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THE PORTLAND HARBOR TRUST

COMMISSIONERS'

REGULATIONS

1951

THE PORTLAND HARBOR TRUST COMMISSIONERS.

IN pursuance of the *Portland Harbor Trust Act 1949*, the Portland Harbor Trust Commissioners make the following Regulations:—

DEFINITIONS.

1. In the construction, and for the purpose 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 *Portland Harbor Trust Act 1949*, and any Act amending same.

Ballast includes any kind of stone, gravel, sand and soil and every commodity or thing commonly used for ballasting 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 Portland 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, 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 Assistant Harbor Master, 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 Consignee, Consignor, Skipper 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 the Bill of Lading or other document representing such goods, and every person having or claiming any right, title or interest thereto or therein.

Owner 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 Portland Bay, the waters falling into it, and the lands on the margin as is included within the metes and bounds described or referred to in the First Schedule of the Act.

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.

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 connexion 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, ferry, raft, or craft or any other kind of vessel whatever, whether navigated by steam or otherwise, or any seaplane, hydroplane, or other similar craft.

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

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 connexion with any wharf as herein defined.

Wreck includes jetsam, flotsam, lagan and derelict.

CONDUCT OF BUSINESS AND OFFICERS.

2. The offices of the Commissioners shall be open for the trans-^{Business}action of business between the hours of 9 a.m. to 12.30 p. m. and from ^{hours.} 1.30 p.m. to 5 p.m. on Monday to Friday inclusive.

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 locks the Secretary shall have a key, and a duplicate of each of such keys shall be lodged at such bank as the Commissioners shall 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 signatures 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 Collector 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 Portland Harbor Trust Fund. No money shall be drawn out of the bank save by cheque signed by any two Commissioners and countersigned by the Secretary. ^{Duties of Treasurer as to making entries and payments.}

7. Collectors of Wharfage Rates shall daily pay the amount of such rates received by them, without any deduction whatsoever, to the credit of the Portland 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 paid to Bank.}

Disqualifi-
cation for
becoming
surety.

8. 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.

Secret
Commission
or bribery.

9. Every Officer of the Commissioners who receives any gifts or considerations, or any benefits or advantages whatsoever by way of inducement or reward for any act done, or any forbearance observed, or to be observed or any favour or disfavour 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 or agency or contract for or with the Commissioners, shall be liable to be prosecuted for every such offence and to be dismissed.

Officers not
to divulge
business.

10. 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 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.

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

Powers of the
Harbor
Master.

12. 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, or go out of, or be 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 as for the safety of the vessel as for preventing injury to other vessels, and to the Port and the mooring 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.

13. Without any prejudice to the exercise of any of the powers conferred by Regulation 12 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.

Duties of
Master of
vessel.

14. 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 direction 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.

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.

16. 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.

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

Harbor Master may order persons off wharf.

18. 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.

19. 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 connexion with some vessel. The Commissioners may for every such ticket 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 space.

20. 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.

21. A person shall not, without reasonable excuse upon such enclosed place as mentioned in Regulation 19, 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, &c.

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

Power to remove offenders.

23. (i) 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.

(ii) 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 that Regulation.

NAVIGATION OF VESSELS.

Port Signals. 24. The following are the signals to be observed within the Port of Portland:—

MEANING.	SIGNAL.	
	Day.	Night.
Want Customs Officer ..	Flags EHC.	
Want Pilot ..	Flags PT or Flag G. IC or Pilot Jack at foremast.	
Want Medical Assistance ..	Flag W. IC.	
Want Tug ..	Flags YA. IC.	
Want Water ..	Flags YJ. IC.	
Want Police ..	Flags ST. IC. and/or three short blasts followed by one long blast (ST.) on whistle or siren.	
Am Carrying Mails ..	Flag Y. IC. at foremast head or where it can be best seen.	
Explosives on Board ..	Flag B. IC.	Red Light.
Inflammable Liquids on Board ..	Red Flag with a white circular centre.	Red Light.
Pilotage Exemption ..	White Flag at main mast-head or where it can best be seen.	
Vessel at Anchor ..	Black Ball at forestage or where it can best be seen.	
My Ship is Healthy and I Request Pratique ..	Flag Q. IC.	
My Ship is Suspect ..	Flags Q. & Q. (1st substitute IC.)	
My Ship is Infected, I have not Received Pratique ..	Flags QL. IC.	Red Light.
Caution when Approaching British Ports—		
1. Closing of Ports—		
Entrance to Port Prohibited. (Signal exhibited in some conspicuous place in or near approach) ..	Three Red Balls disposed vertically.	Three Red Lights disposed vertically.
2. Examination Service—		
Entrance to Port Permitted ..	Distinguishing Flag White over Red horizontal surrounded by a Blue border.	Three White Lights disposed vertically.
3. Entrance to Port Prohibited. (Signal exhibited on examination steamer) ..	Distinguishing Flag White over Red horizontal surrounded by a Blue border. Also three Red Balls disposed vertically.	Three Red Lights disposed vertically.

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

National Colours. 25. The Master of every vessel exceeding 20 tons burden shall in the day-time hoist and keep flying her national colours, under the following circumstances:—

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.

Collision Regulations. 26. 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.

Guns, fire-arms, signal-lights. 27. 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, firearms, blue lights, rockets, or other explosives.

28. 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.

Complement
of Crew.

29. 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 lookout 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.

Man on
Look-out.

30. Any Regulation applying to steam vessels shall apply to vessels propelled by any other mechanical power.

Steam includes
other power.

31. 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.

Silencer to
prevent
offensive
noise.

32. The Owner and the person in charge of any vessel emitting an offensive noise shall be guilty of an offence.

Offensive
noise an
offence.

33. 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.

Speed when
towing.

34. The Master of any vessel employed in towing any vessel shall not, except with the written permission of the Harbor Master—

Manner of
towing.

(a) Tow two vessels alongside or abreast of each other.

(b) Nor tow two 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.

35. 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 dredgers or tugs and the Masters of such dredges or tugs must use every exertion to avoid collision.

Vessels
passing each
other.

36. 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 therefor, or in addition thereto.

Vessel to
carry lights.

37. 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.

38. 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.

39. Except in such areas as the Harbor Master may otherwise permit, 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.

Lights on
vessels in tier.

40. 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 clause prescribed for vessels at anchor.

Grounded
vessels.

41. In the event of a vessel grounding, the Master thereof shall, in addition to the white light or lights required by Regulation 39 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 two 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.

Dredge lights
and signals.

42. (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 feet 9 inches in length, suspended with its base downwards, from the yard-arm on side on which dredger is to be passed.

In Night-time.—In addition to the white light or lights required under Regulation 39 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 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 drum having each of its sides at least 2 feet 9 inches in length, suspended with its sides vertical from the yard-arm on side on which dredger is to be passed.

In Night-time.—In addition to the white light or lights required under Regulation 39, 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 feet 9 inches 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 feet 9 inches 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 39, 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 way 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 1½ seconds, followed after an interval of about 1½ seconds by a long ring of about 4 seconds duration (Morse code 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 1½ seconds by a short ring of about 1½ seconds duration (Morse code sound signal for the letter "N").

(c) When dredger is blocking channel.

Three short rings each of about 1½ seconds duration with intervals between each of about 1½ seconds (Morse code sound signal for the letter "S").

43. The Master of a mechanically-propelled vessel shall, at least 300 yards from any dredging machine, diving punt, or rock-breaking machine, belonging to the Commissioners, go "dead slow", and prior to his vessel passing over or along the mooring chains of any dredging or rock-breaking machine or punt, he shall stop the engines of such vessel until his vessel has passed clear of such mooring chains.

44. Except for purposes of navigation, no whistle, siren, bell, or fog-horn shall be sounded on any vessel navigating the Port.

45. 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.

46. No vessel shall 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.

47. 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 thereto, or until ordered to do so by the Harbor Master.

Passing
dredgers, &c.

Use of
whistles,
fog horns, &c.

Port races,
regattas, &c.

Vessels not to
be docked
without the
sanction of
the Harbor
Master.

Approaching
or leaving
wharf or
dock.

- Boarding Officer to be assisted. 48. 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 without Pilot. 49. No vessel which is liable to pilotage on entering or leaving the Port of Portland 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, &c. 50. 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.
- Collision, &c., to be reported. 51. 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 report the circumstances to the Harbor Master in writing.
- Liability of Masters, Owners, and Pilots of vessels. 52. 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.
- MOORING OF VESSELS.
- Manner of mooring. 53. 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.
- Anchor buoys. 54. 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.
- Anchors and cables to be kept clear, &c. 55. 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 moorings. Losing anchor. 56. 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.
- Berthing at wharf. What constitutes. 57. Every vessel riding by a hawser or rope, or otherwise attached to any portion of a wharf or to another vessel moored or berthed at a wharf 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.
- Before berthing projections to be within rails. 58. The Master of a vessel about to be berthed at a wharf, and whilst so berthed, shall have the anchors thereof hove up, with the stock awash or taken on board, and the lower yards topped or braced sharp up, and all other projections stowed within the rails of his vessel. In order to facilitate removal, or for other reasons, the Harbor Master may require the vessel to be further dismantled or the gear thereof shifted.
- Berthed in tier. 59. No vessel shall be in tier third off from any berth in the Port, except by special permission, in writing, of the Harbor Master.

60. 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 any wharf, without his authority or contrary to his directions, nor shall the position of any vessel be moved from or leave any berth, without his permission.

Berthing
vessels.

61. 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. No vessel, whilst waiting for a berth occupied by another vessel, shall be allowed to approach within 150 yards of the one already berthed.

Priority of
berthing.

62. 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.

Notice for
berth.

63. 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 required the certificate to be amended the Master or Agent shall forthwith advise the Harbor Master thereof, and produce to him the amended certificate.

Certificate of
Registration
to be
produced.

64. 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.

Mooring or
berthing in
tier.

65. 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.

Extra warps,
&c.

66. The Master of a vessel in Port shall cause at least one seaman to be at watch on deck, except:—(1) Vessels laid up, coal hulks, ballast or other lighters lying 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 and boats lying within such area as the Harbor Master may permit.

Watch on
board.

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.

67. 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?

68. No Master of a vessel shall make her fast or hang her on to another vessel without permission, unless ordered to do so by the Harbor Master.

Vessel not to
be made fast
to another.

69. 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.

70. 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.

71. 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, &c.,
astern of
vessels.

72. 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 connexion with any vessel in the Port on Sundays, except such as may be necessary

Work on
Sundays.

for the cleanliness or safety 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.

Vessels near wharves.

73. No vessel shall be anchored or shall lie at a less distance than 100 fathoms from any wharf, except for the purpose of immediately hauling alongside.

Rats—
Prohibition
against
Board of
Health
Regulations.

74. Every hawser or rope by which a vessel is made fast to a wharf or the shore shall, if required by the Harbor Master, be defended by at least one metal disk of a size and pattern approved of by the Harbor Master, and every such metal disk 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 Board of Public Health affecting vessels moored to a wharf or to the shore.

Gangway,
ladder, or
stage.

75. Every vessel moored to a wharf or to another vessel moored to a wharf shall be provided with a good and efficient 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 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 efficient 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 or small vessels trading within the Port.

Gangways on
vessels not
at wharf.

76. Every vessel lying in the Port 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.

77. 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.

78. 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.

Vessel's
furnace,
fires, &c.

79. 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, and use no naked lights.

Flare-up
lamps and
naked lights.

80. 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
protection.

81. The Master of every vessel shall comply with the Regulations set out in the *Commonwealth Navigation Act 1912-42* for Life-Saving Appliances and Fire Protection.

Vessel
on fire.

82. In the event of any fire occurring on board a vessel in the Port, or on the 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.

83. 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.

84. 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 whatsoever; but a bell may be rung for a reasonable time previous to the departure of any vessel from the wharf.

85. 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, or 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.

Wharves to be cleared of rubbish, &c.

86. 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.

Boats at landing stage.

87. The Master of any boat lying alongside any ships 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.

To give way to other boats.

88. 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.

Steam pipes to be screened.

89. 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 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 or 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.

90. 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.

91. 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.

92. 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 nett 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.

Goods not to be left on wharf without permission.

93. 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.

94. 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.

95. 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 Licensee.

Returns to be made in certain cases.

96. 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 94 and 96.

Condition of licence.

97. Licences 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 Wharfingers 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 the 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 (whatever shall be least) of goods paying freight on 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, in respect to an overseas vessel, be given prior to 5 p.m. on the fifth day and, in case of other vessels, 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 Portland newspaper, 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, and as set out in Schedule No. 1, hereto. The Commissioners may, by resolution, from time to time vary the amount of all or any of such charges.
- (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 102.
- (9) Each Licensed Wharfinger shall use the wharf and shed accommodation allotted to the vessel for which it 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 and 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.
98. 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.

Schedule
No. 1.

Cart note
for goods to
be supplied.

Manifest to
be delivered
to Collector.

99. 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 or 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 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.

100. 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.

Wharfage to
be paid
before
removal of
goods.

101. 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.

Permits to
remove goods.

102. (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 from the Master, Owner or Agent of the importing vessel to remove 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 containers, and any person refusing to allow such search when requested in the name of the Commissioners shall be liable to a penalty of £10.

103. (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—

- (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 102 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), and (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.

104. 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 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 transhipment.

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

106. 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. Transhipment of goods discharged.

107. 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 "transhipping" respectively have a meaning corresponding with that of "transshipment". Transshipment, meaning of.

(a) Any person transhipping 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.

108. Where a transhipping entry has not been passed before the expiry of 48 hours, payment at the rate of 1s. 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 transhipping entry is passed, and the goods be actually reshipped within 10 days of the final discharge of the vessel in which they were imported. Transshipment after 48 hours.

109. No coal shall be landed upon any wharf from any vessel carrying coal, and hereinafter called a collier, or, from any vessel used for storage of coal, hereinafter called a lighter, unless an entry has been previously passed or a permit granted to land such coal by the Collector. No coal to be landed without entry or permit.

110. 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. Entry to be accompanied by Stevedore's certificate.

- Pit certificates to be produced.** 111. Pit certificates, issued by the Owner or Owners of colliers, or their duly authorized agent, 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.
- Receipts to be produced.** 112. 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.
- Register of books to be kept.** 113. Register books shall be kept by the coal importers at their Portland office, and such register shall show the distribution of the inward cargo of each collier; that is to say, the number of tons landed, &c. 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.
- Discharging coal.** 114. No coal shall be discharged, or placed at or upon any of the wharves of the Commissioners except at such places as may be appointed by the Commissioners for that purpose, and in such a manner as shall be approved by the Harbor Master.
- Coal landed at open berths.** 115. All coal discharged at any berth not occupied by the Importer under license from the Trust, must be entirely removed from the wharf at the rate of 150 tons per day, dating from the commencement of the discharge of the vessel from which the same has been landed, but all coal discharged must be removed before the vessel from which the coal has been discharged leaves the berth. If any part of such coal be not so removed the Owner, Master, or Agent shall pay to the Commissioners one half-penny for every ton of the gross register tonnage of the vessel for each day or part of a day that coal is left on the said wharf after the vessel has left the berth. Nothing in this Regulation contained shall affect the right of the Commissioners or the Harbor Master to remove the coal from the wharf, or the liability of the Owner, Master, or Agent of the vessel, or of the Owner of the said coal, in respect of any breach of this Regulation.
- Prosecution of loading and unloading.** 116. 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 intermission day or night (except for Sundays), and to the Harbor Master's satisfaction, and shall render all necessary facilities, material and gear to permit of expeditious loading or unloading. Sundays and any periods 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.** 117. 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.** 118. 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.** 119. 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 of land which by resolution of the Commissioners is annexed to a wharf, or in a shed shall be removed therefrom within three days after the vessel from which they have been landed has ceased discharging cargo at the berth where such goods were landed.
- If in the opinion of the Commissioners the exigencies of trade permit such goods may be allowed to remain upon the wharf or area of land annexed to a wharf as aforesaid, or in the shed 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.** 120. Should any goods be not removed within the time limited by Regulation 119, there shall be payable by the Owner as and by way of storage fees in respect thereof the sum of 1s. 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 1s. 6d. per ton for the second three days, 2s. 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 goods at any time after the expiry of the time limited for their removal, and, the Owner of the goods shall, prior to, the removal of such goods, 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 1s. 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 fit.

121. Any goods received by the Commissioners into any store, owned by, in the possession of, or under the control of the Commissioners as wharfingers or warehousemen 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 119 and 120 from a wharf or any area of land which by resolution of the Commissioners is annexed to a wharf shall be stored therein at the risk of the Owner and the Owner or Consignee or other person making the request as aforesaid shall pay to the Commissioners for receiving and delivering the said goods the sum of 2s. per quarter ton and for the storage of the said goods in such store 2d. per quarter ton for the first week, and for every subsequent week the sum of 2d. per quarter ton additional to the amount per quarter ton payable for each immediately preceding week; that is to say, 4d. per quarter ton for the second week, 6d. 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 2d. 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.

122. In the calculation of time for the purposes of Regulations 97, 119, 140, 141, and 142, 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.

123. 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.

124. 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.

125. (1) Every package or article of cargo of the gross weight of one metric ton (2,205 lb.) or over, before being shipped on any vessel within the Port by means of the cargo gear belonging to or used on the vessel, 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 2,205 lb., the gross weight may be stated approximately within a limit of one ton as "Over 1 ton but under 2 tons," as the case may be.

- reason of their nature or place of shipment, it is neither practicable to weigh nor legibly to mark or
- (2) This Regulation shall not apply to articles which, by label, but in respect of such articles and also in respect of articles which have been shipped outside the Port of Portland 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 by means of the cargo gear, verbal advice as to the approximate weight of each such article about to be shipped or unshipped.
- (3) The Master, Owner or Agent of the vessel and the consignor of the package or article of cargo shall be jointly and severally liable in respect of any breach of the requirements of this Regulation.

Weight of goods allowed on wharf.

126. 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 permitted by the Harbor Master to each square foot of the wharf or shed.

Wharf space to be occupied.

127. 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 keep the mooring fast or rings free, and allow a clear passage of at least five 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 thereto.

Stevedores' gear, cranes, and vehicles. Removal of.

128. (1) 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 a sum to be determined by the Commissioners from time to time and until further notice as appears in Schedule No. 2 of the Regulations. 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 a sum as set out in Schedule No. 2 hereof.

Schedule No. 2.

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

Schedule No. 2.

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 a sum as set out in Schedule No. 2 hereof.

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.

Spaces around cranes to be kept clear.

129. 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.

130. 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.

131. 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 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.

No obstruction to landing, &c.

132. No goods, luggage or any other article shall be placed and allowed to remain on any landing, landing steps or approaches thereto, appurtenant to a wharf.

133. 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.

Slinging
of goods.

134. 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.

Damage to
goods by
water used
on vessel.

135. 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.

Openings to
be closed or
protected.

136. 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:—

Handling 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 Third 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 138.

(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 149 to 153 inclusive of these Regulations shall be observed.

(g) With respect to oils and inflammable liquids, in addition to the provision of this Regulation, the provisions of Regulation 141 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 Fourth Schedule.

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

Schedule
No. 3.

Schedule
No. 4.

- (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 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 damage 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.

Limitation of dangerous goods entering Port.

137. The dangerous substances set out hereunder shall only be permitted within the limits of the Port in the quantities shown:—

Substance.	At Ordinary Berth.	Elsewhere as Directed by the Commissioners.
Ammonia Nitrate (chemically pure)	75 tons	Not exceeding 400 tons
*Ammonia Nitrate (containing impurities)	10 tons to be cleared immediately	Not exceeding 400 tons at anchorage only
*Ammonium Perchlorate	10 tons to be cleared immediately	Not exceeding 400 tons at anchorage only
All permanganates, chlorates, nitrates, and peroxides of Sodium Potassium, Barium or other substances which may form easily ignited or detonated mixtures with combustible matter	20 tons for discharge	

* These substances should be treated as being extremely dangerous and special precautions must be taken.

Provided that where there are bulk shipments of say, sodium nitrate, the Commissioners may appoint a departure from these conditions.

Special consideration shall always be given to the packaging, marking, stowing, discharge from the vessel, removal from the wharf and such other conditions as required by the Commissioners in addition to those always required under the Commonwealth Navigation Act.

The total tonnage of any one or more of the above-mentioned substances for discharge at any one port shall not exceed 20 tons and these substances shall be packed, marked, stowed and handled in accordance with the highest safety practices, the greatest danger being caused by leakage from faulty packages. These packages shall not exceed 110 lb.

With regard to commodities entering ports under trade names, if these are included on the list of hazardous cargo supplied by the shipping company or master of the vessel they shall be treated as hazardous until evidence is produced to the contrary.

Any commodities about which the Harbor Master is doubtful shall be considered hazardous and placed on the list until proof of their safety is submitted.

REGULATIONS RESPECTING OILS AND INFLAMMABLE LIQUIDS.

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

SECTION I.

Exemptions. (1) 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.

Definitions. (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:—

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 Schedule ^{Schedule} 6 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 vapour 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 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 90 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 11, paragraphs (10), (11) and (12) includes petroleum oils or petroleum spirits 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:—

- (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.
- General precautions.** (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.
- Inspection.** (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.
- Escape of oil.** (4) No inflammable liquid or oil or ballast water or water mixed with any oil or inflammable liquid shall be permitted to escape from or be discharged from a vessel into any tidal water, and no liquid of any kind shall be discharged into any tidal water from bilges, tanks, or other spaces which have contained any oil or any inflammable liquid unless it is proved that the tanks or spaces have been cleaned of oil and inflammable liquid, or that the liquid has been freed from oil or inflammable liquid by means of a separating apparatus.
- Loading or unloading oil in bulk or inflammable liquid.** (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.
- Burning oil or inflammable liquid or refuse on board.** (6) Heating, boiling, 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 is prohibited, except in such place and in such manner as may be approved by the Harbor Master.
- Strong containers required.** (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 forms of liquid or vapour.
- (a) Any containers which have been used for the carriage of inflammable liquid having a flash point of less than 73°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.
- Motor cars, motor boats, &c.** (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 vapour.
- (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.
- Powers of the Harbor Master with respect to vessels not carrying inflammable liquids.** (9) In the event of any vessel being anchored moored or berthed within 100 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.
- Certificate of test before commencing work.** (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 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 vapour entering it arises, work therein shall be suspended until a further certificate of test shall have been obtained.

(c) No naked lights, fire 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) 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 vapour and (b) the interior surface 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.

(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 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.

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 LL, General Requirements for all vessels, shall 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.

Previous Regulations to be complied with. Pipes, hoses, &c. to be free from leakage.

- (b) A non-return valve shall be placed immediately behind the connection between the 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.

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.

Schedule
No. 5.

(2) The Master, Owner, or Agent of the vessel shall give at least twenty-four hours' notice on Schedule Five 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.

(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 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 Security 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 of 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 loading or unloading of inflammable liquid.

Locomotives
not permitted
within
fifty 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 50 feet of any vessel carrying inflammable liquid.

(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.

Steel hawser to be placed over side of vessel.

(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.

Prompt discharge.

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

Officer to be in charge.

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

Inspection fee.

(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.

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

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

Supply of fire extinguishers, &c.

(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.

Chipping, scraping, hammering prohibited.

Except with the written approval of the Harbor Master, chipping, scraping, or hammering of iron on 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 vessel.

(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 6 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 12 feet above deck and made weather-proof.
- (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.*

- Watchman at gangway. (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.
- Display of notices. (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.
- Ventilation of holds before unloading. (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.
- Holds to be ventilated. (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.
- 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 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 cleaned and ventilated, shall be closed gastight 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 gastight bulkheads, decks, battened down hatchways, or other means from all places on such vessel where vapour 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 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.

- 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 connexions 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.

(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. Matches, &c., prohibited.

(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. Engineer to be in charge.

(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 or 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. Fires and lights on tank ships.

(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 of tanks.

(35) Pipes, hoses, pumps, and other appliances used for 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, &c., 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 connexion between hose and shore installation pipe, and also at the shore end of the wharf.
- (c) When pumping ceases temporarily, valves on ship 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) All pipe lines, hoses, valves, and other appliances shall be coupled up and pumping commenced at least one hour before sunset.
- (b) Pipe lines and hoses shall not be uncoupled or coupled or otherwise interfered with except in daylight.
- (c) Sufficient electric flood lighting of approved type shall be provided to give ample light for all operations.
- (d) Arrangements shall be made by the Master of the Tank ship to ensure that there will be 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.

Repairs to tanks on tank ships.

(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 vapours, measures in accordance with paragraph (11) of section II. shall be taken.

SECTION V. INFLAMMABLE LIQUID ON WHARVES.

Inflammable liquid on wharves or in sheds.

(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 50 feet of any wharf or on any vessel without the permission of the Harbor Master and no person shall deposit 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.

Quantity of inflammable liquid permitted 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.

Notice boards to be erected.

(3) No inflammable liquid 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:—
"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 50 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 50 feet of such inflammable liquid.

Goods not to go into sheds.

139. No inflammable acids, benzine, gasoline, kerosene, naphtha, petrol, petroleum, turpentine, vitriol, or other goods of a dangerous nature, shall be placed in any transit shed, nor shall any oil, castor oil, cement, chemicals, fibre, green skins or hides, galvanized iron or fencing wire, iron or steel in pig bars or bundles, kapok, lead in pigs or rolls, matches, manures, pitch, rags, resin, tar, salt in bags, or whiting be placed in any closed transit shed.

Spirituous liquor to be removed from wharf within 48 hours.

140. The Owner, Consignee or person claiming a right to ales, wines, spirits or other permitted 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 Three pence per ton additional to the amount per ton payable for each preceding week; that is to say, One shilling and three pence 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.

May be removed to wet shed.

141. All such liquor may be removed by the Consignees to the shed nominated by the Commissioners from time to time known as the "wet shed." (Hereinafter referred to by that name.)

Fees for receiving and delivering.

142. The Consignees or Owners of all such liquor removed to the "wet shed" shall pay to the Commissioners for receiving and delivering the sum of 1s. 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.

143. The Owners, Consignees, or person 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 per quarter ton additional to the amount per quarter ton payable for each immediately preceding week; that is to say, Four pence per quarter ton for the second week; Five pence per quarter ton for the third week, and so on. For purposes of this Regulation a fraction of one-quarter ton shall be deemed one-quarter ton.

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.

144. Ales, wines, spirits, or other fermented or spirituous liquor, not having been imported and landed upon any wharf, may be received into the shed known as the "wet shed."

145. The consignee or owners of all such liquor received into 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 per quarter ton additional to the amount per quarter ton payable for each preceding week, that is to say, Four pence per quarter ton for the second week; Five 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 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.

146. 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.

147. 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, port sails, canvas or other protection approved 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.

148. 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 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 loaded, or into which they were being shipped.

Cargo falling overboard.

149. 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.

Commissioners not liable for loss or damage to goods.

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*.

Classification
under the
Explosives
Act.

150. 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.

Not to be
conveyed
through
Port.

151. No explosives shall be conveyed through waters under the jurisdiction of the Commissioners, except—

- (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, pyrotechnic signals of any other kind.
- (e) Explosives of His Majesty's ships, provided that before being moored alongside any wharf, or before going into dock, ships belonging to His 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.

No smoking
on board.

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

(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.

Notice to
be given.

153. 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.

154. No person shall on any vessel which has on board any cargo comprising explosives of any kind whatsoever 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.

VESSELS PLYING FOR HIRE.

Licensing
of vessels.

155. (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 such mechanically propelled vessels engaged in—

- (i) trading or
 - (ii) holiday or special excursion traffic, or
 - (iii) towing
- between other seaports and the port of Portland.

156. 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 the vessel 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.

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

157. 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.

Application
for licences.

158. 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 160, or by an officer of the Commissioners authorized for the purpose, who will report to the Commissioners in respect to:—

Inspection
of vessels.

- (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:—
 - (i) The number of passengers the vessel may with safety be permitted to carry.
 - (ii) The sufficiency of the life-belts or other life-saving means provided.
 - (iii) 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:—
 - (i) The marking of the vessel, having regard to the Regulations in that behalf.
 - (ii) The quantity of goods the vessel may 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.

159. 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.

Passengers
on
mechanically
propelled
vessels.

160. (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.

Passenger
boats.

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 persons 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.

(b) 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.

(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.

(f) 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.

Deduction
luggage.

161. 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.

Equipment
manning,
&c.

162. 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.

Marking
of vessels.

163. To every vessel licensed will be assigned a serial number, which with the letters "P.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:—

(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 twelve inches deep and two inches wide.

Other
markings
of vessels.

164. 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 or stern 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 by the Harbor Master, and such names and figures shall be kept clear and legible to that officer's satisfaction.

165. 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.

166. 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 another licence.

167. 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.

168. The expense of measuring, remeasuring 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 all such expenses have been paid.

169. 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.

170. 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.

171. 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.

172. 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.

173. 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 rate 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.

Licence may be suspended under certain conditions.

174. 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.

Property left in boat.

175. 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.

Hirer to observe Regulations.

176. 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.

PERSONS PLYING FOR HIRE.

Licensing of Masters of vessels, boatmen, &c.

177. 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 carriers and porters.

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

Carriers, employees' licences.

179. The Commissioners may grant to any person carrying on the business of a carter or carrier such number of licences as they 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.

Application for licence.

180. 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 responsibility and of temperate habits, and that the applicant possesses competent knowledge of the duties for the performance of which a licence is sought.

Examination as to competency.

181. 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.

182. 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 whatsoever.

Licensed person must not refuse engagement.

183. 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.

184. 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 carters and carriers.

185. 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 carrier's employee shall act as a porter or carry goods to any but the vehicle to which he is attached, whether as driver or licensed employee as aforesaid.

186. Upon the arrival of any vessel, porters shall arrange themselves on the wharf, at least 5 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.

Conduct of porters.

187. 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.

Commissioners may fix charges.

COOPERS.

188. No person, other than an officer of His 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.

Licensing of coopers.

189. 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 any one arising from the acts or omissions of the employee while the licence shall be in force.

Employers responsible for employees.

190. No licensed cooper shall open, pack, re-pack or repair any case, box, barrel or package in any of the sheds, or in 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.

191. 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.

192. Every person licensed under the provisions of Regulation No. 188 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.

193. Every licence to be issued hereunder shall be subject to the conditions 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.

License may be suspended or revoked.

THE SUPPLY AND DISCHARGE OF BALLAST.

194. 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.

195. 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.

Charge for taking ballast over wharf.

196. 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.:—

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.

Masters or Owners to deal with licensed persons only.

197. 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.

Tarpaulins to be used, &c.

198. 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.

THE SUPPLY OF WATER.

Rates for water.

199. 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.

MACHINERY ON WHARVES.

Licensing of machinery.

200. 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 shall be licensed by the Commissioners.

Application for licence.

201. 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.

202. 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.

Licensing of person in charge.

203. 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.

204. 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.

205. 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.

206. Every person desiring to use a crane 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. Use of cranes.

207. Every person about to use a crane shall see that all the working parts thereof have been carefully oiled, and must not lift a greater weight than that indicated on the jib as the maximum lift thereof, and must not use any such crane for breaking out weights from vessels or for any other purpose than lifting and landing. Careful use of cranes.

208. The person who has hired the use of a crane shall be responsible therefor, and shall make good any damage sustained by such crane when in his use. User responsible.

209. The Commissioners shall be under no responsibility for a crane when in use by any hirer thereof, and the persons using the crane, when hired on behalf of the hirer, are to be deemed servants of the latter, and not of the Commissioners. The hirer shall indemnify and keep indemnified the Commissioners from and against all actions, claims, and demands arising out of the operation or use of a crane during the period of hiring, except claims made by an employee of the Commissioners for Workers' Compensation under the Workers' Compensation Acts of the State of Victoria, or any amendment thereof for the time being in force, where the injury was not due to the negligence of the hirer. Commissioners not responsible.

MOORINGS.

210. No person shall 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. Moorings licensing of.

211. Every application for a licence to lay down moorings must be accompanied by full particulars as to site and nature of moorings and vessel to be moored thereat, and whether the moorings are intended to be permanently or otherwise occupied. Laying down moorings.

212. 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 connexion with any public ceremony or event, from the payment of mooring rates. Power to exempt.

213. The above Regulations, numbered 218 to 221 inclusive, shall not apply to vessels moored whilst waiting for a wharf berth, or moorings at which to receive or discharge goods. Vessels waiting to ship or discharge cargo.

OFFICES, LOCKERS, BOXES, ETC.

214. 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 under the control of the Commissioners without their licence. Building sites, &c.

215. 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.

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

217. 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.

218. 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.

Tool boxes to be licensed. 219. 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 to do so.

Conditions of licence. 220. Licences for a tool box, locker, or other receptacle for workmen's tools may be issued under the following conditions:—

- (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 1 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 £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 examination 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.

Office, boxes, &c., liable to inspection. 221. 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 His 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.

SALE OF GOODS.

Goods not to be held without licence. 222. 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 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.

223. The Commissioners may grant to any person carrying on or conducting any of the activities mentioned in Regulation 222 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 222, and each of such employees, while so engaged, shall wear, so that the same may be easily seen and recognized, a badge approved by the Commissioners.

Objectional books and pictures. 224. 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. 225. No person shall conduct any auction sale within the Port, unless with the consent in writing of the Commissioners.

BATHING.

Bathing. 226. No person shall without first obtaining the consent of the Commissioners bathe from, or within the vicinity 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,

227. 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. Licensing of baths.

228. The lessees, licensees, 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 the public decency in both public and private baths, as the Commissioners may direct. Commissioners may order improvements, &c.

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

- (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 stages 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 to be 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.
- (f) Permit children attending schools situate within certain limits defined by the Commissioners to have the use of the baths, without charge, on two days in each week between the hours of 2 p.m. and 4 p.m. Such children must be accompanied by a teacher engaged at the school at which they attend. The days to be mutually arranged between the licensees, lessees, owners or occupiers of the baths and the head teacher of such school, or in the case of disagreement, to be named by the Commissioners; the children to provide their own towels and bathing dresses if required. In the case of baths used by both males and females at different hours, the hours for female children may be those ordinarily set apart for adult females.

230. Every public bath and bath-house and box may be inspected by any authorized officer of the Commissioners at any time, and if such bath, 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.

231. Every breach of any Act of Parliament now or hereafter to come into force or proclamation thereunder, affecting the preservation and/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.

232. Every application for a licence or a renewal of a licence shall be in 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.

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

234. 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.

- Duration of licences.** 235. 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.
- No right of renewal.** 236. The issue of a licence shall not, unless otherwise provided, confer a right of renewal thereof.
- Renewals, applications for.** 237. Every application for a renewal of licence must be lodged at the offices of the Commissioners at least ten 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.
- Personal licence.** 238. 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.
- Sickness of licensee.** 239. 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.
- Licence, conduct of.** 240. 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 jeopardize in any way the safety of passengers or goods in any licensed vessel or vehicle, or goods or other property entrusted to his care.
- Regulations terms of licence to be observed.** 241. 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.** 242. Every licensee shall continually retain possession of his licence, and shall 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, &c.—Penalty.** 243. 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 licence 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, Schedule No. 7.** 244. The fees as set out in Schedule No. 7 shall be payable in respect of the several licences specified in these Regulations.

LEASES AND LICENCES OF LAND AND OTHER PROPERTY.

- Applications.** 245. 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.
- Fees with applications.** 246. 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.

247. Every applicant whose application is granted must, within fourteen 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.

Execution
of lease.

SPECIFIC OFFENCES.

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

Specific
offences, and
penalty of.

- (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 specifically 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 to do so.
- (7) Remove any stone, sand, shell, marl, sea-weed, or other material whatever from any property or place within the Port without having first obtained a licence from the Commissioners to do so.
- (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 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 on any wharf at a rate of speed greater than that allowed by the Commissioners.
- (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) Without the permission of the Harbor Master, drive or conduct two or more vehicles at the same time on any wharf, street, or road, whether or not such vehicles are coupled or fastened together.
- (14) Without the permission of the Harbor Master, bring on to or cause to move or be moved on any wharf a vehicle drawn by three or more horses.
- (15) 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.
- (16) Ride or drive upon or along any footpath of, any wharf, street or road.
- (17) Place any obstruction on any wharf, street or road whereby any person is likely to be caused bodily injury.

- (18) Except with 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 by 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 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 such wharf.

In this and the next succeeding paragraph of the 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.

- (19) 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 18 of this Regulation, shall fail or refuse to produce to any officer of the Commissioners, whenever requested by such officer to do so, 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.
- (20) 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 weighbridge 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.
- (21) 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.
- (22) 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.
- (23) 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, 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.
- (24) 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.
- (25) Take any vehicle upon or off any wharf except by the nearest ramp.

- (26) 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.
- (27) Cut, break, or destroy the mooring for 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.
- (28) 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.
- (29) Trespass upon, make fast to, or otherwise interfere with any lighthouse, dolphin, buoy, beacon, or any erection or post used in connexion therewith.
- (30) 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.
- (31) Remove or in any way interfere with any life-saving gear, life-hook, drag, grapnel, lifebuoy, 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.
- (32) 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.
- (33) 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.
- (34) 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.
- (35) 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.
- (36) 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, or into or upon any property under the control of the Commissioners.
- (37) Hold any meeting or address any assemblage within the Port without the consent of the Commissioners in writing.
- (38) 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.

- (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 eight 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.

249. In any case where a vehicle is brought on to or moved upon a wharf in contravention of paragraph 19 of Regulation 248—

- (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 19, or by the permit (if any) issued to such driver or person by the Harbor Master, pursuant to the said paragraph 19; and
- (b) any such driver or person who fails, neglects, or refuses to unload the same shall be guilty of an offence.

250. Every person who shall commit or be accessory to the commission 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, sail, deface, injure, throw down or destroy any vessel, wharf, shed, fence, wall, hoarding, breakwater, breastwork, embankment, drain, pipe or any property whatever under the control of the Commissioners.

GENERALLY.

251. 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.

252. 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 conditions of any berth, mooring or appliance, used in carrying on the work of the Port.

253. Should any accident causing loss of life, personal injury, loss of or damage to property, occur within the Port or on or within the property under the control of the Commissioners, 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.

254. The Commissioners will be compensated by the master or owner of a vessel for any damage caused by his vessel to the property of the Commissioners, notwithstanding that such vessel was in charge of a compulsory pilot.

Master,
Owner,
Agent,
responsibility
of.

Commis-
sioners, no
liability.

Injury or
damage to
person or
property.

255. 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 the shore. Death to be reported.

256. 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, &c.

257. No ballast lighter, scow or other similar open vessel shall ply within the Port without having sufficient coamings at least 8 inches high above the deck planking. Coamings to be provided.

258. 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.

259. 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.

260. No person shall use the slips or launching ways of the Commissioners for the purpose of launching any vessel unless he shall have obtained written permission from them so to do, and shall have paid the fees fixed by them, and have given the security and agreed to comply with the other conditions as prescribed by them in Schedule No. 8. Launching ways.

261. 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. Schedule No. 8.

262. No person shall make, repair, dress or scrape spars, or masts, or do any kind of carpenter, smith, boiler-maker 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 ships repairs to be done on wharves.

263. (a) No person shall—

(i) Make any repairs, alteration, or renovation 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

(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 such repairs, alterations, or renovation or using 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 the fire-fighting apparatus and personnel.

264. 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 connexion 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 the sale thereof, the former Owner shall have no claim whatever on the proceeds of sale. Drifting or stranded boats, &c.

Control and
parking of
vehicles.

265. (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 wharf 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 on such wharf.

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:—

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

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

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

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

(b) Drive such vehicle upon a wharf except in conformity with printed or written notices and/or symbols upon or attached to such wharf.

(c) Park or allow such vehicle to stand or remain stationary for more than three minutes on any wharf except in a parking area.

(d) While such vehicle is on any wharf lock or fasten such vehicle in such a manner that it cannot be readily moved.

(e) Turn such vehicle on a wharf except at appointed turning points.

(f) Allow such vehicle to obstruct any opening left to permit cross traffic through any parking area or between any parking areas.

(g) 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.

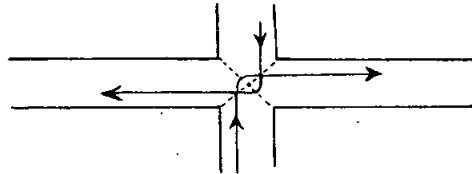
(7) The driver of a private vehicle shall not park or allow such vehicle to stand in any parking area appointed for the parking of hire vehicles only.

(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 intersections.
- (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.

266. 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 purposes.

Bathing of dogs.

267. (1) No person shall within the Port take on to the foreshore or into the sea, 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 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 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 within 100 yards of any wharf.

Officers not to be bribed.

268. 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.

269. 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.

TOLLS, RATES, AND CHARGES, DUTIES, DUES AND FEES.

Rates on goods—liability for.

270. 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 responsibility, either for rates or for any penalty incurred for non-payment or evasion thereof.

On default in payment of.

271. 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 27th 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 or evasion of such rates.

Power to enter vessel.

272. 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.

Fee for appropriated berths.

273. 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 as prescribed in Schedule No. 9. 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.

Schedule No. 9.

Charges for shed apparatus and conveniences.

274. 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 connexion 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.

Rent—where shed on wharf.

275. 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 charges as set out in Schedule No. 10.

Schedule No. 10.

276. 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 as set out in Schedule No. 11.

Schedule No. 11.

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 as set out in Schedule No. 12.

Schedule No. 12.

277. 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 charges as set out in Schedule No. 13.

Rent for use of wharf, &c., prior to arrival of vessel.

Schedule No. 13.

278. 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 as set out in Schedule No. 14.

Schedule No. 14.

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.

279. 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 as set out in Schedule No. 15.

Lighting—Charges for.

Schedule No. 15.

280. 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 as set out in Schedule No. 16.

Cargo lights.

Schedule No. 16.

TONNAGE RATES.

281. 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, as set out in Schedule No. 17.

Tonnage rates.

Schedule No. 17.

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

282. If any vessel in the opinion of the Commissioners has 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 the last preceding Regulation or such refund as the Commissioners think fit.

Rebates of tonnage rates under certain conditions.

283. If the Owner of any vessel licensed under Regulation 155 shall give to 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 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 281.

Tonnage rates on licensed vessels.

284. The Commissioners may, by agreement in writing, accept in lieu of the rates imposed, by Regulation 281, 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.

285. 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 281, as if she were directly moored to the wharf.

Vessels lying in tier.

Tonnage on
vessels out of
commission.

286. If any vessel shall have been moored or anchored within the Port at any place or in any manner (not rendering tonnage rates payable under Regulation 291) for a period exceeding fourteen days, and shall in the opinion of the Commissioners during such period have been continuously laid up and out of commission, the same tonnage rates shall be paid in respect of such vessel from and after the expiration of the said period while she continues in the opinion of the Commissioners to be so laid up and out of commission as would have been payable if she were using a wharf. 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 however 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 shall be as set out in Schedule No. 18.

Schedule
No. 18.
Vessels
arriving in
distress or
under repair.

287. When a vessel arrives in the Port in distress, or where a vessel requires to use any wharf of the Commissioners for the purposes of repair only, the Commissioners may grant her the use of any wharf of the Commissioners free of rates for a fixed period.

Tonnage to
be paid to
Treasurer.

288. All rates and charges made payable by Regulations 281-287 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.

Wharfage
rates.

289. 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 Schedule No. 19 to this Regulation.

Schedule
No. 19.

290. 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.

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

PENALTIES.

292. 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.

PORTLAND HARBOR TRUST COMMISSIONERS.

REGULATIONS.

SCHEDULE No. 1.

Charges under Regulation 97 (6).

Licensed Wharfingers.

The charges for receiving, stacking, holding and delivering goods shall not exceed:—

On all goods—3s. 6d. per ton calculated on weight or measurement, according to option of the Commissioners.

SCHEDULE No. 2.

Charges under Regulation 128.

Stevedores' Gear.

(a) For rent of enclosed portion of shed not exceeding 1,000 square feet in which to store gear, the sum of £25 per annum.

(b) Crane or vehicle not in use left on wharf, the sum of 5s. per day.

(c) Stevedores' gear not in use left on the property of the Commissioners, the sum of 5s. per day.

SCHEDULE No. 3.

Labelling of Hazardous Materials.

Regulation 136 (5B).

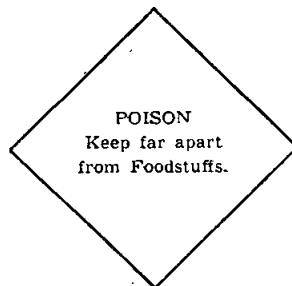
1. Inflammable Liquids, Highly Inflammable Solids and Inflammable Compressed Gasses.

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:—



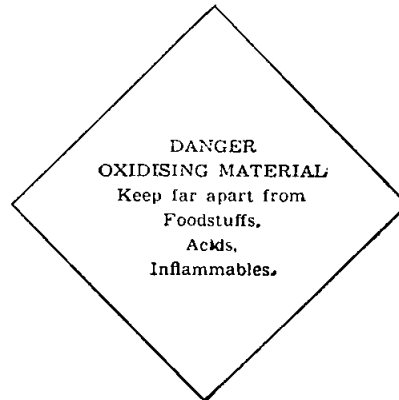
2. Poisonous Materials.

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:—



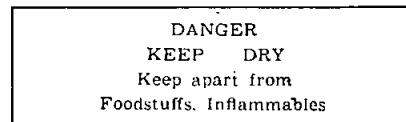
3. Oxidizing Materials.

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



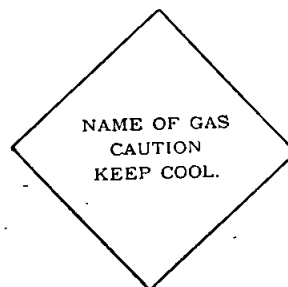
4. Materials reacting dangerously with air or water.

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



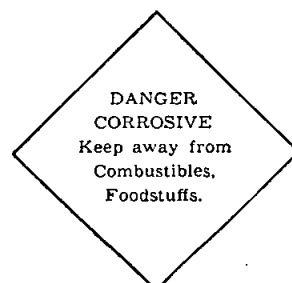
5. Gases.

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 consignör, and have affixed a blue label with white lettering, not less than 4 inches square, thus:—



SCHEDULE No. 4.

Notification of Intention to Handle or Convey Dangerous Goods.
Regulation 136 (5) (h).

Port of.....

Date.....

Notice is hereby given that it is proposed to convey/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,

SCHEDULE No. 5.

Notice to Convey, Load or Unload Inflammable Liquid.
Regulation 138 (IV.) (2) (h).

Notice to Convey, Load or Unload.

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. 8. In Bulk
- " B " (Kerosene, Alcohol, &c.) In Cases.....
- In Drums.....
- (a) Approved for Rail Transport.....
- (b) One Trip Drums.....
- Quantity of Inflammable Liquid Group. In Bulk
- " A " (Petrol, Benzine, Naptha, In Cases.....
- Gasoline, &c.) 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 of.....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 proper authority, at least TWENTY-FOUR HOURS before such conveyance, loading or unloading is to be effected.

TO THE HARBOR MASTER

At.....

SCHEDULE No. 8.

*Charges under Regulation 260.**Slipway or Launchingway.*

The fee for use of slip or launch way shall be:—

For vessels up to 15 tons ..	£2 and 5s. per day while vessel is on slip or launch way.
For vessels of 16 to 50 tons ..	£5 and 10s. per day.
For vessels of 51 to 80 tons ..	£10 and £1 per day.

SCHEDULE No. 9.

*Charges under Regulation 273.**Fee for Appropriated Berths.*

At the rate of 3s. 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 stated in Regulation 273, with a minimum charge equal to the charge for one day for each berthing.

SCHEDULE No. 10.

*Charges under Regulation 275.**Rent where Shed on Wharf.*

Where the shed does not exceed 40 feet in width—3 days free then £1 per bay per day or part of a day.

SCHEDULE No. 11.

Charges under Regulation 276.

For the right to place timber on area reserved for such purpose, when using wharf for unshipping of timber—

3 days free and then £1 per day or part of a day.

SCHEDULE No. 12.

Charges under Regulation 276.

For the right to place timber on area reserved for such purpose, when using wharf for shipping of timber—

7 days free then £1 per day or part of a day.

SCHEDULE No. 13.

Charges under Regulation 277.

Use of wharf for storage of outward cargo prior to arrival of vessel—
7 days free then £1 per bay per day or part of a day.

SCHEDULE No. 14.

Charges under Regulation 278.

Use of area for storage of outward timber prior to arrival of vessel—
7 days free then £1 per day or part of a day.

SCHEDULE No. 15.

*Charges under Regulation 279.**Charges for Lighting of Wharf.*

£2 per night or part thereof.

SCHEDULE No. 16.

*Charges under Regulation 280.**Cargo Lights.*

£3 for 8 clusters, and 7s. 6d. for each extra cluster, per night or part thereof.

SCHEDULE No. 17.

*Charges under Regulation 281.**Tonnage Rates.*

For use of wharf 1d. per ton of gross registered tonnage of vessel for every day during which such vessel uses any wharf, provided that one-fourth, one-half and three-fourths of the above rate 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 shall pay only 50 per cent. of the said rate.

SCHEDULE No. 18.

Charges under Regulation 286.

<i>Tonnage on Vessels out of Commission.</i>	£	s.	d.
Vessels not exceeding 200 tons for every period of three months or part thereof payable in advance	0	5	0
Vessels exceeding 200 tons but not exceeding 500 tons, for every period of three months or part thereof, payable in advance	0	10	0
Vessels exceeding 500 tons but not exceeding 1,000 tons for every period of three months or part thereof, payable in advance	0	15	0
Vessels exceeding 1,000 tons for every period of three months or part thereof, payable in advance	1	0	0

SCHEDULE No. 19.

Charges under Regulation 289.

<i>Wharfage Rates.</i>	£	s.	d.
Ballast consisting of sand, shingle or stone	0	0	6
Ammonia liquor	0	2	6
Coal	0	2	6
Crude Oil	0	2	6
Empty returns, being drums, casks, cases, boxes, crates, baskets, biscuit and lolly tins and bags	0	2	6
Phosphatic Rock	0	2	6
Sand (carried as cargo) and shell	0	2	6
All other goods	0	5	0

Goods exempt—Passengers' luggage only.

- Provided.* (a) That goods which have been produced or manufactured within the Commonwealth, and which arrive at this Port from any Port in the Commonwealth shall pay only 60 per cent. of the rates specified.
- (b) That goods arriving from any Port within the Commonwealth, but not produced or manufactured within the Commonwealth shall pay the same rate as they would be liable to if imported direct from outside the Commonwealth.
- (c) That the rates specified in the Schedule hereto at per ton may be calculated by the Commissioners by weight or by measure at their option.

Dated this 12th day of February, 1951.

The Common seal of the Portland Harbor Trust Commissioners was hereunto affixed by order of the Commissioners in the presence of—

(L.S.) K. S. ANDERSON, Chairman.
S. L. PATTERSON, Commissioner.
R. H. EGAN, Secretary.

Approved by the Governor in Council,
29th March, 1951.

A. MAHLSTEDT,
Clerk of the Executive Council.