargo at the berth where such goods were landed:

Provided always that if, in the opinion of the Commissioners, the exigencies of trade permit, such goods may be allowed to remain for such further time as they may specify, but in no case for more than six days after the vessel has ceased discharging cargo as aforesaid. Unless such goods be removed within the time mentioned, they may be removed by the Commissioners and stored in any bonded or other warehouse on behalf of and at the risk and expense of the owners thereof: Provided that no goods liable to duty shall be removed, unless with the consent of the Collector of Customs, who shall nominate the warehouse to which such goods shall be removed.

Storage fees.

144. Should any goods be not removed within three days after the vessel from which they have been landed has ceased discharging cargo at the berth where such goods were landed, there shall be payable by the Owner as and by way of storage fees in respect thereof the sum of 1/- per ton of such goods for the first three days, and for every subsequent three days the sum of 6d. per ton, additional to the amounts per ton payable for each immediately preceding three days— that is to say, 1/6 per ton for the second three days, 2/- per ton for the third three days, and so on. For the purpose of this Regulation, a fraction of a ton shall be deemed a ton. Nothing herein contained shall prevent the Harbor Master, without notice, removing or ordering the removal to some warehouse of any such goods at any time after the expiry of the time limited for their removal, and the owner of the goods shall pay all charges and expenses connected with such removal, including the warehouse rent and charges, in addition to the said storage fees. If, in the opinion of the Commissioners, the non-removal of goods within the time limited has been due to some cause beyond the control of the Owner of the goods, then the Commissioners may, if they think fit, on the application of the Owner, grant a refund of such part of the said storage fees paid under this Regulation as exceeds the rate of 1/- per ton per week. The Commissioners may require a statutory declaration verifying the facts of the case by such person or persons as they shall think proper.

Charges on goods removed to stores.

145. Any goods received by the Commissioners into any store or upon any land owned by, in the possession of, or under the control of the Commissioners within the Port or elsewhere either at the request of the Owner of the goods or some other person having possession thereof or because they have been removed by the Commissioners or the Harbor Master in accordance with Regulations 143 or 144 from a

wharf or any area of land which by resolution of the Commissioners is annexed to a wharf shall be stored therein or thereon at the risk of the Owner and the Owner or any person making the request as aforesaid shall pay to the Commissioners for receiving and delivering the said goods the sum of Two shillings per quarter ton and for the storage of the said goods Two pence per quarter ton for the first week, and for every subsequent week the sum of Two pence per quarter ton additional to the amount per quarter ton payable for each immediately preceding week; that is to say, Fourpence per quarter ton for the second week, Six pence per quarter ton for the third week, and so on. For the purpose of this Regulation a fraction of one quarter ton shall be deemed one quarter ton.

If in the opinion of the Commissioners the circumstances of any such storage of goods warrant a reduction of the said charges, then the Commissioners may, if they think fit, on the application of the owner, grant a refund of such part of the storage fees paid under this Regulation as exceeds the rate of Two pence per quarter ton per week. The Commissioners may require a statutory declaration verifying the facts of the case by such person or persons as they shall think proper.

146. In the computation of time, for the purposes of Regulations Nos. 118, 143, 159, and 161, no Sunday and no other day which the Commissioners may declare or appoint to be considered as a holiday on any specified wharf, whereon goods are lying, will be included. Calculation of time.

147. No goods shall be placed on any wharf for shipment until the vessel by which it is intended to ship the goods has been berthed at the wharf, except by permission in writing of the Harbor Master. Goods outward.

148. All goods placed in any shed or on any wharf shall be placed and stacked therein in such a manner as may be pointed out by the Harbor Master, and as far as possible as may be convenient for the Customs Officers, and all persons engaged in the depositing, stacking, sorting or removing of any goods at, in or from any sheds, or upon any wharf, shall obey the orders of the Harbor Master. Goods must be properly stacked.

149. (1) Every package or article of cargo of a gross weight of one ton (2,240 lb.) or over, before being shipped on any vessel within the Port shall have prominently marked upon it, or upon a label securely attached to it, in legible and durable characters of not less than 1 inch in height, a statement of its approximate gross weight set out in tons and hundredweights. Goods to be marked.

Provided that in the case of articles, such as logs, baulks of timber, or other articles which by reason of their nature or place of shipment it is not practicable to weigh, but which are of a weight of over 2,240 lb. the gross weight may be stated approximately within a limit of one ton as "Over 1 but under 2 tons," as the case may be.

(2) This Regulation shall not apply to articles which, by reason of their nature or place of shipment, it is neither practicable to weigh nor legibly to mark or label, but in respect of such articles and also in respect of articles which have been shipped outside the Port of Melbourne and which are not marked as specified in paragraph (1), the Master of the vessel shall arrange for some competent person to give, to the workers actually employed in the shipping or unshipping of the articles verbal advice as to the approximate weight of each such article about to be shipped or unshipped.

(3) The Master, Owner, and Agent of the vessel, and the Consignor of the package or article of cargo shall be jointly and severally liable to penalty in respect of any breach of the requirements of this Regulation.

150. No person shall discharge or place any goods on any wharf, or in any shed, at such a time and in such a manner as to cause a greater weight to rest on the wharf or floor of the shed than 5 cwt. to each square foot of the wharf or shed, except where notices posted in sheds indicate otherwise. Weight of goods allowed on wharf.

151. The cargo of a vessel loading or discharging at any wharf shall not occupy a greater space on any such wharf than the length of such vessel, except by permission in writing of the Harbor Master, and shall be so placed as to allow a clear passage of at least ten feet from the edge of the wharf nearest the vessel, upon which space no goods shall be allowed to remain. All fire plugs must be left clear, with a space of three (3) feet all round each, and a passage of three (3) feet wide leading up thereto. Wharf space to be occupied.

Stevedores' Gear, Cranes and Vehicles. Removal of.

152. All Stevedores' gear, portable cranes or vehicles of every description required for use in cargo sheds shall be removed from closed sheds excepting during the actual loading and/or unloading of a vessel by the Owner of such gear, crane or vehicle.

Should any such gear be in a closed shed, excepting as aforesaid, there shall be payable by the Owner or Hirer of such gear the sum of ten shillings per day or part of a day during such time as same remains in such shed. Should any such portable crane or vehicle which is not in use be left on the property of the Commissioners, there shall be payable by the Owner or Hirer of such crane or vehicle the sum of five shillings per day or part of a day during which such crane or vehicle remains on such property.

Stevedores' gear which is in general use, i.e., gear used at least once a week may remain in an open shed or on an open wharf if stacked in an orderly manner and to the satisfaction of the Harbor Master.

Should any Stevedores' gear which is not in general use be left on the property of the Commissioners, there shall be payable by the Owner or Hirer thereof the sum of five shillings per day or part of a day during such time as such gear or any part thereof remains on the said property.

Notwithstanding anything in this Regulation contained the Commissioners may without notice cause any such gear, crane or vehicle to be removed from any property vested in the Commissioners and stored at the risk of the Owner and/or Hirer of such gear, crane or vehicle and such Owner and/or Hirer shall pay to the Commissioners all costs charges and expenses of or incurred in and about such removal and/or storage.

Space round cranes to be kept clear.

153. No vehicle and no goods or other articles shall be placed or deposited within 25 feet of any public crane, or so as to prevent the free use and working of the crane.

Goods not to be placed on roadway without permission.

154. Goods shall not be placed upon any roadway abutting upon a wharf without the permission of the Harbor Master having first been obtained.

Goods not to be interfered with.

155. No person other than an officer of the Commissioners shall make use of, or interfere with for any purpose whatsoever, any goods belonging to any other person while such goods are in any shed or on any wharf or roadway within the Port, and persons taking delivery of goods shall do so in such a manner as not to disarrange the goods remaining in the shed or on the wharf or roadway.

Slinging of goods.

156. The Master of a vessel loading or unloading goods shall be responsible for the proper slinging of all such goods, and for any damage that may occur either from the breakage of slings, or from goods being improperly slung.

Damage to goods by water used on vessel.

157. The Master of a vessel lying alongside any wharf shall be responsible for all damage caused to goods lying on such wharf by water used for washing-down decks, or for any other purpose, upon such vessel.

Openings to be closed or protected.

158. The Master of a vessel lying alongside any wharf shall have closed from use, or shall have properly screened and protected, in a manner to be approved by the Harbor Master, all openings out of which water, steam or other fluid is liable to be discharged, so as to ensure that such water, steam or other fluid shall not fall on or wet the wharf or goods thereon.

Spirituous Liquors to be removed from wharf within 48 hours.

159. The Owner, Consignee or person claiming a right to ales, wines, spirits or other fermented or spirituous liquor imported and landed upon any wharf, or placed in any open or closed transit shed, shall cause the same to be removed within forty-eight hours from the time of landing from the importing vessel, and unless such liquor shall be so removed, it may be removed and stored at the risk and expense of the Owners or Consignees thereof. Provided that no such liquor liable to duty shall be removed unless with the consent of the Collector of Customs. If any such liquor shall not be removed from any wharf or any open or closed transit shed within the time specified, there shall be payable to the Commissioners in respect of the use of such wharf or shed, the sum of one shilling per ton for the first week, and for every subsequent week the sum of threepence per ton additional to the amount per ton payable for each immediately preceding week; that is to say, one shilling and threepence for the second week, and so on. For the purposes of this Regulation, a fraction of a ton shall be deemed a ton. Nothing herein contained shall prevent the Harbor Master, without notice, from removing, or ordering the

removal to some bonded warehouse of any such liquor at any time after the respective times hereinbefore appointed for its removal, and the Owner of such liquor shall pay all charges and expenses connected with such removal, including the warehouse rent and charges.

160. All such liquor may be removed by the Consignee or Owners to the shed situated in Pigott Street, and known as the "wet shed." May be removed to Wet Shed.

161. (a) The Consignee or Owners of all such liquor removed to the "wet shed" shall pay to the Commissioners for receiving and delivering the sum of 2s. per quarter ton, or fraction of a quarter ton, on payment of which the liquor may remain in the "wet shed" free of further charges for a period of six days, but at the risk of the Consignee or Owner. Fees for receiving and delivering.

(b) The Owners, Consignees, or persons claiming such liquor remaining in the "wet shed" after the expiration of six days from the date of having been placed therein shall pay to the Commissioners in respect of the use of such shed Three pence per quarter ton for the first week, and for every subsequent week the sum of One penny half-penny per quarter ton additional to the amount per quarter ton payable for each immediately preceding week; that is to say Four pence half-penny per quarter ton the second week; Six pence per quarter ton for the third week, and so on. For the purposes of this Regulation a fraction of one-quarter ton shall be deemed one-quarter ton; also when the amount due and payable under this Regulation includes the fraction of One penny, such fraction shall be deemed One penny. Storage Fees in Wet Shed.

If, in the opinion of the Commissioners, the non-removal of liquor within the time limited has been due to some cause beyond the control of the Owner of the liquor, then the Commissioners may, if they think fit, on the application of the Owner, grant a refund of such part of the said storage fees paid under this Regulation as exceeds the rate of Three pence per quarter ton per week. The Commissioners may require a statutory declaration verifying the facts of the case by such person or persons as they shall think proper.

162. (a) Ales, wines, spirits, or other fermented or spirituous liquor, not having been imported and landed upon any wharf, may be received in to the shed situated in Pigott Street, and known as the "wet shed." Spiritous liquors not imported or landed may be received in Wet Shed.

(b) The Consignee or Owners of all such liquor received in to the "wet shed" shall pay to the Commissioners for receiving and delivering the sum of 2s. per quarter ton, and in respect of the use of the shed Three pence per quarter ton for the first week, and for every subsequent week the sum of One penny half-penny per quarter ton additional to the amount per quarter ton payable for each immediately preceding week; that is to say, Four pence half-penny per quarter ton for the second week, Six pence per quarter ton for the third week, and so on. For the purpose of this Regulation a fraction of One-quarter ton shall be deemed one-quarter ton; also when the amount due and payable under this Regulation includes the fraction of One penny, such fraction shall be deemed One penny.

If, in the opinion of the Commissioners, the non-removal of liquor from the "wet shed" has been due to some cause beyond the control of the Owner of the liquor, then the Commissioners may, if they think fit, on the application of the Owner, grant a refund of such part of the said storage fees paid under this Regulation as exceeds the rate of Three pence per quarter ton per week. The Commissioners may require a statutory declaration verifying the facts of the case by such person or persons as they shall think proper.

163. All liquor not removed from the "wet shed" within thirty days of having been placed therein, may be removed by the Commissioners and placed in a bonded store, at the risk and expense of the Owners thereof, subject to the lien of the Commissioners thereon for all charges and expenses incurred previous to such removal. If not removed from Wet Shed to go to Warehouse.

164. The Master of a vessel loading or unloading goods which, in the opinion of the Harbor Master, shall require protection, shall cause good and sufficient tarpaulins, canvas or other protection approved of by the Harbor Master, to be so secured from the side of the vessel during the whole time of loading or unloading, as effectually to prevent any part of such goods from falling into the Port or on to the wharf. Precautions in loading, etc.

165. If any cargo or other material is by accident or otherwise dropped or let fall overboard, the Master or Agent shall forthwith report the same to the Harbor Master, and the Harbor Master shall be at liberty to take such steps as may Cargo falling overboard.

seem to him advisable to recover and land such cargo or other material, and all expenses of such recovery and landing shall be paid by the Master of the vessel out of which such goods were being landed, or into which they were being shipped.

Commissioners not liable for loss or damage to goods.

166. The Commissioners shall not be responsible for the loss of or damage to any goods from any cause whatsoever, whilst on or in any wharf or shed, or on or in property under their control, whether such goods are under or liable to storage, rent or otherwise. Nor shall the Commissioners be responsible for damage caused to or by any goods drifting loose from any place of storage thereof.

Dangerous goods.

167. The provisions of this Regulation shall apply to dangerous goods generally, in addition to the provisions of any Regulations for the time being applicable to particular kinds of dangerous goods:—

(1) Notwithstanding anything contained in this Regulation, the Commissioners, in any case in which, in their opinion, the public safety will not be prejudiced, may, by notice in writing under their hand, grant exemption to any person from compliance with any of the requirements thereof and such exemption may be for such term, to such extent, and subject to such restrictions, limitations, and conditions as the Commissioners think fit.

(2) For the purpose of this Regulation, the following expressions shall have the meaning hereby assigned to them, namely:—

Dangerous goods include the following:—

1. Explosives.
2. Strong acids.
3. Inflammable liquids.
4. Nitro-cellulose products.
5. Matches.
6. Carbides.
7. Compressed gases.
8. Corrosives.
9. Poisons, or
10. Any other solids, liquids, or gases which by reason of their chemical or physical properties or impurities require special packing, marking, and/or stowing to make them reasonably harmless while being handled.

Handle or handling includes all operations in connection with loading, discharging, stowing, or re-stowing of goods.

(3) For the purpose of this Regulation, dangerous goods are divided into the following classes:—

Class A.—Explosives, unless the particular explosive is listed in Class B or C.

Class B.—Unless the particular material is provided for otherwise, inflammable liquids, compressed gases, highly corrosive substances, and any substance which by reason of its properties or impurities is known to be dangerous; and

Class C.—Commodities which are normally handled with less risk than that attendant on Classes A and B above but which nevertheless require special marking, packing, and/or handling to minimize the possibility of a combination of circumstances decreasing safety.

(4) No vessel having as cargo any dangerous goods shall be anchored within the Port, except in such place as may be pointed out by the Harbor Master, and no such cargo shall be handled except at the wharf or anchorage and in the manner prescribed by the Harbor Master, nor shall any such cargo be carried or waterborne by any vessel or vehicle, unless such vessel or vehicle shall have been previously approved of by the Harbor Master. The Master of a vessel shall take every precaution against loss or damage by fire, or otherwise, to any of the wharves or buildings in the Port during the time that such cargo is being loaded on to or remains on board or is being discharged from such vessel.

(5) No dangerous goods shall be handled unless the following conditions or restrictions are complied with:—

- (a) All dangerous goods shall be packed in suitable and substantial containers so constructed that the contents cannot escape therefrom.
- (b) The outside of every package containing dangerous goods shall be clearly marked and labelled in English in accordance with the requirements of the First Schedule hereto.
- (c) A competent person shall be in charge of the handling.

(d) Dangerous goods shall not be handled between the hours of sunset and sunrise, provided that—

(i) Dangerous goods of Classes B and C may be so handled with the permission of the Harbor Master.

(ii) Petroleum oils of any description may be handled through pipe lines, subject to the strict observation of Regulation 168.

(e) In handling dangerous goods due regard shall be paid to their properties to ensure public safety. Dangerous goods shall be handled in accordance with their class and properties as set out and the method of handling as indicated in the Classified List of Dangerous Goods, as drawn up and amended from time to time in pursuance of the Commonwealth Navigation Act and the Statutory Rules made thereunder.

Any goods not included in the classified list but having characteristics which would bring them under the category of "Dangerous Goods" within the meaning of this Regulation shall be deemed to be dangerous goods for the purpose of this Regulation.

(f) With respect to dangerous goods under Class A, in addition to the provisions of this Regulation, the provisions of the **Explosives Act, 1928**, and of Regulations 169 to 174 inclusive of these Regulations shall be observed.

(g) With respect to oils and inflammable liquids, in addition to the provisions of this Regulation, the provisions of Regulation 168 of these Regulations shall be observed.

(h) The Master, Owner or Agent of a vessel shall give to the Harbor Master at least forty-eight hours notice of intention to handle or convey any dangerous goods, provided that with respect to goods being brought into the Port such notice shall be given to the Harbor Master at least forty-eight hours prior to the vessel having the dangerous goods on board entering the Port. The notice required by this Sub-regulation shall be in the form set out in the Second Schedule hereto.

(i) Dangerous goods of Classes A and B shall not be stored on any wharf.

(j) Dangerous goods of Class C shall not be stored on any wharf except with the approval of the Harbor Master.

(k) The Owner or person in charge of any dangerous goods, which shall be landed upon any wharf shall cause the same to be removed within two hours after being so landed as aforesaid, and until such goods are removed, shall place a watchman, approved by the Harbor Master, in charge of same. No person shall place any such goods upon any wharf for shipment therefrom until the vessel in which they are to be shipped is moored to the wharf, and until such goods are shipped the Owner shall place a watchman, approved by the Harbor Master, in charge of same.

(l) The Harbor Master may, at the expense of the Owner thereof, provide, during the time that any dangerous goods are lying on a wharf or ship a sufficient number of persons to guard the same, or may, at the risk and expense of the Owner, remove the same to a suitable warehouse, to be there stored. All expenses incurred for watchmen, or in any such removal and storage shall be paid by the Owners to the Commissioners.

(m) When doubt exists in regard to the nature of goods suspected of being dangerous, or damage to or deterioration of the containers has been reported, a chemist may be employed by the Commissioners at the expense of the Master, Owner or Agent of the vessel or the Owner of the goods to assist them in deciding upon the action to be taken in regard to such goods.

(6) The Master, Owner or Agent of a vessel shall notify the Harbor Master as soon as possible of any damage to, or deterioration of containers of dangerous goods, and such damaged or deteriorated containers shall be removed immediately from any wharf or vessel in accordance with the conditions required by the Harbor Master.

(7) Dangerous goods which are upon any wharf contrary to the provisions of this Regulation may be removed by the Harbor Master, and may be stored by him on behalf of and at the risk and expense of the Owner thereof in any place that he may at his absolute discretion think fit.

(8) No person shall bring any fire or naked flame upon any wharf or vessel upon which dangerous goods are present or are being handled, nor shall any person smoke or ignite any match, or otherwise create any fire or flame, upon any such wharf or vessel.

(9) No artificial light, except such as has been first approved by the Harbor Master, shall be used on any wharf or vessel upon which any dangerous goods are present or are being handled and all electrical equipment shall be in accordance with relevant sections of the Standards Association of Australia Wiring Rules.

(10) On any wharf or vessel upon which dangerous goods are present or are being handled, all proper precautions shall be taken, whether prescribed or not, for the prevention of accidents by fire or explosion.

(11) On every wharf or vessel upon which dangerous goods are present or are being handled there shall be installed and maintained in efficient condition ready for use sufficient fire protection equipment as approved by the Harbor Master.

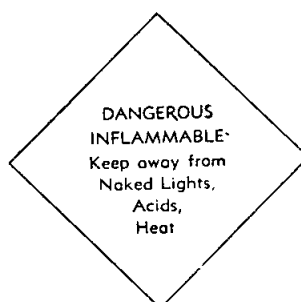
(12) If any person contravenes or fails to comply with any of the provisions of this Regulation he shall be liable to a penalty not exceeding £20.

FIRST SCHEDULE

Labelling of Hazardous Materials

1. Inflammable Liquids, Highly Inflammable Solids and Inflammable Compressed Gases.

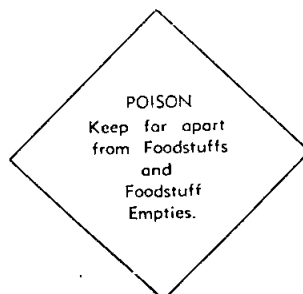
Containers shall be marked in conspicuous type with the name of the contents and the name and address of the manufacturer or consignor, and have affixed a RED label with BLACK lettering, not less than 4 inches square thus:—



In addition, outer packages containing inflammable liquids having a flash point of less than 73° Fah. shall be marked in conspicuous type with the words "Highly Inflammable."

2. Poisonous Materials.

Containers shall be marked in conspicuous type with the name of the contents and the name and address of the manufacturer or consignor, and have affixed a WHITE label with RED lettering, not less than 4 inches square thus:—

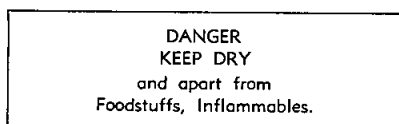


3. Oxidising Materials.

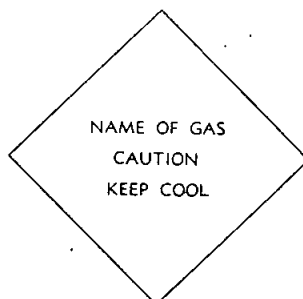
Containers shall be marked in conspicuous type with the name of the contents and the name and address of the manufacturer or consignor, and have affixed a YELLOW label with BLACK lettering, not less than 4 inches square thus:—

**4. Materials reacting dangerously with air or water.**

Containers shall be marked in conspicuous type with the name of the contents and the name and address of the manufacturer or consignor, and be marked whether "Inflammable," "Corrosive," or "Poisonous." Each container shall have affixed a YELLOW label at least 4 inches long by 2 inches wide with BLACK lettering thus:—

**5. Gases.**

In addition to any label denoting the specific risk of the compressed gas, the name of the gas and the words "Caution—Keep Cool" shall appear either in the label or as a separate label. In the case of non-inflammable, non-poisonous gases, the cylinder shall have affixed a GREEN label at least 4 inches square with BLACK lettering thus:—

**6. Corrosives.**

Containers shall be marked in conspicuous type with the name of the contents and the name and address of the manufacturer or consignor, and have affixed a BLUE label with WHITE lettering, not less than 4 inches square thus:—



SECOND SCHEDULE
Notification of Intention to Handle or Convey Dangerous
Goods

Port of
Date

Notice is hereby given that it is proposed to convey or handle the
under-mentioned dangerous goods on the day of
19 , at or about o'clock m.

Name of vessel

Owner or Agent of vessel

Place of handling

Name and address of consignors

Name of Goods	Flash Point °F.	Net Weight or Gallonage	Consignees	
			Name	Address

Are containers in good condition and undamaged?

If not state particulars of condition or damage.

Signature of Master,

Owner or Agent of vessel

The Harbor Master,

Regulations respecting Oils and Inflammable Liquids

168. The following Regulations shall apply to oils and inflammable liquids, in addition to any Regulation for the time being in force applicable thereto:—

SECTION I.

- (i) Notwithstanding anything contained in these Regulations the Commissioners, in any case in which, in their opinion, the public safety will not be prejudiced, may, by notice in writing, under their hand, grant exemption to any person from compliance with any of the requirements hereof, and such exemption may be for such term, to such extent, and subject to such restrictions, limitations and conditions, as the Commissioners think fit. Exemptions.

- (2) Excepting that the definitions adopted in these Regulations shall not be deemed to affect the interpretation of terms already defined in any existing legislation affecting the Commissioners, the following expressions shall have the meanings hereby assigned to them, namely:— Definitions.

Approved Electric Lamp. — For the purposes of section II, paragraphs (10) and (11) means an electric lamp approved by the Director of Navigation, Commonwealth of Australia, the British Board of Trade or the American Bureau of Standards.

Approved Safety Lamp. — For the purposes of section II, paragraph (11) means a safety lamp approved by the Director of Navigation, Commonwealth of Australia, the British Board of Trade or the American Bureau of Standards.

Battened Down. — Means and includes all methods of securely closing, to make gas-tight as far as practicable, any hatchway.

Cargo. — Includes inter alia, bunker coal.

Certificate of Test.—Means a certificate of test given on Form 2 by a competent analyst in respect of an oil tank or other part of a vessel which has been carrying oil or inflammable liquids as cargo that he has carried out a test in an adequate and suitable manner for the presence of inflammable vapor and found the space or spaces to be free therefrom.

Competent Analyst.—For the purpose of this Regulation means a member of the Institute of Chemistry of Great Britain and Ireland or of the Australian Chemical Institute with special knowledge of inflammable oils, or any other competent person approved by the Commissioners.

Fire.—Means every description of fire and ignition.

Flashing Point.—Means the true flashing point of a liquid as obtained by Abel's close test apparatus or by any apparatus which has been established by Act of Parliament for the purpose of determining the true flashing point of inflammable liquid.

Gangway.—Means any thoroughfare between vessel and wharf.

Government Explosives Department. — Means the Government Department having Authority in respect to explosives and/or inflammable liquids.

Hatchway.—Means any hatchway or other opening into a hold, not protected to prevent communication of fire.

Hold.—Means, when applied to a vessel, any hold between deck, shelter deck, tank or other covered place where cargo or fuel may be stowed.

In Bulk.—Means with respect to oil and inflammable liquid, such as are conveyed in quantities exceeding ninety gallons in any one container and are intended to be transferred by pipe line or hose.

Inflammable Liquid.—Means and includes any oil, liquid or spirit having a true flashing point of less than one hundred and fifty degrees Fahrenheit (150° F.), and also any substance which the Governor, by Proclamation in the Government Gazette declares to be inflammable liquid.

Inflammable Liquid, "Group A."—Means any inflammable liquid which has a true flashing point of less than seventy-three degrees Fahrenheit (73° F.).

Inflammable Liquid, "Group B."—Means any inflammable liquid which has a true flashing point of not less than seventy-three degrees Fahrenheit (73° F.).

Inspector.—Means an Officer of the Government Explosives Department or other properly constituted authority and includes the Chief Inspector, and any person duly authorized by the Chief Inspector in writing, to act as an Inspector.

Master.—In reference to any vessel, means any person, except a Pilot or Government Officer, having command or charge of such vessel. The term "Master" includes Owner, or Joint Owner, or Agent, of such vessel.

Oil.—Means oil of any description having a true flashing point of not less than one hundred and fifty degrees Fahrenheit (150° F.) and for the purposes of section II., paragraphs (4), (10), (11), and (12) includes oils of every description irrespective of flashing point.

Oil Tank.—Means any tank, compartment or space which contains or has contained any oil or any sludge, deposit, or residue therefrom.

Public Dry Dock or Slip.—Means any dry dock, graving dock, or slip which is available for hire.

Tank Ship.—Means a vessel specially fitted with tanks and used wholly or mainly for the conveyance of oils or inflammable liquids.

Tidal Water.—Means any part of the sea, or inlet thereof, or of a river or other water within the ebb and flow of the tides at ordinary spring tides, such tidal water being within the jurisdiction of the Commissioners.

Wharf. — Means any quay, landing place, landing stage, jetty, pier, hulk, boat, or other place at which goods are landed, loaded or unloaded.

Wire Gauze.—Means a gauze made of copper or brass wire of not less than 0.014 inch diameter (28 Birmingham Wire Gauge) and having not less than 28 meshes to the lineal inch.

SECTION II.—GENERAL REQUIREMENTS FOR ALL VESSELS

The following Regulations shall be observed upon or in respect to all vessels:—

- | | |
|-------------------------|--|
| General
Precautions. | (1) The Master, Owner, and Agent of a vessel shall each be responsible for the due performance and observance of all Regulations applying to such vessel, and in no case shall the responsibility of either relieve the other or others, of his or their responsibility. |
| Inspection. | (2) All due precautions whether prescribed or not for the prevention of accidents by fire or explosion shall be taken, and no act shall be performed or permitted, which tends to cause fire or explosion, and is not reasonably necessary. |
| | (3) Inspection of the vessel by the Harbor Master shall be facilitated, and all enquiries respecting the observance of these Regulations shall be answered correctly. No person shall obstruct or interfere with the Harbor Master in the performance of his duty, who is hereby authorized to inspect and examine at any time, any vessel which he has reasonable cause to believe to have inflammable liquid or oil, on board. |

- (4) The Owner or Master of a vessel, the Owner, Occupier or Person in Charge of an oil terminal, or depot, or storage tank, or oil pipe line or other apparatus, or any place on land, or any Servant or Agent of any of them and who is engaged thereon or in connection therewith as the case may be, shall be and is hereby made responsible for preventing inflammable liquid, dangerous goods, or any liquid derived from petroleum, shale or coal from draining, escaping or flowing, or for allowing or suffering any of the same to drain or to escape or to flow therefrom whether directly or indirectly into the waters of the Port, or on to a vessel, or any property of the Commissioners. If any inflammable liquid, or dangerous goods, or any liquid derived from petroleum, shale or coal, so drains, escapes or flows or is allowed or suffered so to drain or to escape or to flow, the said Owner, Master, Occupier, Person in Charge, Servant or Agent shall be guilty of a breach of this Regulation. Escape of Oil.
- (5) No oil in bulk or inflammable liquid of any kind shall be loaded or unloaded at any time unless notice on the prescribed form has been given to the Harbor Master and a permit in writing from such Harbor Master has been obtained. Provided that in lieu of such notice and permit the Commissioners may issue a permit in writing for a fixed period in respect of intra-harbor traffic. Loading or unloading oil in bulk or inflammable liquid.
- (6) Heating, boiling, or burning of any pitch, tar, resin, turpentine, spirits, inflammable liquid, oil, refuse, rubbish, or other combustible matter, in or on the vessel is prohibited, and the heating, boiling, or burning of any such substance removed from such vessel on any wharf or on any place within fifty feet of any wharf is prohibited, except in such place and in such manner as may be approved of by the Harbor Master. Burning oil or inflammable liquid or refuse on board.
- (7) No inflammable liquid shall be conveyed, loaded, or unloaded on, into, or from the vessel unless such inflammable liquid is contained in tanks, drums, tins or other containers, from which, in the opinion of the Harbor Master the inflammable liquid cannot escape in the form of liquid or vapor. Strong containers required.
- (a) Any containers which have been used for the carriage of inflammable liquid having a flash point of less than 73 deg. F. shall be closed gas-tight prior to being placed on any wharf.
- The owner or person in charge of such containers which shall be placed upon any wharf shall cause the same to be removed within two hours after being so placed as aforesaid, and, until such containers are removed, shall place a watchman approved by the Commissioners in charge of same.
- (8) (a) No person shall ship or send in any vessel any motor driven vehicle, machine, or boat, using inflammable liquid unless the tanks thereof and all engine connections are empty and free from such liquid and/or vapor. Motor Cars, Motor Boats, etc.
- (b) No such vehicle, machine, or boat, shall have stored, placed, or packed therein, any inflammable liquid whether enclosed in a separate container or otherwise.
- (c) No Master shall knowingly receive or carry on board his vessel any motor-driven vehicle, machine or boat, in respect of which the requirements of this Regulation have not been complied with. Provided however that this Regulation shall not apply to vehicular ferries.
- (9) In the event of any vessel being anchored, moored, or berthed within one hundred feet of a vessel loading, unloading, or carrying inflammable liquid, such of the requirements of these Regulations relating to vessels carrying inflammable liquid as the Harbor Master deems necessary in the interests of safety in the loading or unloading of such inflammable liquid, shall be complied with. Powers of the Harbor Master with respect to vessels not carrying inflammable liquid.
- (10) (a) Until a certificate of test has been obtained no person shall bring near, or take into any oil tank, any naked light, fire or lamp (other than an approved electric lamp) or apparatus of any Certificate of Test before commencing work.

kind for producing a light or spark, or enter it except for the purpose of testing the atmosphere or for the necessary preliminary cleaning.

- (b) If the cargo last contained in the oil tank was oil with a flash point below 73° F. (close test)—inflammable liquid group A—a fresh certificate of test shall be obtained daily before work is commenced therein, and if during the course of the work any pipe or joint in the oil tank is broken or any other risk of oil or oil vapor entering it arises, work therein shall be suspended until a further certificate of test shall have been obtained.

- (c) No naked lights, fires or lamps other than approved electric lamps and no apparatus of any kind for producing a light or spark shall be permitted in any part of a vessel where oil has been carried as cargo until a certificate of test shall have been obtained in respect of that part.

Provided that, until any oil tank shall have been opened, this clause shall not apply to any part of a vessel where naked lights were allowed when the vessel was at sea.

- (d) Every certificate of test or a copy thereof shall be posted immediately it has been issued in a conspicuous place where it can be easily read by all persons concerned.

Provided that clauses (a) and (c) of this paragraph shall not apply to any vessel the oil tanks of which have been cleaned and tested in accordance with this Regulation and have not subsequently been used for carrying oil.

- (e) Preliminary cleaning of oil tanks:—

- (i) All residual oil and any sludge or deposit therein shall be removed. Where it is necessary for any person to be employed in the cleaning of a tank which has contained oil with a flash point below 73° F. (close test) he shall be provided with suitable breathing apparatus consisting of a helmet or face-piece with necessary connections by means of which he can breathe outside air.

- (ii) The tanks shall be thoroughly steamed by means of steam jets for such period as will ensure the vaporization of all volatile oil.

- (iii) After the tanks have been steamed (a) all covers of manholes and other openings therein shall be removed, and they shall be thoroughly ventilated, by mechanical or other efficient means, so as to ensure the removal of all oil vapor and (b) the interior surfaces shall, if any deposit remains thereon, be washed or scraped down with a wooden or other suitable tool.

- (iv) The person in charge is to take precautions that no matches or other means of producing fire or sparks are carried by the men who are employed in the cleaning of the tanks.

- (v) No person employed in the cleaning of tanks shall smoke in or take matches or other means of producing fire or sparks into any tank.

Lamps to be used. Fires, naked lights, heated rivets not to be used.

- (11) Where work is being carried out on or in any oil tank in respect of which a certificate of test is required under paragraph (10):—

- (a) No lamps other than approved electric lamps or approved safety lamps shall be used.

- (b) No fires, naked lights or heated rivets shall be taken into any tank or compartment without the written authority of the person giving the certificate of test under paragraph (10) that work can as far as he is able to ascertain be undertaken without danger to the vessel or men employed.

Permission for vessel with inflammable liquid to enter dock.

- (12) Vessels having oil or inflammable liquid on board must apply for special permission from the Commissioners to enter any public dock which may only be granted on compliance with specified conditions. In the case of vessels having bulk oil on board, the permission may only be granted on condition that all oil is discharged and certificates of test obtained in respect of all oil tanks prior to docking. Any oil

or inflammable liquid contained in drums or tins must be discharged prior to docking unless the Commissioners give permission in special cases for such to remain on board.

SECTION III.—VESSELS WITH OIL IN BULK

The following Regulations shall be observed in respect to any vessel conveying, loading, or unloading oil in bulk.

- (1) The Regulations of Section II, General Requirements for all vessels, shall be complied with. Previous Regulations to be complied with.
- (2) (a) Pipes, hoses, valves, and other appliances used for transferring oil shall be suitable for the work, kept in good condition, and free from leakage, and all due precautions shall be taken to prevent any oil escaping into tidal water. Pipes, Hoses, etc., to be free from leakage.
(b) A non-return valve shall be placed immediately behind the connection between hose and shore installation pipe, and also at the shore end of the wharf.
(c) On completion of loading or unloading, pipe lines at or within 100 feet of any wharf shall be thoroughly cleared of oil.
- (3) While in a Graving Dock any drainage of oil, or water mingled with oil shall be prevented from running on to the floor of the dock and thence into the pump well. Where it is necessary to drain tanks or bilges in any way, an iron, brick, or cement tray or other impervious and unflammable and efficient arrangement shall be provided in which the casks or drums shall be placed whilst they are being filled. Each tray shall be at least one foot high and have a containing capacity of not less than twelve cubic feet. Escape of oil into graving dock to be prevented.
- (4) Any drainage of oil or water mingled with oil or oily refuse of any kind, which may be removed from the vessel whilst in Graving Dock shall be forthwith removed from such dock. Removal of oil from dock.

SECTION IV.—VESSELS WITH INFLAMMABLE LIQUID

The following Regulations shall be observed in respect to any vessel upon which inflammable liquid in quantity exceeding four hundred gallons (400 gallons) is conveyed, loaded, or unloaded.

GENERAL PROVISIONS

- (1) The Regulations of Section II (General Requirements for all Vessels) and of Section III (Vessels with Oil in Bulk) shall be complied with. Previous Regulations to be complied with.
- (2) The Master, Owner, or Agent of the vessel shall give at least twenty-four hours' notice on Form One to the Harbor Master of the intention to convey, load, or unload, inflammable liquid, and of the quantity of inflammable liquid to be conveyed, loaded, or unloaded. Notice of intention to convey, load or unload inflammable liquid.
(a) The Master or Agent of every vessel having inflammable liquid and/or oil in bulk on board shall sign a declaration before berthing that to the best of his knowledge and belief the vessel is free from tank and container leakages. Such declaration shall be in the hands of the Harbor Master at least 24 hours before the berthing of the vessel.
- (3) Before a vessel having on board more than five hundred tons of inflammable liquid and/or inflammable liquid and oil shall be entitled to occupy a berth at the wharf the Master, Owner, or Agent shall obtain and deliver to the Commissioners a Policy of Insurance in the name of the Commissioners against loss of or damage to the property of the Commissioners by explosion and/or fire arising from the combustion or ignition of such inflammable liquid. Such policy shall be obtained from an Insurance Company approved of by the Commissioners and shall be for such amount as the Commissioners may require, and for such period as the vessel shall be at the wharf, or any part of the inflammable liquid shall remain on a wharf of the Commissioners Insurance on wharves, etc.

or within fifty feet thereof. Provided, however, that in lieu of such Policy of Insurance the Master, Owner, or Agent may, with the approval of the Commissioners, furnish a Surety Bond in such form and for such amount as the Commissioners may require.

Signals to be displayed.

(4) The Master of every vessel having on board inflammable liquid in quantity exceeding 400 gallons shall, on nearing the harbor, and during the time that such vessel remains in the harbor, display:—

(a) by day a red flag not less than 3 feet square with a white circular centre 6 inches in diameter, and by night a red light, at the mast head or where it can be best seen but not less than 20 feet above the deck in addition to any navigation flags, or lights which may be required by any other Regulations: Provided that if such vessel is a self-propelled vessel which cannot normally comply with this Regulation, the Master or Owner of such vessel shall display by day in a conspicuous position above the deck a red flag of metal not less than 18 inches square with a white circular centre 6 inches in diameter and by night an all round red light.

(b) When such vessel is berthed at any wharf or landing place, a Notice Board shall be exhibited at the forward side of gangway with the words "DANGER — NO SMOKING" in conspicuous lettering not less than 6 inches in size and by night display a red light at the after side of the gangway, and a white light at the forward side over the said Notice Board.

Copy of Regulations to be displayed.

(5) A copy of these Regulations shall be obtained and placed in a prominent part of the vessel where they can be readily seen by officers and crew.

Permit required to enter vessel.

(6) No person other than those actually engaged in the work of loading or unloading inflammable liquid shall be allowed on the vessel without the written permission of the Harbor Master and consent of the Master of such vessel.

Smoking prohibited.

(7) No person shall smoke in or on the vessel during the loading or unloading of inflammable liquid.

Locomotives not permitted within 50 feet.

(8) No locomotive on which steam is generated by combustion in open fires shall enter or be permitted to enter on railway tracks within fifty feet of any vessel carrying inflammable liquid.

Steel hawsers to be placed over side of vessel.

(9) Immediately a vessel carrying inflammable liquid has been berthed, a steel wire hawser sufficiently strong to enable the vessel to be hauled away from the wharf thereby shall be placed over the fore and aft end of such vessel, and such hawser shall so remain during the whole of the time the vessel remains alongside the wharf.

Prompt discharge.

(10) Except with the permission of the Harbor Master no vessel shall be berthed alongside any wharf unless such vessel is ready to discharge and to continue to discharge and arrangements have been made by the Consignee to immediately receive the inflammable liquid.

Officer to be in charge.

(11) A responsible officer of the vessel shall be on duty day and night to give effect to these Regulations.

Inspection fee.

(12) An inspection fee not exceeding £5 5s. 0d. shall be paid, when required, to the Commissioners in respect to any vessel upon which inflammable liquid or inflammable liquid and oil exceeding five hundred tons (500 tons) is conveyed, loaded, or unloaded.

Inflammable liquid not to be loaded or unloaded between sunset and sunrise without permit.

(13) No inflammable liquid shall be loaded or unloaded on or from the vessel at any time between sunset and sunrise unless a permit in writing has been obtained in each instance from the Harbor Master to allow such inflammable liquid to be loaded or unloaded on or from such vessel and the conditions of such permission are duly observed.

Supply of fire extinguishers, etc.

(14) Approved fire extinguishers and other approved material shall be provided and so distributed about the vessel as to be available for throwing on any inflammable liquid which may be spilled or ignited.

Chipping, scraping, hammering prohibited.

(15) Iron or steel hammers or other instruments capable of causing a spark shall not be used for the purpose of opening or closing hatches or tank lids of a vessel. Except with the written approval of the Harbor

Master, chipping, scraping, or hammering, of iron or steel on the vessel is prohibited when any hold, which contains, or has recently contained inflammable liquid, is open, or while there is any inflammable liquid on deck.

- (16) No vessel (other than a self-propelled vessel) carrying inflammable liquid shall be navigated except in tow of or attended by an efficient tug propelled by steam, electricity, or other mechanical power, and not more than two such vessels shall be towed together at one time, either abreast or in train. No vessel (other than a self-propelled vessel) carrying inflammable liquid shall be towed alongside a tug unless with the permission in writing of the Harbor Master, and upon such conditions as shall have been imposed by the Commissioners. Towing vessels.
- (17) A tank used for conveyance of inflammable liquid on a vessel shall as far as practicable and applicable comply with the following:— Tanks.
- (a) The tank shall be solidly constructed of steel and shall not exceed a capacity approved by the Commissioners.
 - (b) The tank shall be firmly attached to strongly constructed supports.
 - (c) The tank shall be efficiently screened from any engine on the vessel by a fire resisting shield placed at least six inches from the tank and carried up above the tank and down below it, and the exhaust of the engine shall be wholly in front of this shield if the engine is in front of such tank, or wholly behind this shield, if the engine is behind such tank.
 - (d) All vent pipes and vacuum relief valves shall be effectively protected by wire gauze as defined.
 - (e) Effective earthing shall be provided to prevent accumulation of static electricity.
 - (f) The bottom end of each fill pipe shall be carried down to near the bottom of the tank to form a liquid seal.
 - (g) All fill pipes and dip pipes and other openings of a tank shall be fitted with screw caps, bolted covers, or other means of closing gas-tight at all times when such fill pipes or dip pipes are not in use for filling or dipping.
 - (h) Vent pipes on all tanks shall be properly protected at the outlets by wire gauze as defined and these outlets shall not be less than twelve feet above deck, and made weatherproof.
 - (i) No tank shall be filled with inflammable liquid more than 95 per cent. of its capacity and a mark indicating the level at which 95 per cent. of its capacity will be so occupied shall be permanently fixed in the tank.

SPECIAL PROVISIONS WITH RESPECT TO VESSELS WITH INFLAMMABLE LIQUID OTHERWISE THAN IN BULK

- (18) A watchman shall be stationed at each gangway leading on to the vessel to prevent smoking, to prevent unauthorized access to the vessel, and to warn every person that inflammable liquid is being loaded or unloaded by the vessel. Watchman at gangway.
- (19) Notices warning the crew and all persons on board or coming on board the vessel that smoking or any practice likely to cause fire is prohibited, shall be displayed in conspicuous positions on the vessel and on the gangways of such vessel. Display of notices.
- (20) All holds containing inflammable liquid in drums, tins, or other packages, shall be thoroughly ventilated before, and during, the time such inflammable liquid is being unloaded. Ventilation of holds before unloading.
- (21) All holds from which inflammable liquid in drums, tins, or other packages have been unloaded shall be thoroughly ventilated. The bilges shall be carefully cleaned by removing any liquid by hand pumps, suitable wooden bailers and by swabbing, and afterwards suitably ventilated. Fire or unauthorized light shall not be permitted at or near such hold until a certificate of test shall have been obtained. Holds to be ventilated.

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| Stowage. | (22) All inflammable liquid loaded on the vessel shall be properly and securely stowed to the satisfaction of the Harbor Master. |
| Ventilation of stowage spaces. | (23) Proper and efficient ventilation for the place of stowage shall be provided, and when required, outlet ventilators passing through the deck and terminating just below such deck, and inlet ventilators extending to the bottom of the holds from above the upper deck, shall be fixed. All outlet and inlet ventilators shall be covered with wire gauze as defined. |
| Battening down holds. | (24) Holds after inflammable liquid has been stowed in them shall be securely battened down. |
| Marking of packages. | (25) All inflammable liquid in packages shall be properly marked or branded to indicate the nature of the inflammable liquid, and all inflammable liquid Group "A" shall be marked "Highly Inflammable." |
| Hatch coverings. | (26) Sufficient hatch coverings and other coverings, as may be required by the Harbor Master, shall be provided. |
| Holds to be closed. | (27) All holds which contain, or have recently contained inflammable liquid, when inflammable liquid or other article is not being loaded into or unloaded from such holds, or such holds are not being cleansed and ventilated, shall be closed gas-tight as far as practicable. |
| Loading or unloading general cargo at night. | (28) A permit in writing shall be obtained from the Harbor Master to load or unload general cargo after sunset into or from a vessel carrying inflammable liquid, and the following precautions shall be taken:—
(a) Every hold containing inflammable liquid shall be securely battened down.
(b) No cargo shall be loaded into or unloaded from any hold unless such hold is separated by water-tight and gas-tight bulk heads, decks, battened down hatchways, or other means from all places on such vessel where vapor from inflammable liquid is likely to be. |
| Stowing inflammable liquid in wooden vessels | (29) Stowing inflammable liquid below deck in a wooden vessel is prohibited. A limited quantity however, may be carried as deck cargo on the weather deck of such a vessel provided the inflammable liquid is stowed at a safe distance from the galley, crew's quarters, and openings leading into machinery or boiler spaces. |

SPECIAL PROVISIONS WITH RESPECT TO
TANK SHIPS.

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| Mooring of Tank ships. | (29) (a) Except with the written permission of the Harbor Master, the Master, Owner or Agent shall not permit wire ropes to be used in the mooring of Tank ships unless used for the purpose of attaching coir mooring springs to the vessel. |
| Wharf barricade. | (30) The loading or unloading of inflammable liquid from a Tank ship shall not commence until a barricade efficient to prevent access to the vessel and pipe line hose connections by any unauthorized person has been erected to the satisfaction of the Harbor Master and until a watchman has been stationed at each opening of the barricade to prevent the entrance of any unauthorized person and to take charge of matches from all persons entering the barrier. |
| Matches, etc., prohibited. | (31) Before commencing loading or unloading inflammable liquid, all matches shall be collected from members of the crew and other persons on the vessel and no person shall bring matches or other means of making a fire or light on the vessel during such loading or unloading. |
| Engineer to be in charge. | (32) In addition to having a responsible Officer on duty as required by these Regulations a crew to assist such Officer and a competent member of the engine room staff shall be on duty at all times when inflammable liquid is on board, to be available in case of emergency to operate the fire pumps or other fire extinguishing appliances. |
| Fires and lights on Tank ships. | (33) From the time when the tank or holds of Tank ships carrying inflammable liquid are first unsealed or opened for the purpose of loading or unloading inflammable liquid, and until such tanks or holds have been closed and sealed down, no fires or lights, other than fires or lights approved by the Harbor Master, shall be lit or used, either on board the vessel or on shore, within fifty feet of any place at which inflammable liquid is |

- being loaded or unloaded. Where, however, the Harbor Master is satisfied that the construction of the vessel and the situation of the fires are such that no serious hazard will be created thereby, the use of boiler fires for the purpose of supplying power, necessary for working the machinery or appliances for the unloading of inflammable liquid, and also, for heating galley appliances, may be authorized. No fires or lights of any description shall be permitted on any vessel while the tanks are open, or unsealed for the purpose of loading inflammable liquid.
- (34) Except during inspection or when samples or ullage measurements are being taken, wire gauze as defined shall be fitted over all openings of tanks that contain, or have recently contained, inflammable liquid in bulk. Safety gauzes on openings to tanks.
- (35) Pipes, hoses, pumps, and other appliances used for the transferring of inflammable liquid shall be maintained free from leakage and gas-tight, and, unless it is otherwise authorized, on the completion of loading or unloading all gear shall be thoroughly freed from inflammable liquid and the hoses disconnected from the shore pipe lines. Pipes, hoses, etc., to be free from leakage.
- (36) The following precautions in the loading or unloading of inflammable liquid in bulk shall be taken:— Loading or unloading in bulk.
- (a) Hoses, constructed to be resistant to inflammable liquid and maintained in good order, shall be used for connecting from ship to shore installation.
 - (b) A non-return valve shall be placed immediately behind the connection between hose and shore installation pipe, and also at the shore end of the wharf.
 - (c) When pumping ceases temporarily, valves on ships and on shore pipe line shall be closed.
 - (d) On completion of the loading or unloading pipe lines at or within 100 feet of any wharf shall be thoroughly cleared of inflammable liquid by flushing with water and shall be kept full of water.
 - (e) All openings in the tanks shall be closed gas-tight immediately on completion of loading or unloading.
- (37) Subject to the approval in writing of the Harbor Master inflammable liquid in bulk may be discharged in bulk into a tank ashore after sunset provided that the following conditions and such other conditions as may be prescribed by the Commissioners in special cases are complied with:— Loading or unloading inflammable liquid in bulk at night.
- (a) Sufficient electric flood lighting of approved type shall be provided to give ample light for all operations.
 - (b) Arrangements shall be made by the Master of the Tank ship to ensure that there will be a sufficient staff of officers and men available at all times to ensure the efficient carrying on of the work, or to remove the vessel, if so required.
- (38) Before any repairs or alterations are made to tanks on Tank ships in which oil or inflammable liquid is or has been conveyed, involving such operations as welding, cutting, boring, soldering, hammering which may produce heat or be liable to cause the ignition of inflammable vapors, measures in accordance with paragraph (11) of section 11 shall be taken. Repairs to tanks on tank ships.

SECTION V.—INFLAMMABLE LIQUID ON WHARVES

- (1) No person shall deposit any inflammable liquid or cause or allow any inflammable liquid to be deposited on any wharf or in any shed on any wharf or on or in any place within fifty feet of any wharf or on any vessel without the permission of the Harbor Master and no person shall deposit any inflammable liquid or allow any inflammable liquid to remain on any such wharf or place at any time between sunset and sunrise, unless he has obtained in writing the permission of the Harbor Master to allow such inflammable liquid to be placed on such wharf, place, or vessel. Inflammable liquid on wharves or in sheds.
- (2) Except with the permission of the Harbor Master, no greater quantity of inflammable liquid shall be placed on any wharf other than can be handled in a period of one hour with the means of transport available. Quantity of inflammable liquid permitted on wharves or in sheds.

Notice
Boards to
be erected.

- (3) No inflammable liquid shall be handled or deposited upon any wharf, or in any place within fifty feet of any wharf, until Notice Boards, not less than five feet by three feet in size and bearing the words:—

"This vessel handling "INFLAMMABLE
LIQUID—NO SMOKING"

have been erected in such conspicuous positions as to be visible from every point of access to such wharf or place.

No Smoking
or matches
within fifty
feet.

- (4) When inflammable liquid is upon any wharf or in any place within fifty feet thereof, no person shall smoke or have in his possession or under his control, any fire, or means of ignition, or light, other than an approved safety lamp, within fifty feet of such inflammable liquid.

SECTION VI—PENALTIES

ANY person contravening any of these Regulations shall be liable to a penalty of not exceeding FIVE HUNDRED POUNDS (£500) and wherever, in connection with any vessel, or cargo, of oil or inflammable liquid, there is any contravention of these Regulations, the Master, Owner, or Agent of such vessel or the Owner of such cargo, as the case may be, shall be liable to a penalty not exceeding FIVE HUNDRED POUNDS (£500) and it shall be lawful for the Harbor Master to cause such vessel or cargo to be removed at the expense of the Owner thereof, to such place as may be in conformity with the Act and the Regulations made thereunder, and in addition to such penalty, shall pay to the Commissioners any expense or loss incurred by them in consequence of the breach of any such Regulation.

Notice to Convey, Load, or Unload.—Form 1.

	Particulars to be Written in this Column.
1. Name of Vessel	1.
2. Owner of Vessel (or Agent)	2.
3. Name of Master of Vessel	3.
4. Port and Place of Loading Inflammable Liquid	4.
5. Consignors of the Inflammable Liquid	5.
6. Port and Place of Unloading Inflammable Liquid	6.
7. Consignees of the Inflammable Liquid	7.
8. Quantity of Inflammable Liquid Group "B" (Kerosene, Alcohol, etc.)	8. In Bulk In Cases In Drums.....
	(a) Approved for Rail transport.
	(b) One trip drums.
9. Quantity of Inflammable Liquid Group "A" (Petrol, Benzine, Naphtha, Gasolene, etc.)	9. In Bulk In Cases In Drums.....
	(a) Approved for Rail transport.
	(b) One trip drums.

I HEREBY GIVE NOTICE that it is my intention to Convey, Load, Unload such Inflammable Liquid as is above specified, on the day 19 at or about o'clock .m.

I CERTIFY that the above particulars are true to the best of my knowledge and belief. (Signed).....

Dated this day of 19

NOTE.—This form is to be filled in and forwarded to the Harbor Master, at least Twenty-four Hours before such conveyance, loading, or unloading, is to be effected.
TO THE HARBOR MASTER.

Form of Certificate of Test.—Form 2.

This is to certify that on samples of air from the following tanks, holds, spaces of the s. i.e.:—
Hold spaces, etc. Number of samples taken, were tested*
The result of the tests disclosed that the abovementioned space/s tested is not/are not as far as can be ascertained, free from explosive, inflammable or injurious fumes.

Tests have also been made which show that, as far as can be ascertained, there are not on substances present in the abovementioned spaces capable of forming an explosive or inflammable gas during the course of any necessary repairs.
* State where tests were conducted.

Signature.

ENDORSEMENT OF CERTIFICATE

This is to certify that provided adequate precautions are observed the repairs contemplated can be commenced without danger to life or to the vessel, viz.:— continued

Date

Signature.

Explosives

The following words, "Explosive," "Gunpowder," "Magazine," shall, if not inconsistent with the context or subject matter, have the several meanings assigned to them in the "Explosives Act, 1928."

169. Whenever in these Regulations an explosive is distinguished as belonging to a particular class or division of a class, the classification of explosives, as contained in an Order-in-Council, made in pursuance of the said Explosives Act, is intended.

170. No explosive shall be conveyed through waters under the jurisdiction of the Commissioners, except:—

Not to be conveyed through Port.

- (a) Explosives belonging to the First Division of the Sixth Ammunition Class, namely, safety cartridges for small arms, percussion caps, railway fog signals, safety fuse for blasting.
- (b) The following explosives of the Second Division of Fireworks Class, viz., squibs, crackers, serpents, rockets (other than war rockets), maroons, stars, lances, wheels and Roman candles.
- (c) Other explosives, and in such quantities and under such conditions as may from time to time be approved by the Harbor Master.
- (d) Explosives carried for a vessel's own use, and in such quantities as are necessary to meet the law's requirements for signalling purposes, and provided that the explosives are kept, while the vessel is in Port, in a magazine of copper or other suitable material, and that if two or more of the following explosives be in the vessel, they be kept in separate and completely enclosed receptacles in the magazine, viz.: — Gunpowder, rockets, sound signal rockets, blue lights, Holmes lights, pyro-technic signals of any other kind.
- (e) Explosives of Her Majesty's ships, provided that before being moored alongside any wharf, or before going into dock, ships belonging to Her Majesty's Imperial or Commonwealth Navy shall have all explosives on board, except filled shell, small arm, machine gun and quick-firing ammunition removed therefrom. Provided that the Commissioners may, subject to conditions, exempt any ship from the provisions of this sub-clause.

171. (1) No person shall smoke in or on any vessel which has on board any cargo comprising explosives of any kind whatsoever.

No Smoking on board.

(2) When such vessel is berthed at any wharf or landing place, a notice board shall be exhibited at the forward side of gangway with the words "DANGER — NO SMOKING" in conspicuous lettering not less than 6 inches in size and by night display a red light at the after side of the gangway, and a white light at the forward side over the said notice board.

(3) No explosives shall be handled or deposited upon any wharf, or in any place within 50 feet of any wharf, until notice boards, not less than 5 feet by 3 feet in size and bearing the words "DANGER — NO SMOKING" have been erected in such conspicuous positions as to be visible from every point of access to such wharf or place.

172. Before the expected arrival of a vessel having explosives on board, and before the shipping or unshipping of explosives, at least 48 hours' notice in writing shall be given to the Harbor Master by the Importer or Exporter as the case may be, or by the Agent of either.

Notice to be given.

173. No person shall on any vessel which has on board any cargo comprising explosives of any kind perform any work whether by way of repair, alterations, or additions to the vessel by means of use of any article or tool by which a flash or flame of any description may be caused.

Tools, etc., causing flame not to be used on vessels carrying explosives.

174. The Port Phillip Rules (Explosives) for the time being, except in so far as is inconsistent with anything herein contained, shall apply to all matters within the jurisdiction of the Commissioners.

Port Phillip Rules to apply.

Vessels Plying for Hire

Licensing
of vessels.

175. (a) A vessel shall not be used in the Port—
- (i) in plying for hire, or
 - (ii) for the carriage for fee or reward of passengers, goods, or ballast, or
 - (iii) on hire or charter for the carriage of passengers, goods, or ballast or
 - (iv) as a tug, taxi vessel, ferry vessel, transport vessel, excursion vessel, oil tank vessel, cargo lighter, ballast carrier, storage hulk, or coal hulk—

unless such vessel is licensed by the Commissioners for the purpose.

(b) This Regulation shall not apply to mechanically propelled vessels engaged in—

- (i) trading or
- (ii) holiday or special excursion traffic, or
- (iii) towing

between other seaports and the Port of Melbourne.

Marine
Surveyor's
Certificate
required
for vessels
carrying
goods, etc.

176. Every application for a licence or renewal of a licence for a vessel to carry goods or ballast, or to be used as a storage or coal hulk, shall be accompanied by the certificate of a duly qualified Marine Surveyor, appointed for the purpose by the Commissioners, setting out that such Marine Surveyor has personally examined such vessel, with the date of such examination, and that such vessel is stout, staunch and in good condition, and in every respect suitable for the purpose for which the licence is sought, and that the load-line specifying the depth to which she may be safely immersed is fixed to his satisfaction. A fresh certificate shall be obtained whenever such shall be considered necessary by the Commissioners or their Officers.

Application
for licences.

177. With every application for a licence or renewal of a licence, the applicant shall lodge with the Commissioners the appointed fee for the survey and examination of the vessel for which the licence is sought.

Inspection
of vessels.

178. Before the issue of a licence, either by way of renewal or otherwise, and provided the required fee has been lodged, the vessel will be surveyed and examined either by a Marine Surveyor, as provided in Regulation 176 or by an Officer of the Commissioners authorized for the purpose, who will report to the Commissioners in respect to:—

- (a) The dimensions of the vessel.
- (b) The state of repair, sea-worthiness and cleanliness thereof.
- (c) If mechanically propelled, the state of repair and working capacity of the machinery, and the protection afforded to passengers or others against contact with such machinery.
- (d) The equipment of the vessel with machinery, gear and furniture, having regard to the purpose for which a licence is sought.
- (e) If a licence for passenger traffic is sought:—
 1. The number of passengers the vessel may with safety be permitted to carry.
 2. The sufficiency of the life-belts or other life-saving means provided.
 3. The sufficiency of the ballast provided in such vessel, and the means taken to secure the same therein.
- (f) If a licence for goods traffic is sought:—
 1. The marking of the vessel having regard to the Regulations in that behalf.
 2. The quantity of goods the vessel may with safety be permitted to carry.

And if on such survey and examination the vessel proves to be in every respect pertaining to the nature of the traffic or business for which licence has been applied for the examining Officer shall give a certificate thereof to the Commissioners.

Passengers
on
mechanically
propelled
vessels.

179. The number of passengers to be carried by a vessel propelled by any mechanical power, shall in no case exceed the number stated in any valid certificate of survey issued by a recognized official authority in respect of such vessel.

180. (a) If a greater number of passengers is taken in any passenger boat than it is licensed to carry, or if not licensed, than it is calculated to carry as hereinafter provided, then the Owner or person having charge thereof, whether such boat be licensed to carry passengers or not, shall forfeit and pay for every such offence a sum of not less than Five Pounds, and not exceeding Twenty pounds. The number of passengers to be carried by any passenger boat shall not exceed the number which can be seated, allowing 18 inches of the sitting accommodation provided in the same vessel for every person on board (whether crew or passengers) but for the purpose of computing the number of passengers which may be carried three children under twelve years of age carried as passengers may be reckoned as two passengers. The accommodation measured must be clear of all interference with the working of the boat.

Passenger
boats.

- (b) 1. No person shall drive, propel, or navigate any vessel at any time within the Port recklessly, negligently, or incompetently, or in a manner dangerous to the occupants thereof, or to other vessels or their occupants in the immediate vicinity.
- 2. Every boatman, waterman, or other person temporarily or otherwise engaged in the navigation or management of any boat shall, while afloat or on duty, obey any direction given by the Harbor Master.
- (c) Children under twelve years of age shall not be carried by any passenger boat unless there is at least one adult for every ten children on board such boat.
- (d) On every passenger boat there shall be provided sufficient life-belts or buoyancy equipment approved by the Harbor Master to provide support in the water for all persons on board (whether crew or passengers) and such life-belts or buoyancy equipment shall be carried at all times and shall be stowed and carried in such a manner as to be readily accessible and detachable from the boat in the event of accident.
- (e) In this Regulation "Passengers" includes any persons (other than children under one year of age) carried on any passenger boat in any capacity whatsoever other than as members of the crew.

181. For every 150 lbs. weight of luggage carried with passengers in a boat, one passenger shall be deducted from the maximum number of passengers authorized to be carried.

Deduction
luggage.

182. Every licensed vessel shall be kept fully equipped with proper gear and furniture, and with every appliance requisite for the particular employment for which the vessel is licensed and in a seaworthy and clean condition, and properly marked as required by these Regulations, and whilst employed adequately manned for her safe navigation. Not less than two licensed boatmen or watermen, one of whom shall be in charge, shall be deemed to be an efficient crew for vessels licensed to carry upwards of twenty persons.

Equipment,
manning,
etc.

183. To every vessel licensed will be assigned a serial number, which with the letters "M.H.T." must, as to the vessels hereunder comprised, forthwith be painted, together with the further particulars as hereunder mentioned. All such painting must be approved of by the Harbor Master:—

Marking of
vessels.

- (a) In vessels propelled by any mechanical power the serial number of the licensed vessel, in figures not less than four inches in height on each side of the bows, and on the inside of the gunwale in some conspicuous place, the name of the Owner of such vessel, together with, in the case of a vessel licensed to carry passengers, the maximum number of passengers licensed to be carried in letters and figures not less than two inches in height, and on the outside of the stern of all such vessels the name thereof.
- (b) In boats licensed to carry passengers, and not propelled by mechanical power, the serial number of the licensed boat, in figures not less than four inches in height, upon each side of the bows thereof. On the outside of the stern the name of the vessel, and on the inside of the stern, or on some other place approved by the Harbor Master, the maximum number of passengers authorized to be carried, and also the name of the Owner, or of the boatman, or waterman, or ferryman, plying with it for hire; the letters and figures to be not less than two inches in height.

- (c) In all other vessels licensed, the serial number of the licensed vessel on each side of the bows thereof in figures not less than 12 inches in height and two inches wide.
- Other marking of vessels.** 184. In addition to the marks named in the preceding Regulation, every vessel plying for hire for the carriage of goods or ballast or the storage of goods shall have:—
- (a) An iron batten not less than three inches wide secured to both sides of the stem and stern posts, so marked as to show the draft of water for every five tons weight carried.
 - (b) Inscribed or cut on her stern and stem post, and also amidships, a mark denoting the depth to which such lighter may be immersed, such marks to be painted white on a black ground not less than twelve inches in length and two inches in width, the lower edge of which marks shall be deemed the load-line, and the full extent of immersion to which such vessel may be loaded, and no vessel shall be loaded to a greater draft than indicated by these lines.
 - (c) Her name, the name of her Owner or Owners, and her carrying capacity, painted on both bows in letters of such dimensions as may be approved of by the Harbor Master, and such names and figures shall be kept clear and legible to that Officer's satisfaction.
- Alteration of marks.** 185. No person shall alter any number, name, mark or other writing placed upon any licensed vessel in accordance or compliance with these Regulations without notice to the Harbor Master, and without obtaining his consent in writing, and every such alteration shall be endorsed upon the licence of such vessel.
- Change of ownership.** 186. Every licence for a vessel shall cease to be valid on change of ownership of such vessel, and on every change of ownership notice in writing must be given to the Commissioners by the holder of the licence of such vessel, and the licence handed in to them. Should the holder of the licence fail to do this, he shall not be eligible to receive any other licence.
- Survey at any time.** 187. The Harbor Master, or any other Officer or person appointed by the Commissioners for the purpose, may at any time survey and examine any licensed vessel, and the state of repair thereof, and the machinery (if any), gear, furniture and equipment therein and thereof, and the accuracy of any measurement, and may appoint the time, place and manner when, where and in which such inspection, examination or measurement shall be made, and the Owner of a licensed vessel shall, when called upon so to do, submit such vessel for survey and examination. Any defects, inaccuracies or deficiencies found, or breach of any Regulation affecting the vessel or licence thereof, shall, in addition to the penalty incurred thereby, render the licence liable to revocation.
- Owners to pay expense of.** 188. The expense of measuring, re-measuring and of marking any vessel sought to be licensed or licensed vessel, shall be borne and paid by the Owner thereof, and no licence or renewal thereof shall be issued until such expenses have been paid.
- Life-saving appliances.** 189. Every licensed vessel must be equipped with the life-saving appliances required for her class by the Regulations of the Marine Board of Victoria, or Regulations under any Act of the Commonwealth in lieu thereof.
- Person in charge of machinery to be qualified.** 190. No person shall be in charge of the machinery on any licensed vessel for the purpose of driving or working the same, unless such person shall hold proper qualifications therefor, which must be produced to and approved by the Commissioners. Every vessel used for carriage or storage of goods must have at least one seaman on board.
- Licensed vessel be used according to Licence.** 191. No licensed vessel shall be used for any purpose other than that for which such vessel was licensed, nor be permitted to carry more passengers or goods than the number or quantity named in the licence thereof.
- Boat not to be let to incapable person.** 192. No Owner or other person in charge of a licensed vessel shall let any such vessel out for hire to any person or persons, unless the intended hirer or hirers is or are capable of safely navigating the same.
- Commissioners may fix fares and rates.** 193. The Commissioners may from time to time determine the fares and rates to be charged by the licensees of licensed vessels for the carriage, conveyance, or transport

of passengers within the Port, and, for the hiring of licensed boats, and upon every such determination notice thereof shall be posted at the offices of the Commissioners, and a copy given to every such licensee, and after such posting no licensee shall charge, or attempt to charge, any sum in excess of the rate so determined. Every such licensee shall keep an authorized copy of the fares and rates permitted to be charged on board his licensed vessel, and shall produce the same on demand to any person engaging or a passenger in such vessel. Failure to provide a licensee with a copy of any such determination as aforesaid shall not be a defence for any breach of this Regulation.

194. A licence may be suspended or revoked if, from any cause, the vessel, in respect of which such licence has been issued, shall become unseaworthy, or in the opinion of the Harbor Master unfit for the use for which it is licensed, and every such licence when so suspended or revoked shall be delivered up to the Commissioners, and the said vessel shall be dealt with as the Commissioners shall direct.

Licence may be suspended under certain conditions.

195. All goods or property left in any licensed vessel shall be delivered by the finder to the Master or Owner of the vessel, who shall, as soon as practicable after the same shall have been found, hand same to the Harbor Master.

Property left in boat.

196. Every person to whom any licensed vessel has been let out on hire, shall, in addition to the Owner, be responsible for the due observance of all Regulations affecting the same.

Hirer to observe Regulations.

197. In addition to the above, the following Regulations shall apply to ferry boats:—

Ferry Boats.

- (a) The machinery of all ferry boats shall be inspected half-yearly by an officer appointed by the Commissioners for that purpose.
- (b) No ferry boat shall approach within 20 yards of any vessel in the River, either to put on board or remove passengers or goods, unless the Master or person in charge of such vessel shall have previously stopped the engines.
- (c) Every ferry boat, whilst plying for hire, shall during night-time exhibit a white light in a globular lantern, to be approved by the Harbor Master, and sufficiently elevated as to be visible all round at a distance of at least half a mile.

198. The person in charge of any ferry boat shall not allow a greater number of persons on his boat than that stated in the licence of the boat; and no person shall attempt to force his way into any ferry boat after being informed that the licensed number of persons is on board.

Ferry Boats over-crowding.

The fares and tolls as the Commissioners may from time to time determine shall be payable in advance.

Fares.

Persons Plying for Hire

199. No person shall be, or act as a Master of a vessel, or be employed as a boatman, waterman or ferryman in any licensed boat plying for hire or carrying passengers for any valuable consideration or reward, unless such person has been licensed by the Commissioners.

Licensing of Masters of vessels, boatman, etc.

200. No person shall ply for hire either as a carrier or as a porter unless such person has been licensed by the Commissioners.

Licensing of carriers and porters.

201. The Commissioners may grant to any person carrying on the business of a carter or carrier such number of licences as they may think fit, to be called "Carriers' Employees' Licences," in respect of employees of such person authorizing such employees when approved of by the Commissioners to assist solely in loading the vehicle or vehicles of such person, and each of such employees while so engaged shall wear, so that the same may be easily seen and recognized, a badge specifying the name of his employer.

Carriers' employees' licences.

202. With every application for a licence under the last three preceding Regulations, there must be lodged written evidence that the applicant is a person of respectability and of temperate habits, and that the applicant possesses a competent knowledge of the duties for the performance of which a licence is sought.

Application for licence.

- Examination as to competency.** 203. The Commissioners may, in addition to the written evidence produced, require an applicant to submit to an examination as to his competency by the Harbor Master or some other person appointed by the Commissioners for the purpose.
- Badge.** 204. Every such licensed person shall wear a badge approved by the Commissioners, and having inscribed thereon the number of his licence firmly fixed to his coat or other external body dress, or on the front of his hat or cap, so that the same may be distinctly seen at all times when plying for hire, and no licensed person shall transfer or lend his badge to any person whomsoever.
- Licensed person must not refuse engagement.** 205. No licensed person shall refuse to take an engagement when offered, unless otherwise engaged (the onus of proof of such other engagement shall be on such person), provided that he and his vessel or vehicle are capable of executing such engagement.
- Boarding of vessels by licensed persons.** 206. No licensed waterman, carrier or porter shall board any vessel without the consent of the Master thereof, nor obstruct any gangway or landing stage of a vessel, nor, unless hired, take hold of or seize any passenger's luggage or article of any kind.
- Conduct of carter and carriers.** 207. No carter or carrier shall bring his vehicle up to the wharf, unless and until he shall have been engaged, when he may back his vehicle into the wharf and load the same, but no carter or carrier, or carriers' employee shall act as a porter or carry goods to any but the vehicle to which he is attached, whether as driver or as licensed employee as aforesaid.
- Carters, etc., to be licensed.** 208. No carrier shall be licensed to ply for hire within the Port, and no driver of a vehicle shall ply within the Port unless duly licensed by the Council of the City of Melbourne, or by some other authorized body; and each carrier or driver shall conform to and obey the rules, regulations and by-laws laid down and enacted by the Council or other authority by which he has been licensed, so far as not inconsistent with these Regulations, and may exact the fares from time to time fixed by such Council, and no more; but the existence of any such licence shall in no wise bind the Commissioners to grant a licence to such person, and nothing herein contained shall prevent the Commissioners or their Officers from prohibiting the driver of any vehicle, even though licensed as in this Regulation mentioned, from plying for hire within the Port, should they consider it necessary to do so.
- Conduct of porters.** 209. Upon the arrival of any vessel porters shall arrange themselves on the wharf, at least five feet from the edge thereof, until regularly called and passed on board by an officer of the vessel on arriving; and no porter, on being engaged to carry luggage, shall attempt to transfer it to another, but shall himself accompany his employer agreeably to his engagement.
- Commissioners may fix charges.** 210. The Commissioners may from time to time determine the charges to be made by licensed persons for their services, and upon every such determination the same shall be posted at the offices of the Commissioners, and a copy given to every licensed person; and thereupon no licensed person shall make, or attempt to make, any charge for his services in excess of the amounts so determined as aforesaid. Failure to provide a licensee with a copy of any such determination as aforesaid shall not be a defence for any breach of this Regulation.

Coopers

- Licensing of coopers.** 211. No person, other than an Officer of Her Majesty's Customs, shall open, close or repair, pack or re-pack any case, box, barrel or package in any of the sheds or on any wharf or roadway within the Port, unless such person has been licensed by the Commissioners so to do. This Regulation shall not apply to a member of the crew of a discharging vessel, appointed by the Master and approved by the Harbor Master, to repair packages landed in a broken condition.
- Employers responsible for employees.** 212. No such licence will be granted to any person who is in the employment of any other person, unless, on the written certificate of the latter, that the applicant is a proper person to receive such licence; nor unless the said employer shall undertake to be responsible for all losses and damages sustained by anyone arising from the acts or omissions of the employee while the licence shall be in force.

213. No licensed cooper shall open, close, pack, re-pack or repair any case, box, barrel or package in any of the sheds, or on any wharf or place within the Port unless he has previously entered in a register the number of his licence and the marks and numbers of the case he intends to deal with, and has signed such entry with his usual signature. The Master, Owner or Agent of each vessel landing cargo shall provide such a register, and shall at all times make such register available for inspection by any Officer of the Commissioners or Police Officer.

Coopers to enter in register packages to be opened.

214. No licensed cooper shall take any bag of any description on to any wharf, unless his name and the number of his licence is legibly and conspicuously inscribed on such bag.

Name on coopers' bags.

215. Every person licensed under the provisions of Regulation No. 211 shall, whilst at work in the sheds or on the wharves of the Commissioners, wear a badge having inscribed thereon the number of his licence, which badge must be firmly attached to the left breast or arm of his coat or other external body dress, or on the front of his hat or cap, so that the same may be distinctly seen. No such licensed person shall transfer or lend his licence or badge to any other person.

Badge to be worn.

216. Every licence to be issued hereunder shall be subject to the condition that it may be revoked or suspended at any time by the Commissioners if, in their opinion, the conduct of the licensee necessitates the revocation or suspension thereof; and when the licence is so revoked or suspended, the same shall on demand be delivered up to the Commissioners.

Licence may be suspended or revoked.

The Supply and Discharge of Ballast

217. No person shall supply or discharge or remove ballast to or from any vessel unless such person is licensed by the Commissioners for the purpose.

Contractor to be licensed.

218. Every person licensed to supply or remove ballast to or from any vessel shall from time to time furnish to the Commissioners a statutory declaration, showing the quantity of ballast supplied or removed by him.

Statutory Declaration by Licensee.

219. Where any ballast supplied to or removed from any vessel is placed upon or is taken along or over any wharf, the property of the Commissioners, within the Port, the Master, Owner or Agent of the vessel shall pay to the Commissioners the following charge for the use of the wharf, viz.:—

Charge for taking Ballast over Wharf.

For every ton or fraction of a ton of such ballast ... 6d.

Provided that when the payment required by this Regulation has been made, the ballast in respect of which such payment has been made shall be exempt from any wharfage rate which would otherwise have been payable thereon.

220. No Master or Owner of a vessel shall employ, or be privy to the employment of, nor receive from or discharge ballast to, any unlicensed person or into any unlicensed vessel.

Masters or Owners to deal with licensed persons only.

221. The Master or Owner of a vessel taking in or discharging ballast shall use proper tarpaulins or shoots, so as to effectually prevent any part thereof falling overboard; and no ballast shall be taken on board or discharged from any vessel during the night-time without special permission in writing from the Harbor Master.

Tarpaulins to be used, etc.

The Supply of Water

222. No person shall supply water to any vessel unless such person is licensed by the Commissioners for that purpose. The Commissioners may supply water as required for any vessel, and may from time to time appoint the charges therefor. Such charges shall be at per 1,000 gallons, and shall be payable by the Master or Owner or Agent of the vessel to which the water has been supplied.

Rates for water.

Machinery on Wharves

223. No person shall place, or permit to be used, on a wharf or other property of the Commissioners, any machinery for the purpose of hoisting or conveying goods or any other material or thing, without the licence of the Commissioners, and no machinery shall be used for any such purpose until the same has been licensed by the Commissioners.

Licensing of machinery.

Application for licence.	224. Every application for a licence to place or to use machinery on a wharf, or other property of the Commissioners, for the purpose indicated in the preceding Regulation, shall include particulars of such machinery and of the use intended to be made thereof, and there must be lodged therewith the appointed fee for inspection and examination of such machinery.
Inspection.	225. Before the issue of a licence, either by way of renewal or otherwise, the machinery sought to be licensed must be submitted for inspection and examination by an authorized Officer of the Commissioners, who will report to the Commissioners in respect to:— (a) The nature and condition thereof; (b) The suitability and safety thereof for the work to which it is intended to be applied; and if, on such inspection and examination, the machinery is found to be in good working order and condition, and suitable and safe to be used for the work intended, then such Officer shall give his certificate thereof to the Commissioners.
Person in charge to be qualified.	226. No person shall be in charge of any such licensed machinery, for the purpose of driving or working the same unless such person shall hold proper qualifications therefor, which must be produced to the Commissioners.
Inspection at any time.	227. All licensed machinery may be inspected by an Officer of the Commissioners authorized for the purpose at any time, and any licence may be suspended or cancelled by the Commissioners if the machinery licensed be reported by such Officer as defective in any particular, or unfit for the work engaged in.
Duration of certificate.	228. No certificate for machinery will be granted for a longer period than twelve months, and every such certificate shall terminate on the 31st day of December in the year in which the certificate is granted.

Wharf Cranes and Mechanical Appliances

Use of Cranes.	229. Every person desiring to use any crane or any mobile cargo-handling plant of the Commissioners shall make application on the prescribed form therefor to the Commissioners, who may grant permission to use the same on payment of the fee which they may from time to time appoint.
Careful use of Cranes.	230. The hirer of a crane or any mobile cargo-handling plant shall see that all the working parts thereof have been carefully oiled before using it, and must not lift a greater weight with it than that indicated on the crane or the plant as the maximum lift thereof, and must not use any such crane or plant for dragging out cargo, or for any other purpose than lifting and landing.
Hirer responsible.	231. The hirer of any crane or any mobile cargo-handling plant shall be responsible therefor, and shall make good any damage sustained by such crane or plant when in his use.

Moorings

Moorings, licensing of.	232. No vessel shall be moored to the bed shore margin or bank of the Port, nor shall any person lay down or use any moorings therein unless under licence from the Commissioners, and subject to the payment of the appointed rates, and no moorings shall be removed without the permission of the Commissioners.
Laying down moorings.	233. Every application for a licence to lay down moorings shall be accompanied by full particulars as to site and nature of moorings and vessel to be moored thereat, and no licence will be issued unless all the conditions set out on the application for Boat Mooring licence are complied with to the satisfaction of the Commissioners.
Power to exempt.	234. The Commissioners may exempt any particular class of vessels or special vessels (not at the time engaged in passenger or goods traffic), which may be brought into the Port, or to any particular part thereof, under special circumstances, or in connection with any public ceremony or event, from the payment of mooring rates.
Vessels waiting to ship or discharge cargo.	235. The above Regulations, numbered 232 to 234 inclusive, shall not apply to vessels whilst waiting for a wharf berth, or moorings at which to receive or discharge goods.

Offices, Lockers, Boxes, Etc.

236. No structure, post or pillar of any material, nature or description, or for any purpose whatsoever, shall be erected or placed upon, over, under or within any property within the Port unless under licence from the Commissioners.

Building sites, etc.

237. Plans of all proposed constructions upon, or to be used upon, any wharf or landing, or within any structure attached thereto, or any building of the Commissioners, must be submitted to them for approval, and no such construction must be proceeded with until the Commissioners have approved of such plans, and no alteration in any such construction must be made without their permission.

Plans to be submitted.

238. Every such licensed structure shall, unless otherwise agreed to by the Commissioners, become their property upon the termination from any cause of the licence.

Structure to become property of Commissioners.

239. If the licensee shall have the right to remove any such structure, he shall exercise his right before the termination of his licence, and shall leave the site thereof in good order and to the satisfaction of the Commissioners. If the structure is not so removed, the Commissioners shall have the option of retaining the same as their absolute property, free from all claims of the licensee or any other person, or may cause the same to be removed at the risk and expense of the licensee, including in such expense a sum equal to one-half of the licence fee as a penalty for the failure to remove the structure at the termination of the licence.

Term of licence.

240. The licence fees for a site or area on or within a wharf for any purpose will be calculated at per square foot of the superficial area proposed to be occupied, used or enclosed.

Calculation of rent or fees.

241. No person shall construct or place any tool box, locker, or any other receptacle for workmen's tools, on any wharf or in any of the sheds of the Commissioners, nor use any tool box or locker belonging to the Commissioners, unless licensed by the Commissioners so to do.

Tool boxes to be licensed.

242. Licences for a tool box, locker or other receptacle for workmen's tools may be issued under the following conditions:—

Conditions of licence.

- (a) Every such box shall be of a size and pattern to be approved of by the Commissioners, who will provide a common plan and specification, which may be used free of charge by any licensee.
- (b) A serial number will be assigned to each such box, licensed by the Commissioners, which number shall, together with such other letters and signs as the Commissioners may appoint, be painted on some conspicuous part of the box in letters at least one inch in height, to the approval of the Commissioners.
- (c) Every licensee will be entitled to one key for every such licensed box, provided that additional keys may be provided to approved persons on payment by the licensee of an additional fee of £1 for every additional key. A duplicate key of each box shall be retained by the Commissioners. The keys handed to the licensee must be returned to the Commissioners on the termination of the licence.
- (d) Every licensee shall deposit with the Commissioners the sum of £1, the whole or any part of which may be forfeited in the event of any damage to the box or lock thereof, and the expense of repairing any damage to the box shall be borne by the licensee, and if not paid by him, may be deducted from the deposit above referred to.

243. Every building, construction, locker or box, and the contents of every such, shall at all times be liable to inspection and examination by any Officer of the Commissioners or of Her Majesty's Customs, or of the Police, and all locks must be released or opened upon the demand of such Officer, and if not so released or opened, may be forced.

Office boxes, etc., liable to inspection.

Sale of Goods

244. No person shall carry on or conduct any business, or hawk, sell or expose for sale, or barter any goods or articles of trade for sale or exchange within the Port, unless duly licensed to do so by the Commissioners, or upon premises leased from the Commissioners, and no person shall

Goods not to be sold without licence.

sell or offer for sale any newspaper, periodical, magazine or book unless duly licensed to do so by the Commissioners. Every such licensed person shall wear a badge approved by the Commissioners, so that the same may be distinctly seen at all times when engaged in selling, and no licensed person shall lend or transfer his badge to any person whomsoever.

Vendors'
Employees'
Licences.

245. The Commissioners may grant to any person carrying on or conducting any of the activities mentioned in Regulation 244 such number of licences as they may think fit, to be called "Vendors' Employees Licences" in respect of employees of such person authorizing such employees, when approved by the Commissioners, to assist in the activity for which their employer is licensed under Regulation 244, and each of such employees, while so engaged, shall wear, so that the same may be easily seen and recognised, a badge approved by the Commissioners.

Objectionable
books and
pictures.

246. No newspapers, magazines, periodicals, books or pictures which, in the opinion of the Commissioners, are of an immoral, obscene or objectionable nature, are to be sold, exposed for sale or displayed anywhere within the Port.

Auction sale.

247. No person shall conduct any auction sale within the Port, unless with the consent in writing of the Commissioners.

Boat Races

Boat races.

248. No boat race, or procession of boats, will be permitted to take place on the River Yarra below the Spencer Street Bridge, without the permission of the Commissioners, who may impose such conditions as they may see fit for the safety of the public, and the convenient navigation of the River; nor will any vessel or launch be allowed to follow any race unless the Master or Owner has previously obtained the written consent of the Commissioners, and no vessel or launch allowed to follow a race shall at any time approach nearer than 100 yards of the sternmost boat.

Bathing

Bathing.

249. No person shall bathe from, or within 100 feet of, any wharf, pier, structure, sheet piling, or training wall within the Port. Public baths or other structures so licensed for the purpose shall be exempt from the provisions of this Regulation.

Licensing
of Baths.

250. No public or private bath-house, or box shall be constructed, erected or built within the Port, unless a licence for the area or site to be occupied thereby has been granted by the Commissioners, and no bath-house or box shall be permitted to remain unless licensed by the Commissioners.

Commis-
sioners may
order
improvements,
etc.

251. The lessees, licensee, owners or occupiers of public baths and private bath-houses and boxes, wholly or partly within the boundaries of the area vested in the Commissioners, shall make such improvements or additions thereto, for the convenience and safety of the users of public baths, and for public decency in both public and private baths, as the Commissioners may direct.

Public
Baths.

252. The licensees, lessees, owners or occupiers of public baths shall:—

- (a) Erect gauges in at least three (3) different portions of the area licensed and used for bathing, which shall properly and plainly show the depth of water at such places at all states of the tide, and shall keep all such gauges in good order.
- (b) Provide proper and sufficient life-saving apparatus and keep the same in good order and condition, and ready for use at all times.
- (c) Display, or cause to be displayed or affixed, at all times, in conspicuous and convenient places, full and clear-printed instructions for the resuscitation of the apparently drowned.
- (d) If the baths are used during night-time, have the same lighted to the satisfaction of the Commissioners.
- (e) Have in attendance, whenever the baths are in use, a person or persons expert in the art of swimming, and ready to render assistance when necessary.

253. Every public baths and every bath-house and box may be inspected by an authorized officer of the Commissioners at any time, and if such baths, bath-house or box shall be found in a bad state of repair, or in any way defective, the licence thereof may be cancelled.

Liability to inspection.

Fishing

254. No person shall, without the permission of the Commissioners, use any of the wharves in the River Yarra below the Spencer Street Bridge or any of the wharves of the Victoria or Appleton Dock, for the purpose of fishing therefrom; nor shall any person without such permission use any boat in such dock for the purpose of fishing therefrom.

Fishing.

255. No person shall use for the purpose of catching fish any net or any fixed engine (as defined by the "Fisheries Act 1928"), in any waters within the jurisdiction of the Commissioners, or drag or draw therefrom on to the dry land any net containing fish, or catch or take therefrom any protected fish during the close season therefor, or any fish of a length, weight or size the taking whereof is or may be prohibited by any Act of Parliament or proclamation thereunder, or shoot any fish therein.

Netting fish, undersized fish, shooting fish.

256. Every breach of any Act of Parliament or proclamation thereunder, affecting the preservation or taking of fish, committed in any waters within the jurisdiction of the Commissioners, shall be an offence against these Regulations.

Fisheries Act to be complied with.

Licences other than Licences for Land

257. Every application for a licence or a renewal of a licence shall be on the proper form therefor, which may be had at the offices of the Commissioners, and must be supported by such documentary or other evidence, certificates, particulars or information as may be required by the Commissioners.

Licences generally.

258. Every such application, duly signed by the applicant, together with all required supporting documents, particulars or information above referred to, must be lodged at the offices of the Commissioners, together with any fee, appointed.

Applications for.

259. All licence fees must be paid in advance before the issue of the licence, and no right or privilege intended to be conferred by licence shall be exercised in anticipation of the issue of a licence, without the consent in writing of the Commissioners.

Fees, how payable.

260. Unless otherwise provided in the licence, all licences shall terminate on the 31st day of December of the year in which the same shall be issued.

Duration of licences.

261. The issue of a licence shall not, unless otherwise provided, confer a right to a renewal thereof.

No right of renewal.

262. Every application for a renewal of a licence must be lodged at the offices of the Commissioners at least 10 days before the expiration of the licence sought to be renewed, together with the appointed fee, and before the issue of the renewal licence, the expired or expiring licence must be delivered to the Commissioners.

Renewals, applications for.

263. No personal licence shall be assignable or transferable or be lent to any other person, and no other licence shall be assignable or transferable, either by action of law or otherwise, without the consent of the Commissioners in writing, and the payment of a transfer fee of £1.

Personal licence.

264. Any person licensed who may be prevented by sickness or any cause from pursuing the avocation, business or calling for which he has been licensed may propose a substitute, who shall, if required by the Commissioners, furnish written evidence as to character and ability. The Commissioners, if satisfied, may, upon such terms and for such time or times as they may think fit, grant to the proposed substitute a permit to act for the licensee. Every such substitute shall comply with and observe the Regulations and the conditions of his nominator's licence.

Sickness of licensee.

265. No licensee shall, in the exercise of any right or privilege conferred by or the performance of any act under his licence, conduct himself dishonestly, improperly or disorderly, or be guilty of abusive or insulting language, or act so as to jeopardise in any way the safety of passengers or goods in any licensed vessel or vehicle, or goods or other property entrusted to his care.

Licensee, conduct of.

Regulations
and terms
of licence to
be observed.

266. Every licensee shall, so far as the same are applicable to the exercise of any right or privilege conferred by his licence, conform to and observe the Regulations of the Commissioners, and also the provisions and conditions of the licence.

Licence
and copy of
Regulations,
production
of.

267. Every licensee shall continually retain possession of his licence, and shall also provide himself with a copy of the Regulations, and shall, whenever required, produce for inspection either or both, as may be asked for, to any Officer of the Commissioners, or to any Customs Officer, Police Officer on duty in the Port, or to any person wishing to hire or having hired him, or being a Master, boatman or waterman engaged on a licensed passenger vessel, to any passenger thereon.

Breach of
Regulations
or Licence,
etc.—
Penalty.

268. Every breach, non-observance or non-performance by a licensee of any Regulation applicable to him, or to the exercise of any right or privilege conferred by licence, or of any condition of his licence, shall be an offence, and shall, in addition to the penalty incurred thereby, render the licensee liable to be suspended or cancelled at the discretion of the Commissioners without prior notice, and the licensee shall have no recourse against the Commissioners for any loss or damage which may accrue to him from such suspension or cancellation.

Licence Fees.

269. The following fees shall be payable in respect of the several licences specified in these Regulations, viz.:—

	£	s	d.
Ballast—For each person licensed to supply or remove ballast, per annum	0	5	0
For dredging or raising or taking any ballast within the Port, per annum	5	0	0
Boats—Including every boat (howsoever propelled) licensed to carry passengers, per annum—1/- per passenger licensed to be carried, with a minimum of 5/- per annum			
Boat Moorings—			
Class 1.—Mooring being the property of and intended for the use of an oversea, interstate, or State shipping company, per annum	10	0	0
Class 2.—Mooring intended for use in connection with business carried on at docking premises, per annum	1	5	0
Class 3.—Mooring for a vessel 100 feet in length and upwards and not covered by Class 1 or 2, per annum	2	10	0
Class 4.—Mooring for a vessel 50 feet and upwards, but under 100 feet in length, per annum	1	0	0
Class 5.—Mooring for a vessel under 50 feet in length, per annum	0	15	0
For each metal number plate supplied	0	10	0
Tugs, Launches, Lighters, Hulks, Barges—			
Not exceeding 200 tons gross register, per annum	2	0	0
Exceeding 200 tons and not exceeding 500 tons, per annum	4	0	0
Exceeding 500 tons and not exceeding 1,000 tons, per annum	6	0	0
Exceeding 1,000 tons, per annum	8	0	0
For the weighing in or out or measuring of vessels licensed or sought to be licensed—1/- per ton gross register, with a minimum fee of 20/- per vessel.			
Steam Hoist—For each licence to place a portable steam hoist on a wharf, road, or other property of the Trust, per annum	2	2	0
For each yearly examination of a portable steam hoist	1	0	0
Other machinery for the purpose of hoisting or conveying goods or any other material or thing—			
For each licence to place and use or to use any such machinery on a wharf, road, or other property of the Trust, per annum	2	7	6
For each yearly examination of any such machinery, a fee not exceeding	1	0	0
Boatmen and Watermen — For each licence, per annum	0	5	0

	£	s.	d.
Ferryman—For each person employed on a ferry boat, per annum	0	5	0
Itinerant Vendors, with basket or hand barrow, per annum	1	0	0
Itinerant Vendors, with vehicle other than a hand barrow—			
For each such vehicle, per annum	3	0	0
Vendors' Employee—			
For each licence; per annum	0	5	0
Carters and Carriers — For each licence, per annum	0	5	0
Carriers' Employee—For each licence, per annum	0	5	0
Coopers—For each licence—			
Per annum	0	5	0
Per week	0	1	0
Coopers' Boxes—To place a tool box or locker on any wharf or to use any tool box or locker of the Commissioners, per annum	5	0	0
Mussels—For each person licensed to collect, per annum	0	5	0
Netting for whitebait and/or pilchards—For each person licensed to use a circular or hoop net of not more than ten feet in diameter, per annum	0	5	0
Porters—For each licence, per annum	0	5	0

Leases and Licences of Land and other Property

270. Every application for a lease shall be in writing, signed by the applicant and addressed to the Commissioners, and shall clearly set forth full particulars of the land or other property which it is desired to lease, and specify the purpose for which it is required, and the applicant shall, if requested by them, furnish the Commissioners with such further particulars as they may deem necessary.

271. With every application there shall be lodged any fee appointed by the Commissioners, and also, when required by them, a deposit in cash of such proportion of the whole of the first year's rent as they may determine. The fee lodged will not be returned even though the application or tender be withdrawn before consideration of the same by the Commissioners. All other moneys lodged will be refunded to unsuccessful applicants.

272. Every applicant whose application is granted must, within 14 days after request in writing, execute or accept a lease in the form adopted by the Commissioners, and in case of refusal or neglect so to do within the time aforesaid, the application may at the option of the Commissioners be deemed to be abandoned, and all moneys lodged or deposited therewith may be declared absolutely forfeited to them; but no such forfeiture shall be deemed to free the applicant in default from such further liability in respect of his default as the Commissioners may have the power to impose or enforce.

Specific Offences

273. Every person who shall commit any of the acts following shall be guilty of an offence, that is to say:—

1. Boil or heat any pitch, tar, resin, turpentine, spirits, oil, or other such-like combustible matter, in or on any vessel or on the property of the Commissioners, except in such places and in such manner as shall be specially appointed by the Harbor Master for that purpose.
2. Burn any refuse or other material in or upon any shed, wharf, or approach thereto, or road within the Port, or on any other property of the Commissioners.
3. Bring or discharge any loaded gun or firearm on any wharf or work, or on any property of the Commissioners.
4. Pump or discharge any oil, oily water, spirit or any inflammable liquid into the waters of the Port, or on to any wharf therein.
5. Cause any vessel within the Port to be fumigated or smoked without the permission in writing of the Commissioners, and under the direction of the Harbor Master.

6. Use drags or grapplings for the purpose of lifting articles or things from the bed of the Port, or disturb such bed in any way whatever, without the consent in writing of the Commissioners first obtained so to do.
7. Remove any stone, sand, shell, marl, seaweed, or other material whatever from any property or place within the Port without having first obtained a licence from the Commissioners so to do.
8. Use upon any wharf, or in any shed, any artificial light except the same be securely enclosed and in charge of some trustworthy person, and unless such light be approved by the Harbor Master.
9. Use upon any wharf or in any shed where goods are being handled or stored any article or tool by which a naked flash or naked flame of any description may be caused unless such article or tool is used in such a manner and under such conditions as have been first approved of by the Harbor Master.
10. Ride or drive upon or along any wharf, street, or road negligently or in a manner or at a rate of speed dangerous to or without proper regard to the safety of the public on or who might reasonably be expected to be on such wharf, street, or road.
11. Ride or drive at a rate of speed greater than four miles per hour on any wharf.
12. Except for some justifiable cause ride or drive on the right-hand side of any wharf, street, or road on which riding or driving is not restricted to one direction.
13. Bring or cause any horsedrawn vehicle to be brought on to or to move or to be moved upon any wharf or shed or upon any other area within the Port in or on which cargo is stacked other than a roadway.
14. Bring or cause to be brought on to or move or cause to be moved upon any wharf any vehicle of a construction likely to damage any part of such wharf.
15. Ride or drive upon or along any footpath of any wharf, street, or road.
16. Place any obstruction on any wharf, street, or road whereby any person is likely to be caused bodily injury.
17. Except with the permission in writing of the Harbor Master, and then only subject to the Regulations of the Commissioners and to the conditions and stipulations contained in such permit, bring or cause to be brought on to or move or cause to be moved upon or being the driver or person in charge of such vehicle allow to stand upon any wharf any vehicle the weight borne on any wheel of which, together with the weight of such wheel, exceeds the weight for the time being fixed by resolution of the Commissioners in respect of the part of the wharf where such wheel shall be, and specified in a notice placed:—
 - (a) on or near the ramp or other approach leading to such wharf if vessels can berth at either side of such wharf; or
 - (b) on the wharf or part of the wharf affected by such resolution if vessels can berth on one side only of the wharf.

In this and the next succeeding paragraph of this Regulation, any two or more wheels joined together or spaced less than two feet six inches apart from centre to centre, either laterally or otherwise, shall be deemed to be one wheel.

18. Being the driver or person in charge of a vehicle on any wharf the weight borne on any wheel of which vehicle, together with the weight of such wheel, exceeds the weight for the time being fixed by resolution of the Commissioners in respect of the part of the wharf where such wheel shall be, and specified in the notice mentioned in paragraph 17 of this Regulation, shall fail or refuse to produce to any Officer of the Commissioners, whenever requested by such Officer so to do, the permit which shall have been issued by the Harbor Master to such driver or person to bring such vehicle on to and move the same on or allow the same to stand upon such wharf.
19. Being the driver or person in charge of a vehicle on any wharf, shall neglect or refuse to immediately proceed with such vehicle and the load (if any) carried therein or thereon to the nearest available weigh-bridge or weighing apparatus, and permit such vehicle

- with any such load to be weighed at the expense of the Commissioners upon being requested so to do by an Officer of the Commissioners.
20. Being the driver or person in charge of a vehicle on any wharf, shall neglect or refuse to immediately move such vehicle (whether loaded or not) to some other position whenever directed so to do by an officer of the Commissioners.
 21. Permit any vehicle to be backed up against any wharf or shed, or to stand upon any wharf or road, or other property of the Commissioners, unless while the same is being actually and actively employed in loading or unloading goods or in the transport of passengers to and from the wharf, or if employed as aforesaid to remain so backed up or upon any such place longer than actually required in the course of such employment, and of the time so required the Harbor Master shall be the judge; or without the consent of the Commissioners permit any vehicle to remain on any roadway or other property of the Commissioners during non-working hours.
 22. Bring or cause to be brought on to any wharf, street, or road, any vehicle, the construction of which is such that a pole projects more than four feet at either end of such vehicle, unless the full length of the pole which is projecting is painted white and kept so painted at all times to the satisfaction of the Harbor Master.
 23. Take any vehicle other than hand-trucks into any closed shed for the purpose of loading or unloading goods, except by the permission in writing of the Harbor Master.
 24. Take any vehicle upon or off any wharf except by the nearest ramp.
 25. Negligently or violently or otherwise than as directed by the Harbor Master discharge or unload from any vessel or vehicle, pig iron, timber, stone, machinery, or other goods or packages on to any wharf within the Port or place any material or substance or draw or trail any sledge timber or other heavy material upon any road, street, wharf, or other property of the Commissioners within the Port to the injury or obstruction thereof.
 26. Cut, break or destroy the mooring or fastening of any vessel, or remove, unmoor, interfere with, cast off, or take away from any wharf or place appointed or licensed by the Commissioners for the mooring of vessels, any boat, without the permission of the Owner or licensee thereof.
 27. Attach any rope, tackling or other gear to any portion of any shed, crane, lamp-post or other erection on any wharf, or make use of any rope, tackling or gear so attached for any purpose whatever, without the permission in writing of the Harbor Master.
 28. Trespass upon, make fast to, or otherwise interfere with any lighthouse, dolphin, buoy, beacon, or any erection or post used in connection therewith.
 29. Clamber on or about the structure of any wharf below the deck level, or on or over any gate or fence, or interfere with any crane or hoist, or electric fittings or mains, or turn any valve or cock, or open or shut any fire-plug or hydrant, unless authorized by the Harbor Master so to do.
 30. Remove or in any way interfere with any lifesaving gear, life-hook, drag, grapnel, life-buoy, or any other life-saving apparatus, unless such interference be for the purpose of saving life, or by the Police in dragging for drowned persons.
 31. Remove or in any way interfere with any board put up for the purpose of publishing any Regulation, notice or penalty, or obliterate any of the letters or figures thereon.
 32. Except for the purposes of examination by the Customs authorities, sort, bulk or repack goods, or weigh or sample grain or other goods upon any wharf or in any shed without the consent in writing of the Commissioners and as directed by the Harbor Master.
 33. Tout for or solicit customers or patronage for any shop, residence, restaurant, boarding-house, hotel or place of amusement, or passengers for any vessel or vehicle.
 34. Throw, drop, deposit or place, or permit to be thrown, dropped, deposited or placed, ballast, gravel, earth, stone, sand, coal, rubbish, filth, cinders, ashes,

wreckage, refuse, animals (with intention to drown the same), dead animals, fish, or birds, filth or any putrefying or objectionable matter into the waters of the Port, or on any other property of the Commissioners, except at the places and in the manner approved by the Commissioners.

35. Permit to be discharged from any sewer or drain into or upon any part of the Port or the waters thereof, or upon or into any wharf, street, road, or other property of the Commissioners, drainage of any description, except in such places and in such manner as the Commissioners may appoint, approve of or direct, or deposit or discharge, or permit to be deposited or discharged, any refuse, rubbish, dead animals, fish or birds, filth, drainage of any description, or any putrefying or objectionable vegetable or animal matter, in a position where the same may be washed by rain or otherwise into or upon the Port or the waters thereof.
36. Hold any meeting or address any assemblage within the Port without the consent of the Commissioners in writing.
37. Smoke in, under or near to any shed or upon any wharf, or loiter therein or thereon, or lounge or sleep among the cargo placed in or under any shed or upon any wharf, or when directed by any Police Officer or Officer of the Commissioners, refuse to leave any property under the control of the Commissioners or obstruct any Officer or employee of the Commissioners in the execution of his duty.
38. Smoke in the hold or within 20 feet of any open hatchway of any vessel moored at any wharf.
39. Bring or be in possession of any ale, beer, wine, or other fermented or spirituous liquor on any wharf or approach thereto, or in any shed, except for the purpose of import or export.
40. Play at any game, be the worse for liquor, use filthy, offensive, abusive or insulting language, or act in an idle, disorderly or obscene manner, or commit any nuisance on or against any property of the Commissioners, or expose his person.
41. Affix to or post or stick or write on any wharf, building, wall, fence, rail, hoarding, post, board, buoy, beacon or vessel under the control of the Commissioners any printed or written matter, picture or inscription, unless licensed by the Commissioners.
42. Graze any sheep, cattle, or horses upon any lands within the Port, except on such terms as the Commissioners may from time to time determine.
43. Being a male person over the age of 8 years be in any room privy or lavatory set apart for the exclusive use of persons of the female sex or be in the immediate vicinity of the entrance thereto.

Weight of
Vehicles
and Load.

274. In any case where a vehicle is brought on to or moved upon a wharf in contravention of paragraph 17 of Regulation 273.

- (a) The Harbor Master or any Officer of the Commissioners may require the driver or the person in charge of such vehicle to unload so much of the load carried as is in excess of the weight prescribed by the said paragraph 17, or by the permit (if any) issued to such driver or person by the Harbor Master pursuant to the said paragraph 18; and
- (b) Any such driver or person who fails, neglects, or refuses to unload the same shall be guilty of an offence.

Damage to
Port
Installations,
etc.

275. Every person who shall commit or be accessory to the committal of any of the acts following shall, for every such offence, unless otherwise provided by the Act, incur a penalty of not less than £5:—

1. Injure, remove, alter or destroy any light exhibited within the Port for navigation or otherwise, or any erection, vessel, buoy, beacon, lamp, lamp-post or lamp iron, bearing or containing such light, or any cable or wire leading thereto, or shall extinguish any such light.
2. Alter, injure or destroy any signal, signal staff, buoy, beacon, pile, guiding post, semaphore or flag.
3. Sink, soil, deface, injure, throw down or destroy any vessel, wharf, shed, fence, wall, hoarding, breakwater, breastwork, embankment, drain, pipe or any property whatever within the Port.

Generally

276. The Master, Owner and Agent of a vessel, and Pilot, whilst in charge, shall each be responsible for the due performance and observance of all Regulations applying to such vessel, and in no case shall the responsibility of either relieve the other or others of his or their responsibility.

Master,
Owner,
Agent,
responsi-
bility of.

277. Neither the Commissioners nor any Officer of the Commissioners shall be responsible for the security and safety of any vessel, nor for any damage to a vessel caused through defective condition of any berth, mooring or appliance used in carrying on the work of the Port.

Commis-
sioners—No
liability.

278. Should any accident causing loss of life, personal injury, loss of or damage to property, occur within the Port, then each and every person in any way concerned in such accident, or to whom the accident is directly or indirectly due, shall immediately report the circumstances to the Commissioners in writing.

Injury or
damage to
person or
property.

279. The Master of a vessel shall immediately report to the Police the death of any person which may occur on board his vessel, and shall afterwards, in due course and according to law, cause the body to be buried on shore.

Death to be
reported.

280. No vessel shall be careened, hove down or hauled on shore for the purpose of inspection or repairs without permission from the Harbor Master in writing.

Careening,
etc.

281. No ballast lighter, scow or other similar open vessel shall ply within the Port without having sufficient coamings at least eight inches high above the deck planking.

Coamings to
be provided.

282. No boat shall be placed or allowed to remain on the stage of any landing-place, or hove down alongside thereof.

Landing
stages to be
kept clear.

283. No vessel above 30 tons register shall be hauled up or launched from or removed to or from any patent slip, slipway or launching way within the Port, without the permission of the Harbor Master in writing.

Placing and
removal of
vessels on
or from slips
or landing
places.

284. No person or persons shall launch any vessel or vessels into the waters of the Port unless he or they shall have obtained written permission from the Commissioners so to do. This Regulation shall not apply to the launching of vessels within the following limits:—

Launching
Ways.

(a) A line drawn from the black dolphin at the southern side of the entrance to the River Yarra to the end of Ann Street Pier, Williamstown.

(b) Any part of the Maribyrnong River on the upstream side of the Napier Street bridge, Footscray.

285. No person shall make, repair, dress or scrape spars or masts, or do any kind of carpenter, smith, boilermaker or rigging work on any wharf, or under any shed thereon, or hang or place sails, masts, spars, or any other thing to or upon any of the beams or joists of the sheds, or on any other erection upon the property of the Commissioners, without the permission in writing of the Harbor Master.

No ship's
repairs be
done on
wharves.

286. (a) No person shall:—

(i) make any repairs, alterations, or renovations to any vessel in the Port involving the use of oxy-acetylene or electrical cutting or welding apparatus or any other apparatus, article or tool by which a naked flash or naked flame of any description may be caused; or

Welding
apparatus
not to be
used without
permission.

(ii) use on any vessel in the Port any oxy-acetylene or electrical cutting or welding apparatus or any other apparatus, article, or tool by which a naked flash or naked flame of any description may be caused without the permission of the Harbor Master first obtained.

(b) Any person making any such repairs, alterations, or renovations or using any such apparatus shall at all times observe and comply with any conditions or directions made or given by the Harbor Master in relation to the use of any such apparatus;

(c) The Owner of any vessel on which any such repairs, alterations, or renovations are made or on which any such apparatus is used shall pay to the Commissioners all expenses incurred by the Commissioners in taking any safety precautions which the Harbor Master may in any case consider necessary and in particular the expenses incident to the standing by of fire-fighting apparatus and personnel.

Provided always that nothing in this Regulation shall apply to Her Majesty's ships of war.

Drifting or
stranded
boats, etc.

287. Every boat and all timber and every other article of value found drifting on the waters of the Port, or stranded on the shores or banks thereof, and not apparently in the charge of any person, shall be immediately delivered up by any finder thereof to the Harbor Master, or may be taken possession of by him, and he shall, subject as hereunder, retain the same until claimed by the Owner, and such Owner shall, before receiving his property from the Harbor Master, pay to the Commissioners all expenses incurred in connection therewith. Should any such property, not being of a perishable nature, be not claimed within six months, or in the case of goods of a perishable nature within one day after the date of possession thereof being taken by the Harbor Master, such property shall be deemed to be forfeited by the Owner, and shall become the property of the Commissioners, to be dealt with as they may think fit, and in case of sale thereof, the former Owner shall have no claim whatever on the proceeds of sale.

Control and
Parking of
Vehicles.

288. (1) In this Regulation unless inconsistent with the context or subject matter:—

Appointed.—Means appointed by the Commissioners by means of printed or written notices or symbols upon or attached to a wharf.

Driver.—Means any person driving or being in charge of a vehicle or the owner thereof.

Cargo Vehicle.—Means a vehicle used for transporting goods.

Hire Vehicle.—Means a vehicle used for conveying passengers for hire and registered as a hackney carriage under Part I of the "Carriages Act 1928."

Parking Area.—Means any area appointed by the Commissioners as a standing place for vehicles.

Parking Officer.—Means any Officer or person acting under the authority of the Commissioners in the supervision of vehicular traffic or the parking of vehicles on any wharf or to collect prescribed fees for permits to park or allow vehicles to remain upon any wharf.

Private Vehicle.—Means a vehicle other than a cargo vehicle or hire vehicle.

(2) The driver or person in charge of a vehicle on any road wharf ramp or bridge shall in addition to conducting such vehicle in compliance with the other Regulations conduct such vehicle in accordance with directions of the Commissioners set out on notices displayed or marked on such road wharf ramp or bridge.

If in the opinion of any Officer acting under the authority of the Commissioners there shall be or be likely to be a concourse of vehicles or a congestion of traffic on any wharf, the driver or person in charge of a vehicle on such wharf shall obey all directions given to him by such Officer as to the order or place in which such vehicle may stand or move; and if such Officer shall direct such driver or person so to do such driver or person shall move such vehicle to some other place on such wharf or remove such vehicle from such wharf.

Notwithstanding anything in this Regulation contained the Commissioners may without notice cause to be removed from any wharf and stored in any place at the sole risk and expense of the Owner thereof any vehicle left unattended on any wharf.

(3) Every person driving a private vehicle or a hire vehicle on to any wharf on which a parking officer is on duty shall, forthwith at the appointed place on such wharf, obtain from a parking officer a permit of the Commissioners to enter upon such wharf with such vehicle.

4. The driver of a private vehicle or of a hire vehicle shall for the privilege of allowing such vehicle to be or remain upon such wharf at which a parking officer shall be on duty pay to the Commissioners the following charges, namely:—

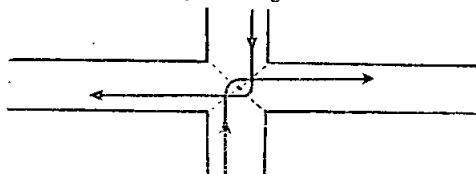
(i) For the first fifteen minutes during which the vehicle shall be upon the wharf, Free.

(ii) For each additional hour or part thereof during which the vehicle shall be or remain upon the wharf the sum of 1/-.

(5) The driver of a private vehicle or of a hire vehicle shall not:—

(i) Drive such vehicle upon any portion of a wharf appointed for the traffic of goods, vehicles, or pedestrians.

- (ii) Drive such vehicle upon a wharf except in conformity with printed or written notices and/or symbols upon or attached to such wharf by the Commissioners or as directed by a parking officer.
 - (iii) Park or allow such vehicle to stand or remain stationary for more than three minutes on any wharf except as directed by a parking officer.
 - (iv) While such vehicle is on any wharf lock or fasten such vehicle in such a manner that it cannot be readily moved.
 - (v) Turn such vehicle on a wharf except at appointed turning points.
 - (vi) Allow such vehicle to obstruct any opening left to permit cross traffic through any parking area or between any parking areas.
 - (vii) Leave such wharf without delivering his permit to a parking officer and paying the charge prescribed by these Regulations for allowing such vehicle to be or remain upon such wharf.
- (6) Every person driving a private vehicle or a hire vehicle on to a wharf shall:—
- (a) If there shall be space for such car in a parking area park such car in a parking area as directed by a parking officer or if no parking officer be present then in accordance with printed or written notices and/or symbols upon or attached to such wharf by the Commissioners.
 - (b) If there shall be no space for such car in a parking area drive such car off such wharf.
 - (c) While driving such vehicle upon a wharf bring the same to a standstill as and whenever directed by a parking officer.
 - (d) While on a wharf produce to any parking officer whenever requested by such officer so to do his permit.
 - (e) Whenever directed by a parking officer so to do, forthwith remove such vehicle from any wharf whereon the same may be.
 - (f) While such vehicle is on any wharf remain within sight and call of such vehicle.
- (7) The driver of a private vehicle shall not park or allow such vehicle to stand in any parking area appointed for the parking of hire vehicles only.
- (8) The driver of a hire vehicle shall not park or allow such vehicle to stand in any parking area appointed for the parking of private vehicles only.
- (9) The driver of any vehicle shall not park or allow such vehicle to stand upon or beneath any bridge or any ramp forming a part of or an approach to any bridge.
- (10) The driver of a vehicle or the rider of an animal upon any road wharf ramp or bridge shall:—
- (a) When travelling in a direction which will intersect the direction in which another driver or rider is travelling grant the right of way to the vehicle or rider approaching such intersection from his right. Provided that this provision shall not apply at any intersection where a member of the Police Force or an Officer of the Commissioners is directing the traffic at such intersection.
 - (b) Before stopping or turning give notice of his intention so to do by holding up his hand or by displaying some signal approved by the Commissioners so that the same may be seen by any person immediately following.
 - (c) Before turning to the right or off side from a road wharf ramp or bridge on to any other road wharf ramp or bridge drive or ride upon the left or near side of the road wharf ramp or bridge which he is leaving and parallel to the alignment of the left or near side of such road wharf ramp or bridge until he is as near as practicable to the left hand side of the road wharf ramp or bridge which he is entering as shown in the subjoined diagram.



(11) The driver of a vehicle or the rider of an animal upon any road or wharf within the Port shall:—

- (a) Immediately prior to his passing through any gateway halt such vehicle or animal not more than 30 feet nor less than 10 feet from the centre line of such gateway.
- (b) Before passing out from any compound or fenced area stop at the gate thereof and remain stationary until permission to proceed through the gate is given by the person acting under the authority of the Commissioners at the gate to the fenced area.

Mechanical
equipment
to have
priority.

289. The driver of a vehicle (other than a fork lift truck or mobile crane) or the rider of an animal upon any road wharf ramp or bridge within the Port shall—

- (i) At all times give the right of way to any fork lift truck or mobile crane.
- (ii) On approaching any fork lift truck or mobile crane proceed at such rate of speed that he will be able to stop his vehicle or animal immediately in case of sudden danger.

Bathing of
horses.

290. Bathing of horses in the waters of the Port or exercising horses upon the foreshore thereof is prohibited, except at such places and during such hours as the Commissioners may appoint for such purpose.

Bathing of
dogs.

291. (1) No person shall within the Port take on to the foreshore or into the sea, or the river, or have thereon or therein any dog unless such dog is controlled by a leash, chain, or cord, and, if vicious, is also securely and efficiently muzzled.

(2) Any dog being upon the said foreshore or in the said sea or the river not so controlled shall be liable to be seized, detained, and/or destroyed, and the owner thereof shall be liable to pay to the Commissioners the costs and expenses of and incidental to such seizure, detention, and/or destruction, and shall make compensation for any damage done by such dog.

(3) No person shall within the Port take a dog into the sea or the river within 100 feet of any person bathing therein.

(4) No person shall within the Port bathe any dog from any wharf or from any part of the foreshore or of a bank of the river within 100 yards of any wharf.

Officers not
to be
bribed.

292. No Owner or Master of any vessel, or other person, shall give or offer a bribe to any Officer or person employed by the Commissioners

Computation
of time.

293. Unless otherwise specially provided, Sundays and public holidays shall be counted in the computation of time required by any Regulation, but where the last day of the time within which any act has to be done happens to be a Sunday or public holiday, then such Sunday or holiday, as the case may be, shall be excluded from the computation.

Repeal of
previous
Regulations.

294. All Regulations in force at the date hereof are hereby repealed, except for the purpose of proceedings for offences committed prior to the repeal, and also of enforcing rights and claims arising under the Regulations prior to such repeal.

Tolls, Rates and Charges, Duties, Dues and Fees

Rates on
goods—
Liability
for.

295. The Owner of goods unshipped or shipped, and in addition in respect of goods shipped, the Master, Owner and Agent of every vessel into which goods are shipped, shall be liable for the payment of rates on or in respect of any such goods, and no claim made or proceedings by the Commissioners upon or against one or more person or persons liable to pay any such rates shall relieve any other or others of his or their liability or responsibility, either for rates or for any penalty incurred for non-payment or evasion thereof.

Default in
payment of
rates.

296. In case the Commissioners shall, on default in payment of any rates in respect of goods, exercise the power of sale over such goods conferred by the 117th Section of the Act, and the net proceeds of sale shall be insufficient to pay the rates in respect of which default has been made, no person shall, by the exercise of such power of sale, be relieved from the payment of the amount of any deficiency or from the payment of any penalty incurred for non-payment or evasion of such rates.

297. The Commissioners, by their Officers, shall have the power to enter any vessel in the Port, in order to ascertain the rates payable in respect of the vessel or of the goods therein, and the Master of such vessel shall give every facility to such Officer in the execution of his duty, and no person shall hinder or molest the Officer or persons aforesaid, or refuse to allow him or them to enter the vessel for the purpose aforesaid.

Power to enter vessel.

298. The charge for the use by any vessel of any wharf or part thereof the property of the Commissioners appropriated by the Commissioners under or by virtue of any power in the Act contained shall, unless otherwise provided or agreed upon, be at the rate of 5/- per 100 feet of the length of the vessel for each quarter of a day during the time such vessel is berthed at such wharf or part thereof appropriated as aforesaid, with a minimum charge equal to the charge for one day for each berthing and for the purpose of assessing such charge part of a day less than a quarter shall rank as a quarter of a day. The charge shall be paid by the Master, Owner, or Agent of the vessel, and shall be in addition to any toll, rate, or charge, which may be or may become due or payable under the Act or Regulations.

Fee for appropriated Berths.

299. In addition to any other toll, rate, or charge, payable under the Act or Regulations, the Commissioners may make such reasonable charges for the use of any sheds, apparatus and/or conveniences provided in connection with any berth at a wharf or part of a wharf as they think proper. They may from time to time alter, amend, vary or revoke any such charges or appoint others in addition thereto or in substitution therefor.

Charges for sheds, apparatus and conveniences.

300. Subject to Regulation No. 302 the Master, Owner or Agent of a vessel occupying any berth at a wharf or part of a wharf on which a shed is erected shall, unless otherwise agreed upon, pay to the Commissioners for the right to place goods in such shed, the following charges, namely:—

Rent where shed on Wharf.

FOR FIRST DAY ON WHICH VESSEL SO BERTHED.

Width of Shed.	If cargo unshipped or to be unshipped.	If no cargo unshipped or to be unshipped.	For each subsequent quarter of a day on which vessel so berthed.
Not exceeding 40 ft.	£ s. d. 16 0 0	£ s. d. 3 0 0	£ s. d. 0 15 0
Exceeding 40 feet but not exceeding 60 feet	24 0 0	4 10 0	1 2 6
Exceeding 60 feet but not exceeding 80 feet	32 0 0	6 0 0	1 10 0
Exceeding 80 feet but not exceeding 100 feet	40 0 0	7 10 0	1 17 6
Exceeding 100 feet but not exceeding 120 feet	48 0 0	9 0 0	2 5 0
Exceeding 120 feet but not exceeding 140 feet	56 0 0	10 10 0	2 12 6
Exceeding 140 feet	64 0 0	12 0 0	3 0 0

Provided always that the charge for any part of a day of or less than six hours shall be that specified for a quarter of a day, and the minimum charge shall be for one day. Provided further that in the case of vessels trading solely between ports within the Commonwealth the charges payable under this Regulation shall be fifty per cent of those hereinbefore specified, and in the case of vessels trading solely within Port Phillip Heads the charges under this Regulation shall be twenty-five per cent of such specified charges. Should the charges paid under this Regulation exceed a sum equal to 1/6d per ton, on the cargo shipped into and the cargo unshipped from a vessel trading with any port beyond the Commonwealth, or exceed a sum equal to 9d. per ton on the cargo shipped into and the cargo unshipped from a vessel trading solely between ports within the Commonwealth, or exceed a sum equal to 4½d. per ton on the cargo shipped into and the cargo unshipped from a vessel trading solely within Port Phillip Heads, the Commissioners shall, on application being made to them, refund the amount paid in excess of such sums respectively.

Rent—
where land
is annexed
to wharf.

301. The Master, Owner, or Agent of a vessel occupying any berth at a wharf, or part of a wharf to which is annexed an area of land for the storage of timber, and using such wharf for the unshipping of timber shall, unless otherwise agreed upon, pay to the Commissioners for the right to place timber on such area the sum of £14 for the first day, and for each subsequent quarter of a day on which the vessel is so berthed the sum of 10/-.

The Master, Owner, or Agent of a vessel occupying any berth at a wharf, or part of a wharf to which is annexed an area of land for the storage of timber and using such wharf for the shipping of timber, shall, unless otherwise agreed upon, pay to the Commissioners for the right to place timber on such area the sum of £2 for the first day, and for each subsequent quarter of a day on which the vessel is berthed the sum of 10/-.

Provided always that the charge for any part of a day of or less than six hours shall be that specified for a quarter of a day, and the minimum charge shall be for one day. Provided further that in the case of vessels trading solely between ports within the Commonwealth the charges payable under this Regulation shall be only 50 per cent of those hereinbefore specified, and in the case of vessels trading solely within Port Phillip Heads the charges under this Regulation should be only 25 per cent of such specified charges. Should the charges paid under this Regulation exceed a sum equal to 1/- per ton on the cargo shipped into and the cargo unshipped from a vessel trading with any port beyond the Commonwealth, or exceed a sum equal to 6d. per ton on the cargo shipped into and the cargo unshipped from a vessel trading solely between ports within the Commonwealth, or exceed a sum equal to 3d. per ton on the cargo shipped into and the cargo unshipped from a vessel trading solely within Port Phillip Heads, the Commissioners shall, on application being made to them, refund the amount paid in excess of such sums respectively.

Rent—
No. 30, 31
and 32,
South Wharf.

302. The Master, Owner or Agent of a vessel occupying No. 30 South Wharf, No. 31 South Wharf or No. 32 South Wharf, at each of which berths additional wharf storage space is provided, shall, unless otherwise agreed upon, pay to the Commissioners for the right to place goods on such storage space the following charges:—

For the first day on which the vessel is so berthed, the sum of £14 if any cargo is unshipped or to be unshipped, and the sum of £2 if no cargo is unshipped or to be unshipped, and for each subsequent quarter of a day on which the vessel is so berthed the sum of 10/- irrespective as to whether or not any cargo is unshipped or to be unshipped.

Provided always that the charge for any part of a day of or less than six hours shall be that specified for a quarter of a day, and the minimum charge shall be for one day. Provided further that in the case of vessels trading solely between ports within the Commonwealth the charges payable under this Regulation shall be only 50 per cent of those hereinbefore specified, and in the case of vessels trading solely within Port Phillip Heads the charges under this Regulation shall be only 25 per cent of such specified charges. Should the charges paid under this Regulation exceed a sum equal to 1/- per ton on the cargo shipped into and the cargo unshipped from a vessel trading with any port beyond the Commonwealth, or exceed a sum equal to 6d. per ton on the cargo shipped into and the cargo unshipped from a vessel trading solely between ports within the Commonwealth, or exceed a sum equal to 3d. per ton on the cargo shipped into and the cargo unshipped from a vessel trading solely within Port Phillip Heads, the Commissioners shall, on application being made to them, refund the amount paid in excess of such sums respectively.

Rent for use
of Wharf,
etc., prior
to arrival of
vessel.

303. The Master, Owner or Agent of a vessel requiring any wharf, or part of a wharf or shed, for the storage of outward cargo prior to the berthing of the vessel by which it is to be shipped, shall pay to the Commissioners for the use of such wharf, or part thereof, and shed (if any) from

the time when such wharf and/or shed is set apart for the storage of such cargo until the berthing of the vessel, the following charges, namely:—

Width of shed.	For the first day.			For each subsequent quarter of a day.		
	£	s.	d.	£	s.	d.
Not exceeding 40 feet or if no shed be available	3	0	0	0	15	0
Exceeding 40 feet but not exceeding 60 feet	4	10	0	1	2	6
Exceeding 60 feet but not exceeding 80 feet	6	0	0	1	10	0
Exceeding 80 feet but not exceeding 100 feet	7	10	0	1	17	6
Exceeding 100 feet but not exceeding 120 feet	9	0	0	2	5	0
Exceeding 120 feet but not exceeding 140 feet	10	10	0	2	12	6
Exceeding 140 feet	12	0	0	3	0	0

Provided always that the charge for any part of a day of or less than six hours shall be that specified for a quarter of a day, and the minimum charge shall be for one day. If the whole of the cargo stored be not shipped by the vessel, such Master, Owner or Agent shall pay the said charges until all the cargo stored has been removed from the wharf or shed. The granting of the use of any wharf and/or shed for the storage of outward cargo shall be in the discretion of the Commissioners, and any such grant may be revoked.

304. The Master, Owner or Agent of a vessel requiring the use of any berth at Station Pier or Princes Pier, Port Melbourne, shall pay to the Commissioners for the use of such berth for the storage of cargo, in addition to the charges provided in Regulation No. 317, the following charges:—

(a) For the storage of outward cargo prior to the berthing of the vessel by which it is intended to be shipped, from the time when such wharf is set apart until the berthing of the vessel—

At Station Pier, the sum of £6 5s. 0d. for each quarter of a day.

At Princes Pier, the sum of £4 0s. 0d. for each quarter of a day.

(b) For the storage of any cargo remaining on the wharf after departure of the vessel, whether such cargo was intended for shipment or was landed from the vessel, from time of departure of the vessel until the whole of such cargo has been removed, the sum of £1 5s. per quarter of a day.

Provided always that the charge for any part of a day of or less than six hours shall be that specified for a quarter of a day.

The granting of the use of any portions of the piers for the storage of outward cargo shall be at the discretion of the Commissioners and any such grant may be revoked.

The provisions of Regulation No. 303 shall not apply to Station Pier or Princes Pier Port Melbourne.

305. The Master, Owner, or Agent of a vessel requiring any wharf, to which is annexed an area of land for the storage of outward timber prior to the berthing of the vessel by which it is to be shipped, shall pay to the Commissioners for the use of such wharf or part thereof from the time such wharf is set apart for the storage of such timber until the berthing of the vessel, the sum of £2 for the first day and 10/- for each subsequent quarter of a day, and in the event that all of such timber is not shipped by the vessel 10/- for each quarter day after the departure of the vessel until all the timber stored has been removed from the wharf or land.

Provided always that the charge for any part of a day of or less than six hours shall be that specified for a quarter of a day, and the minimum charge shall be for one day. The granting of the use of any wharf and/or land for the storage of outward cargo shall be in the discretion of the Commissioners, and any such grant may be revoked.

306. Whenever, in the opinion of the Harbor Master, artificial light is necessary for the safe loading or unloading of a vessel, the Master, Owner or Agent of such vessel shall use such light as may be directed by the Harbor Master and shall pay to the Commissioners the sum of £3/1/0 per night or part of a night for the use of such light.

Cargo
Lights.

307. Whenever the Commissioners shall supply light for working cargo in the hold of a vessel, the Master, Owner, or Agent shall pay to the Commissioners the sum of £3/9/0 per night or part of a night for the use of eight clusters or part of eight clusters, and 9/- per night or part of a night for each additional cluster over eight.

Tonnage Rates

Tonnage
rates.

308. In addition to any other toll or penalty which may be or may become due under the Act or Regulations for the time being in force, a rate shall, except as otherwise provided by these Regulations, be paid in respect of every vessel during the time such vessel uses, directly or indirectly, any wharf of the Commissioners, of one penny per ton of the gross register tonnage of such vessel for every day during which any such vessel uses any such wharf, provided that one-fourth, one-half and three-fourths of the above rates shall be paid for parts of a day of or less than 6, 12 and 18 hours respectively, and subject to a minimum charge equal to the charge for one day, provided that vessels trading solely between ports within the Commonwealth, and holding a current Tonnage Rate Concession Certificate, shall pay only 75 per cent of the said rates, and vessels trading solely within Port Phillip Heads shall pay only 25 per cent of the said rates; but in all cases the minimum charge shall be two shillings and sixpence.

The word "wharf" used in this Regulation shall mean and include any place of mooring or moorings whereat a vessel may be anchored, moored or berthed during the shipping or unshipping of passengers or goods on or from such vessel.

Tonnage
Rate
Concession
Certificate.

309. If the Master, Owner, or Agent of any vessel trading solely between ports within the Commonwealth submits to the Commissioners proof to the satisfaction of the Commissioners that such vessel is so trading the Commissioners shall issue a Tonnage Rate Concession Certificate in respect of such vessel.

A certificate issued in respect of any vessel shall be surrendered to the Commissioners if such vessel ceases to be so trading, and may at any time be revoked by the Commissioners by notice in writing to the Master, Owner, or Agent if it appears to the Commissioners that such vessel has ceased to be so trading. Excepting as otherwise provided, all certificates shall terminate on the 31st day of December in each year.

Rebates of
tonnage
rates under
certain
conditions.

310. If any vessel has in the opinion of the Commissioners been prevented from shipping or unshipping goods from any cause beyond the control of the Master, Owner, and Agent of the vessel for a period exceeding seven days, then the Commissioners may on the application of the Master, Owner, or Agent grant such a reduction in the rate payable in respect of any vessel under Regulation No. 308 or such refund as the Commissioners think fit.

Tonnage
Rates
during
Olympic
Games.

311. Where a vessel having visitors to the XVI Olympiad on board remains within the Port for the sole purpose of providing accommodation for the visitors for a continuous period of seven days or more between 1st day of November, 1956, and the 15th day of December, 1956 (inclusive), the rate payable under Regulation 308 in respect of such vessel for the whole of such period during which such vessel uses directly or indirectly any wharf of the Commissioners shall be One penny per ton of the gross register tonnage of such vessel for each of the following days, that is to say—the day of arrival of such vessel, the day of departure of such vessel, and each day (other than the days of arrival and departure) on which goods are shipped into or unshipped from such vessel subject to a minimum charge equal to the charge for two days. Provided that the Master, Owner, or Agent of such vessel shall if and whenever required by the Harbor Master during the said period move such vessel from the wharf whereat such vessel may for the time being be moored to some other mooring within the Port.

Tonnage
Rates on
licensed
vessels.

312. If the Owner of any vessel licensed under Regulation 175 shall give the Commissioners an undertaking that they are not to be held responsible for any damage to such vessel, howsoever caused, and notwithstanding that such damage may have been caused by the negligence of the Commissioners or their servants and shall also furnish security to the satisfaction of the Commissioners for the payment of the amount of any damage which shall be caused to

any of the property of the Commissioners by such vessel and of any loss incurred by the Commissioners in raising, removing, or destroying such vessel in the event of her being sunk or stranded within the Port and becoming in the opinion of the Commissioners an obstruction to the safe and convenient navigation and/or use of the Port, or shall give such other undertaking and/or security in lieu of the foregoing as the Commissioners may in special circumstances require then such vessel shall be exempt from payment of tonnage rates under Regulation 308.

313. The Commissioners may, by agreement in writing, accept in lieu of the rates imposed by Regulation 308, for the use of any wharf or place of mooring a gross sum per annum, or for any lesser period of a year, and every such gross sum so agreed upon shall be paid by such portions or instalments thereof, in advance, as the Commissioners may determine. Lump sum may be accepted.

314. A vessel lying in tier outside a vessel moored to or alongside any wharf of the Commissioners shall be liable to the rates imposed by Regulation 308, as if she were directly moored to the wharf. Vessels lying in tier.

315. Where any vessel is anchored, moored or berthed within the Port at any place or in any manner and shall in the opinion of the Commissioners be laid up and out of commission the same tonnage rates shall be paid as is required by Regulation No. 308. Provided, however, that if the Owner shall give to the Commissioners an undertaking that they are not to be held responsible for any damage to such vessel howsoever caused while she continues to be so laid up and out of commission, and notwithstanding that such damage shall be caused by the negligence of the Commissioners or their servants and shall also furnish security to the satisfaction of the Commissioners for the payment to them of the amount of any damage which shall be caused to any of the property of the Commissioners by such vessel, and of any loss incurred by the Commissioners in raising, removing, or destroying such vessel in the event of her being sunk or stranded within the Port, and becoming in the opinion of the Commissioners an obstruction to the safe and convenient navigation and/or use of the Port, or shall give such other undertaking and/or security in lieu of the foregoing as the Commissioners may in special circumstances require, the tonnage rates payable to the Commissioners in respect of such vessel shall be the following:— Tonnage or vessels out of commission

	For Every Period of Three Months or Part Thereof, Payable in Advance.		
	£	s.	d.
Vessels not exceeding 200 tons	1	0	0
Vessels exceeding 200 tons but not exceeding 500 tons	2	0	0
Vessels exceeding 500 tons but not exceeding 1,000 tons	3	0	0
Vessels exceeding 1,000 tons	4	0	0

Nothing in this Regulation shall prevent the Harbor Master from directing the removal of any vessel laid up and out of commission from any wharf, mooring, or anchorage at any time he may think fit.

316. The Master, Owner or Agent of a vessel occupying any of the berths mentioned hereunder shall, unless otherwise provided or agreed upon, in addition to any other tolls, rates or charges whatsoever for the time being payable under the Act or Regulations in respect of such user, or of such vessel pay to the Commissioners the charge set forth hereunder for each quarter of a day, or part thereof, during which the vessel occupies such berth, but subject to a minimum charge equal to the charge for one day:— Berths. Charge for use of.

	For each quarter of a Day or Part thereof during which the Vessel Occupies the Berth.		
	£	s.	d.
Station Pier, Port Melbourne—each berth	6	5	0
Princes Pier, Port Melbourne—each berth	4	0	0
Breakwater Pier, Williamstown	0	5	0
Gellibrand Pier, Williamstown—each berth	1	1	3
Nelson Pier, Williamstown—each berth	1	3	9
Newport—Berths Nos. 3 and 4	0	5	0
Yarraville—Berths Nos. 1, 6 and 8	0	5	0

		For each quarter of a Day or Part thereof during which the Vessel Occupies the Berth.		
		£	s.	d.
Victoria Dock—				
Berths Nos. 1-4	.....	0	10	0
Berths Nos. 5-9	.....	0	15	0
Berths Nos. 10-13	.....	0	10	0
Berth No. 14	.....	1	7	6
Berth No. 15	.....	0	10	0
Berth No. 16	.....	2	2	6
Berths Nos. 17 and 18	.....	1	17	6
Berths Nos. 19-21	.....	2	2	6
Berth No. 22	.....	1	7	6
Berth No. 23	.....	2	0	0
Berth No. 24	.....	1	12	6
Appleton Dock—				
Berth "B"	.....	0	10	0
North Wharf—				
Berth No. 1	.....	0	5	0
Berths Nos. 2 to 4	.....	0	10	0
Berth No. 5	.....	1	2	6
Berths Nos. 6 and 7	.....	0	10	0
Berth No. 9	.....	0	5	0
Berth No. 10	.....	0	15	0
Berths Nos. 11-13	.....	0	10	0
Berth No. 14	.....	0	15	0
Berth No. 15	.....	0	10	0
Berth No. 16	.....	1	7	6
Berth No. 17	.....	0	10	0
South Wharf—				
Berths Nos. 1 and 2	.....	0	5	0
Berths Nos. 4 to 8	.....	0	5	0
Berth No. 9	.....	0	10	0
Berth No. 9a	.....	0	5	0
Berth No. 10	.....	0	5	0
Berth No. 12	.....	0	5	0
Berth No. 13	.....	0	5	0
Berth No. 14	.....	0	10	0
Berth No. 15	.....	2	0	0
Berths Nos. 16 to 19	.....	0	10	0
Berth No. 20	.....	0	5	0
Berths Nos. 21 and 22	.....	0	10	0
Berths Nos. 23 and 24	.....	0	15	0
Berths Nos. 25 and 26	.....	0	10	0
Berths Nos. 27 to 30	.....	1	2	6
Berths Nos. 31 and 32	.....	0	10	0

Provided that no vessel which is at a berth for which the charge under this Regulation is 5s. per quarter-day shall be charged under this Regulation a sum greater than £4 in any period of ten consecutive days. Provided further that should the charges paid under this Regulation exceed a sum equal to 1s. per ton on the cargo unshipped from and shipped into any vessel at the berth the Commissioners may, if they are satisfied that such shipping and/or unshipping of cargo has proceeded continuously, on application being made to them in writing, refund the amount by which the charges paid under this Regulation shall exceed such last-mentioned sum. No refund shall however be payable on account of any vessel berthed at any wharf which is appropriated for vessels carrying passengers, or at No. 16 Berth, North Wharf.

Tonnage to
be paid to
Treasurer.

317. All rates and charges made payable by Regulations 308-317 shall be paid to the Treasurer of the Commissioners, at the office of the Commissioners, or to a Collector appointed to receive the same by the Commissioners, and such Treasurer or Collector shall give to the person who shall pay such rates and charges a receipt signed by such Treasurer or Collector for the amount received by him.

Wharfage Rates

318. (i). There shall be paid to the Commissioners in respect of all goods landed from any vessel within the Port unless exempted by any Act of Parliament or these Regulations, the rates specified in the following Schedule:—

Article.	Rate per Ton.		If Manufactured or Produced Within the Commonwealth and Arriving from Ports Within the Commonwealth. Rate per Ton.		If Arriving from Within Port Phillip Heads. Rate per Ton.	
	s.	d.	s.	d.	s.	d.
Ballast consisting of sand, shingle, or stone ..	0	8	0	6	0	2
Ammonia Liquor ..	5	0	3	9	1	3
Coal ..	5	0	2	6	1	3
Crude Oil ..	5	0	3	9	1	3
Empty returns being drums, casks, cases, boxes, crates, baskets, biscuit and lolly tins, and bags ..	5	0	3	9	1	3
Phosphatic Rock ..	5	0	3	9	1	3
Sand (carried as cargo) and shell ..	5	0	3	9	1	3
All other goods ..	7	6	5	0	1	8

Goods exempt from charges under this Regulation—

Firewood.
Goods belonging to Her Majesty's Government.
Passengers' luggage.
Guano.
Bones.
Bonedust.
Live stock.

(ii) The rates specified in the Schedule immediately preceding at per ton may be calculated by the Commissioners by weight or measurement at their option.

319. Every person liable to pay wharfage rates to the Commissioners in respect of goods, merchandise and things landed from any vessel at any wharf within the Port, shall pay the said rates to the Collector appointed to receive the same at the receiving office of the Commissioners.

All rates shall be paid in Australian currency, and Imperial weights and measures shall be used.

Penalties

321. Except where specific penalties are imposed in the Act or in these Regulations, the penalty for each breach of these Regulations shall not be less than £1, nor more than £20, plus any damages and expenses consequent on the particular breach.

Dated this 8th day of August, 1956.

The common seal of the Melbourne Harbor Trust Commissioners was hereto affixed by order of the Commissioners, in the presence of—

(SEAL) A. D. MACKENZIE, Chairman.
J. P. WEBB, Commissioner.
A. C. COOK, Secretary.

Approved by the Governor in Council,
4th September, 1956.
A. MAHLSTEDT,
Clerk of the Executive Council.

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