



Government Gazette

OF

WESTERN AUSTRALIA

(Published by Authority at 3.30 p.m.)

(REGISTERED AT THE GENERAL POST OFFICE, PERTH, FOR TRANSMISSION BY POST AS A NEWSPAPER)

No. 89]

PERTH: TUESDAY, 30th OCTOBER

[1962

BUNBURY HARBOUR BOARD ACT, 1909-1959.

The Bunbury Harbour Board, acting pursuant to the provisions of the Bunbury Harbour Board Act, 1909-1959, doth make the regulations set out in the Schedule hereunder:—

Schedule.

REGULATIONS.

PART I—GENERAL.

Division 1.—Interpretation.

1. In these regulations, unless the context otherwise requires— Inter-pretation.
 - “Accountant” includes any officer deputed by the Board to carry out any duty on behalf of the Accountant;
 - “Act” means the Bunbury Harbour Board Act, 1909, as from time to time, amended;
 - “ballast” includes any kind of stone, gravel, sand and soil, and materials commonly used for the ballasting of vessels;
 - “berth” or “berthing” means a position alongside any wharf or jetty or any vessel fastened to any wharf or jetty or to the shore; or at any mooring buoy or anchorage; and any vessel fastened to any wharf or jetty or the shore or to any other vessel, or moored to any buoy or fixture, or anchored within the harbour, shall be deemed to be occupying a berth;
 - “buoys,” “beacons,” include all other marks and signs placed for the purpose of navigation;
 - “cargo” includes goods but does not include ship’s own stores or equipment, unless landed to be disposed of;
 - “Chairman” means the Chairman or acting Chairman of the Bunbury Harbour Board;
 - “coasting vessel” means any vessel owned or registered within the Australian Commonwealth whose trade is exclusively confined to the ports of Western Australia;
 - “consignee” means the person to whom goods are consigned, and includes the owner of those goods, the agent for the owner, the agent for the sale or custody of those goods, the holder of any bill of lading or other document representing those goods, and any other person having any right, title, or interest in those goods;

- "consignor" means the person consigning goods, and includes the owner, shipper, agent for the owner or shipper, and any other person having any right, title, or interest in those goods;
- "Engineer" includes any person empowered to represent the Board's Engineer;
- "explosives" means explosives as defined by the Explosives and Dangerous Goods Act, 1961; and wherever in these regulations any explosive is distinguished as belonging to a particular class, or division of a class, reference is made to the classification of explosives in pursuance of the Explosives and Dangerous Goods Act, 1961;
- "goods" includes all wares and merchandise, and all chattels, livestock, and other things of whatever description;
- "Harbour Master" includes Assistant Harbour Master;
- "Inspector" means any Inspector appointed by the Board and in Part VII of these regulations means the Inspector, (or any Sub-Inspector) of Explosives appointed under the Explosives and Dangerous Goods Act, 1961;
- "interstate vessel" means a vessel owned and registered in any State of the Commonwealth and trading between any such State and this State;
- "master" includes every person having command, charge, or management of a vessel for the time being;
- "members" means the members of the Bunbury Harbour Board constituted under the Act in office for the time being;
- "Minister" means the responsible Minister of the Crown charged with the administration of the Act;
- "owner" (a) when used in relation to goods, includes the consignor, consignee, shipper, or agent for the sale or custody, loading or unloading of goods; and includes, also, the holder of any bill of lading or other document representing those goods and every person having or claiming any right, title, or interest therein or thereto; and
- (b) when used in relation to a ship or vessel, includes the holder of any share or interest in a ship or vessel whether beneficially or otherwise, and also the agent for the owner;
- "pilot" means a person duly licensed and appointed to the Board to act as pilot for the port of Bunbury;
- "products of the soil of the State" means such goods as the Board may from time to time declare to be such products and, in any event, any grain, flour, agricultural, horticultural and farm produce grown, and coal mined, in the State;
- "Secretary" means the Secretary to the Board duly appointed under the Act, and includes any person empowered to act as Secretary during the temporary absence of that officer;
- "ship" means every description of vessel used in navigation and not propelled exclusively by oars;
- "ships' slings," "ships' tackle," or "ships' gear," when used in connection with the handling of goods, includes all cranes or other hoisting appliances hired or used for the purpose of, or in connection with, the handling of those goods;
- "shore" means shore so far as the tide flows and reflows between low and high water marks;
- "Surveyor" means any officer or person appointed by the Board to act as a surveyor of vessels or goods;
- "the Board" means the Bunbury Harbour Board constituted under the Act;

"the Harbour," "the Port," means so much of the harbour of Bunbury as is contained within the boundaries described in the Schedule to the Act, as altered from time to time by the Governor;

"ton" means (except where otherwise specifically described) a ton of 2,240 lbs. avoirdupois or of 40 cubic feet measurement at the option of the Board;

"tonnage rates" includes port dues;

"tons," "tonnage," and words of the like import, having reference to a vessel's tonnage, mean the gross registered tons or tonnage as calculated in accordance with the British standard of measurement of registered tonnage;

"transhipment cargo" means cargo appearing as cargo for transhipment in the manifest of the vessel by which it is carried to the Port or cargo of which notice of intention to tranship is given in writing to the Board, prior to the cargo being discharged from a vessel, but does not include any cargo to be transported to any place by land or air transport;

"vessel" means any ship, lighter (not being a licensed powder lighter) barge, boat, raft, or craft of whatever description, and however navigated;

"vessels of war" means vessels built for combatant service or converted for that purpose and tankers conveying fuel oil for those vessels, if they are owned or otherwise directly managed and controlled by the Government of any of Her Majesty's States, Dominions or Colonies or by the Government of any foreign country which is a party with Her Majesty to any military alliance and are not engaged in trade, but does not include vessels used for the transport of troops, stores or equipment;

"week," "day," "hour," "month" or "year," or any other period is to be taken to include a portion of week, day, hour, month, year, or any other period when a whole week, day, hour, month, year or any other period has not been required or used;

"wharf" includes pier, jetty, landing stage, quay, dock, slip, and platform over which the Board has jurisdiction, and includes any shed erected thereon;

"Wharf Manager" means the person appointed to the charge of any wharf or jetty, and includes the Secretary, any night or day watchman, special or other constable and foreman, crane man, or tally clerk, and any other person appointed by or acting for the Wharf Manager;

"wreck" includes jetsam, flotsam, lagan and derelict;

words importing the masculine gender include the feminine; words importing the singular number only include the plural number, and words importing the plural number only include the singular.

Division 2.—Conduct of Business.

2. Ordinary meetings of the Board shall be held on Tuesdays or upon such other days and at such hour as shall from time to time be decided upon by the members. Ordinary meetings.

3. The offices of the Board shall be open for the transaction of business between the hours 9 a.m. and 12 o'clock noon and between 1 p.m. and 5 p.m., from Mondays to Fridays, both inclusive, except upon such days or portions of days as may be declared holidays by any competent authority. Office hours.

4. Proceedings of the Board shall be governed by, and conducted in accordance with the Standing Rules and Orders set out in the Third Schedule to these regulations. General conduct of business.

- Suspension of rules. 5. Any rule mentioned in regulation 4 of these regulations may be suspended upon the vote of at least two-thirds of the members present at any meeting of the Board.
- Meetings of committees. 6. The Board shall be convened within ten days of its initial appointment by notice given by the Secretary and thereafter as required by the Chairman or any two members thereof.
- Remuneration of members. 7. The fees payable to members of the Board for their attendance at a meeting thereof shall be—
 (a) in the case of the Chairman, four guineas; and
 (b) in the case of any other member, three guineas;
 but so that the fees payable shall not in any financial year exceed, in the case of the Chairman, the sum of two hundred pounds and, in the case of any other member, the sum of one hundred and fifty pounds.
- Travelling allowance. 8. In the case of any member or officer of the Board not ordinarily resident within the Municipal District of Bunbury, a car mileage allowance shall be payable with respect to any necessary attendance, according to the scale provided in the Public Service Regulations and for the purposes of that scale the allowance to members shall be as provided in the case of officers receiving a salary margin in excess of five hundred and twenty-five pounds per annum.

Division 3.—Officers.

- Receipt of Accountant to collectors to be sufficient discharge. 9. Every Collector, and every officer, clerk, or servant of the Board, who collects or receives any moneys for or on behalf of the Board, shall pay over those moneys daily to the Accountant of the Board, and the receipt of the Accountant for the moneys so paid shall be a sufficient discharge to the Collector, officer, clerk, or servant.
- Duties of Accountant as to making entries and lodgment. 10. The Accountant shall make, or cause to be made, true entries in the books provided by the Board for that purpose of all moneys or cheques paid to, or received by him for and on behalf of the Board, and he shall within 24 hours or such other period as the Board may direct, pay the same moneys and cheques into the Commonwealth Trading Bank of Australia, at Bunbury, for transfer to the Treasury to the credit of an account to be called the "Bunbury Harbour Board Account."
- Cheques to be signed. 11. Moneys shall not be drawn out of such Bunbury Harbour Board Account, save by cheque drawn on the State Treasury and signed by any member and the Secretary.
- Common Seal. 12. The common seal of the Board shall be kept locked with 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 Board may direct, and the common seal shall be affixed by the Chairman in the presence of one other of the members and the Secretary, or in the absence of the Chairman, by a member in the presence of another member and the Secretary.
- Disqualification for becoming surety. 13. A member or officer of the Board or an assessor or auditor of the Board, shall not be received as a surety for any officer appointed by the members of the Board, or for the performance of any contract made with the Board.
- Officers to report breaches of the Customs Act. 14. It is the duty of any officer or person in the employment of the Board to report to the nearest officer of Customs anything coming under his notice or to his knowledge, whereby the general revenue may be defrauded, or the provisions of the Customs Act be violated.
- Conduct of Officers. 15. Should any officer of the Board divulge to any person not in the service of the Board any particulars contained in any ship's manifest furnished to the Board, or should any officer divulge any information of a confidential nature, or knowingly be a party to any act or procedure or conspiracy to defraud the general revenue, he shall be liable to dismissal from the service of the Board.

Division 4.—Contracts.

16. Except in cases of emergency no contract for the execution of any work or for furnishing materials or labour, to the amount of two hundred pounds or upwards, shall be entered into by the Board unless five days previous to the date thereof tenders for the same shall have been invited by advertisement published in some newspaper circulating in Bunbury and also, if the Board so decide, in Perth. Contracts to be advertised.
17. All tenders shall be enclosed in a sealed envelope addressed to The Secretary of the Bunbury Harbour Board and marked "Tender for....." as stated in such advertisement. Tenders.
18. The tenderer shall enclose his tender in a sealed envelope, together with a banker's cheque payable to the order of the Board for the amount required by the conditions of tender as a preliminary deposit; but the Board shall not be liable in the event of the loss of any cheque before it has reached the hands of the Secretary. Deposit.
19. The Board is not bound to accept the lowest or any tender. Lowest tender need not be accepted.
20. Upon the acceptance of the tender, the Secretary shall notify the acceptance to the tenderer, who is thereupon required, within the time specified in such general conditions or conditions of tender, to enter into a formal contract for the execution of the work or otherwise. Acceptance of tender.

PART II—PAYMENT OF REVENUE.

21. (1) Tolls, rates, or charges due to the Board shall not be paid to any person or persons whomsoever other than to such officers or agents of the Board as are authorised to receive revenue; and the receipt of any sum of money on behalf of the Board by any person or persons other than such of its officers or agents as are authorised in that regard shall not be binding on the Board in any way whatsoever. Mode and condition of payment.
- (2) All money shall be paid to the Board at its office within the ordinary business hours of the Board.
22. The Secretary or other officer authorised by the Board for the collection of dues shall have the power, either alone or with other persons, to enter any vessel in order to ascertain the dues payable in respect of the vessel or of goods therein, and a person shall not hinder or molest the Secretary or that other officer or those persons, or refuse to allow him or them to enter or search any such vessel. Officer may enter vessel, etc.
23. (1) All tolls, rates or charges, in respect of any vessel, imposed by the Act or falling due and payable pursuant to these regulations, shall be paid before that vessel shall be given her clearance from the Port and the person obtaining a clearance for any vessel shall forthwith exhibit the clearance to the Customs Officer at the Port. Charges to be paid before clearance.
- (2) Any person causing or permitting a vessel to leave the Port without her clearance as by this regulation provided is guilty of an offence and the master, owner or agent of that vessel shall forthwith pay to the Board any amount due and payable in respect thereof in terms of this regulation.
24. Notwithstanding the provisions of regulation 23 of these regulations, the Board may, at its discretion, accept from the master, owner or agent of any vessel sufficient guarantee for the payment of any moneys payable in respect of that vessel, within a time specified by the Board; and may upon the receipt of such guarantee give a clearance for that vessel to leave the Port.
25. Where any cargo is discharged from any vessel into a railway wagon or, if discharged upon a wharf or jetty, is there- Liability for goods consigned from ship. after loaded into a railway wagon for consignment thereby to a

place outside the confines of the Harbour, the liability of the Board, upon the happening of either of the foregoing events, ceases and any charges payable to the Board in respect of such cargo shall be payable forthwith by the person at whose direction the goods have been so discharged or loaded.

Liability of consignee and consignor.

26. A consignee is liable for all wharfage and other charges on inward cargo and a consignor is liable for charges on outward cargo; but this regulation does not limit the right of the Board to recover wharfage and other charges from any person (other than the consignee or consignor) who may be liable by law to pay it or them.

Dues payable by vessels.

27. Wherever any tolls, rates, or charges are by these regulations expressed to be payable by vessels, they are payable by the owners, masters, or agents of the vessels, or by any other persons liable to pay them.

PART III—REGULATION OF SHIPS.

Division 1.—Port Signal Code.

Signals for Pilots.

28. The following signals, when used or displayed together or separately, shall be deemed to be signals for a pilot:—

By day—

- (1) The International Code Signal, "G."
- (2) The International Code Signal, "PT."
- (3) The Pilot Jack, hoisted at the fore.

By night—

- (1) The pyrotechnic light, commonly known as a blue light, shown every 15 minutes.
- (2) A bright white light, flashed or shown at short or frequent intervals, just above the bulwarks, for about a minute at a time.
- (3) The International Code Signal, "PT," by flashing.

Penalty.

29. The master of a vessel who uses or displays, or causes or permits any person under his authority to use or display, any of the pilots' signals for any purpose other than that of summoning a pilot, or uses, or causes or permits any person under his authority to use, any other signal for a pilot, is liable, for each offence, to a fine not exceeding £20.

Miscellaneous signals.

30. The following signals shall be used for the purposes mentioned, on vessels in the Port:—

Customs Officer Required.—International Code Flags, "E.H.C."

Medical Assistance Required.—International Code Flag "W."

Police Required.—

By day—International Code Flags, "ST."

By night—Two white lights shown vertically five feet apart, from peak or other prominent place.

Tug Boat Required.—

By day—

- (1) International Code Flags, "YA" (if more than one required, indicate number by International Code Flags); or
- (2) Two blasts on whistle, one prolonged and one short.

By night—

two blasts on whistle, one prolonged and one short.

Water Required.—International Code Flags, "Y.J."

Ash Boat Required.—International Code Flags, "F.S."

Lighter Required.—International Code Flags, "Q.N." (If more than one required, indicate number by International Code Flags.)

Mails on Board.—International Code Flag, "Y."

Explosives Aboard—

By day—International Code Flag, "B," at foremost head or other prominent position;

By night—A red light, of such character as to be visible all round the horizon, for a distance of one mile, shown from a prominent position clear of all other lights on the vessel.

Inflammable Liquid Aboard (in excess of 400 gallons)—

By day—A red flag, not less than 3 feet square, with a white circular centre 6 inches in diameter;

By night—A red light of such character as to be visible all round the horizon, for a distance of 1 mile, shown at the masthead or where it can be best seen, but not less than 20 feet above the deck.

31. The following signals, when used or displayed together or separately, shall be deemed to be signals of distress:—

Signals of distress.

By day—

- (1) A gun or other explosive signal, fired at intervals of about a minute.
- (2) The International Code Signal, "N.C."
- (3) A continuous sounding with any fog signal apparatus.
- (4) The signal SOS., made by radiotelegraphy.
- (5) The distance signal, consisting of a square flag, having either above or below it a ball or anything resembling a ball.

By night—

- (1) A gun or other explosive signal, fired at intervals of about a minute.
- (2) Flames on the vessel (as from a burning tar barrel, etc.).
- (3) Rockets or shells, throwing stars of any colour or description, fired 1 at a time, at short intervals.
- (4) A continuous sounding with any fog signal apparatus.
- (5) The signal SOS., made by radiotelegraphy.

32. Any master of a vessel who uses or displays, or causes or permits any person under his authority to use or display, any of the signals defined in the preceding regulation, except in the case of a vessel in distress, is liable to pay compensation for any labour undertaken, risk incurred, or loss sustained in consequence of such signal having been supposed to be a signal of distress; and such compensation may, without prejudice to any other remedy, be recovered in the same manner as that in which salvage is recoverable.

Penalty.

Division 2.—Navigation.

33. The master and owner of every vessel is responsible for the due performance and observance of such of these regulations as apply to his vessel, at any time; and when any vessel is under the direction of a pilot, the pilot is also responsible for the due performance and observance of these regulations; but the responsibility of the pilot does not relieve the master and the owner of the vessel of their responsibility.

Masters' and owners' responsibility for observance of regulations.

34. A person shall not, without the written authority of the Harbour Master, fire any gun or explode any detonator or other signal, excepting as a signal of distress, or use any explosive upon any vessel in the Port.

Guns or explosives not to be used.

35. The speed of any vessel within the Harbour shall not exceed the minimum speed at which the vessel may be safely navigated.

Speed of vessels in Harbour.

Dredger
signals.

36. (1) The master of a dredger moored within any part of the Harbour, shall whether the dredger is working or not, in the undermentioned circumstances, exhibit or make, as the case may be, the following signals:—

(a) when requiring any vessel approaching from seaward, to keep the dredger on its starboard hand, and any vessel proceeding seaward to keep the dredger on its port hand, in passing—

By day—A Black Triangle on the yardarm on the side to be passed;

By night—A Green Light over a Red Light on the yardarm on the side to be passed; and

In Fog, Mist, or Heavy Rain the Morse sound signal letter "A" at intervals of not more than 2 minutes, on the dredger's bell;

(b) when requiring any vessel approaching from seaward to keep the dredger on its port hand, and any vessel proceeding seaward to keep the dredger on its starboard hand, in passing—

By day—A Red Square on the yardarm on the side to be passed;

By night—a Red Light over a Green Light on the yardarm on the side to be passed; and

In Fog, Mist or Heavy Rain—the Morse sound signal letter, "N", at intervals of not more than 2 minutes on the dredger's bell;

(c) when the dredger is blocking the channel—

By day—a green cone between 2 red balls, vertical at the masthead;

By night—a green light between 2 red lights, vertical at the masthead; and

In Fog, Mist, or Heavy Rain—the Morse sound signal letter "S" at intervals of not more than 2 minutes on the dredger's bell.

(d) when a vessel may pass on either side of the dredger—

By day—a white flag on the masthead;

By night—a green light on both yardarms;

and

(e) when the dredger is unable to move, or is out of control—

By day—a red flag on the masthead;

By night—a red light on both yardarms.

(2) Self-propelling dredgers, under way when dredging, and unable to manoeuvre as required by regulations, in order to keep out of the way of other vessels, shall show lights and shapes required by the International Regulations, Article (4) (a), for vessels not under command, viz.:—

2 black balls *by day* or 2 red lights *by night*, from where best seen.

(3) The Morse sound signals hereinbefore in these regulations mentioned shall be made by the dredger's bell for the respective signals, viz.:—

short ring— $1\frac{1}{2}$ seconds duration;

long ring—4 seconds duration; and

interval between rings— $1\frac{1}{2}$ seconds duration.

(4) Without limiting any provision of this regulation, as to the displaying of other lights—

(a) a moored dredger shall carry such anchor light or lights as are required to be carried by other vessels, according to their length; and

(b) except where moored to the side of a dredger that is not clear, a white light shall be shown on the outer rail of a silt barge that is moored to the passing side of a dredger,

(5) Where by this regulation a specified shape is required to be displayed—

- (a) the length of the side of a square or of the base of a triangle; or
- (b) the diameter of the base of a cone or cylinder or of the axis of a sphere,

shall be not less than 2 ft. 9 in.; and the height of a triangle, cone or cylinder shall be at least one and one half times the length or diameter of its base.

(6) Any vessel approaching a dredger from any direction—

- (a) shall pass it on the side indicated by a signal exhibited pursuant to this regulation;
- (b) shall, where the dredger exhibits the "Channel Blocked" signal, not pass it, until a passing signal is exhibited;
- (c) may, where the dredger is exhibiting a signal such as is mentioned in paragraph (d) of subregulation (1) of this regulation, pass it on either side; or
- (d) shall, where the dredger is exhibiting a signal such as is mentioned in paragraph (e) of subregulation (1) of this regulation, be navigated, and proceed, with extreme caution, when passing it.

37. A steam whistle, siren or horn shall not be used on board any vessel within the Harbour, while moored alongside any wharf or whilst swinging in the Harbour, whether as a signal of arrival or departure or for any other purpose whatever, except that laid down in the Admiralty Regulations in connection with fogs, to avoid collision, or as a signal to tugs; but a bell may be rung, for a reasonable time, prior to the departure of any steamer from the wharf.

Steam whistles.

38. Where vessels are in sight of one another, a steamer under way, in taking any course authorised by the steering and sailing rules for preventing collisions, embodied in regulations made under The Merchant Shipping Act, 1894, shall indicate that course by the following signals on her whistle, siren, or horn, viz.:—

Steering sound signals day or night.

- (a) 1 short blast, meaning: "I am directing my course to starboard";
- (b) 2 short blasts, meaning: "I am directing my course to port";
- (c) 3 short blasts meaning: "My engines are going full speed astern";
- (d) 4 short blasts meaning: "My ship is out of control, keep clear".

39. Where a vessel is sunk or stranded within the Harbour or any obstruction is found to impede the navigation and use of the Harbour or any part thereof, the master or the owner or agent of that vessel, or the owner of the property by which the obstruction is caused, shall immediately notify the Harbour Master of the position of the vessel or obstruction, and shall exhibit on or near the vessel or obstruction such flags, masts, lights or other marks as the Harbour Master may direct; and all sunken or stranded vessels or other objects shall be removed by the owner or owners thereof, when called upon to do so by the Harbour Master.

Stranded vessels or other impediments to navigation.

40. A raft of timber shall not be permitted to lie in the fairway or be moored or anchored, except in a spot indicated by the Harbour Master.

Rafts not allowed in the fairway.

41. (1) Any raft lying in the Harbour shall, between sunset and sunrise exhibit a proper light on a pole 12 feet high, fitted properly on one end or part of such raft.

Rafts in the Harbour.

(2) In any case in which the raft is over 100 feet in length, a light such as is mentioned in subregulation (1) of this regulation shall be fitted and exhibited on each end of the raft.

Interference
with buoys,
beacons, etc.

42. A person shall not trespass on, make fast to, damage, injure, or otherwise interfere with any pile light, dolphin, buoy or beacon vested in the Board.

Anchor
lights.

43. (1) Every vessel at anchor or fastened to a mooring buoy or other fixture, shall, from sunset to sunrise, exhibit a bright white light, in a globular lantern, of not less than 8 inches in diameter and so placed as to show a clear, uniform, and unbroken light, visible all round the horizon, and at a distance of at least 1 mile.

(2) In the case of vessels over 100 feet in length, a second light shall be exhibited, and the 2 lights shall be so located as to indicate the extremities of the vessel.

(3) This regulation does not apply to vessels moored to the shore or any wharf.

Division 3—Berthing.

Harbour
Master
to have
entire
control of
anchoring
and berthing,
and can
remove
vessels.

44. The Harbour Master has the entire control of anchoring, berthing, and removing all vessels, lighters and boats, coming to the wharves, and shall appoint the place where any vessel is to lie or take up anchorage within the Harbour, and a vessel shall not be anchored, brought or placed alongside of any wharf, without the authority of, or contrary to the directions of, the Harbour Master; and failing compliance with the directions of the Harbour Master, the Harbour Master is empowered forthwith to remove the vessel, at the risk and expense of the master or owners thereof.

Notification
of arrival at
Port.

45. Notification of expected arrival time of every vessel shall be given to the Board 24 hours before its arrival.

General
berthing
regulations.

46. The Master of any vessel in the Port shall observe the following provisions unless otherwise required by the Harbour Master, that is to say—

- (a) a vessel shall not be moored or fastened to any part of any wharf except to such bollards or other fastenings as are, or may be, provided for the purpose; and a vessel shall not lie alongside a wharf, unless properly moored or fastened; and every vessel so moored or fastened shall also be anchored or moored in such a manner as to relieve the wharf, as much as may be possible, from the weight of the craft;
- (b) a vessel shall not be moored or fastened to a wharf, except for the purpose of loading or unloading, or for any longer period during the authorised hours than may reasonably be required for that purpose;
- (c) passenger boats may lie alongside the steps at any wharf for such time as may be necessary to embark or disembark passengers, only;
- (d) any vessel lying alongside a wharf shall, on the approach thereto of a passenger steamer, be hauled off, if so required, to a sufficient distance, to enable the passenger steamer to disembark or embark passengers;
- (e) any vessel may be permitted to lie alongside a wharf for the purpose of discharging and taking in cargo, at any hour of the day and night consistent with these regulations;
- (f) except with the permission, or by the direction, of the Harbour Master a vessel shall not lie alongside any other vessel then moored or fastened to a wharf; but this regulation does not apply to any tug engaged, or about to be engaged, in towing or to any hulk or lighter engaged, or about to be engaged, in the unloading of passengers or cargo with the general or special permission of the Board, which the Board may, from time to time, give and revoke;

- (g) a vessel lying alongside a wharf shall provide and use suitable fenders; and shall take such precautions as may be necessary, or directed, to prevent injury to the wharf;
- (h) a vessel shall be moored alongside a wharf in such position as may be indicated by the Harbour Master, who may, where necessary, direct the removal of other craft for that purpose;
- (i) the Harbour Master may, from time to time, allot any part of any wharf to any vessel;
- (j) where the Harbour Master thinks it unsafe, for any reason, for a vessel to remain alongside a wharf, he shall direct the immediate removal of that vessel; and the master or other person in charge of the vessel shall remove it, accordingly;
- (k) the Harbour Master has the power at any time to reserve any berth at a wharf he may consider suitable for a man-of-war, for any British or foreign mail steamer or for any other vessel or purpose; and
- (l) the master or agent of every vessel requiring a berth within the Port shall make application to the Board on the form provided.

Division 4.—Vessels in Port.

47. Whenever any vessel is being brought alongside a berth, the Water Police have authority to see that all that part of the wharf is kept clear, for the purpose of working the lines and warps of the vessel.

Authority of
Water Police
on wharves.

48. Any vessel lying alongside a wharf shall, from sunset until sunrise, be provided with proper light and such appliances in the way of gangways and manropes as may, in the opinion of the Harbour Master, be necessary for the convenience and safety of persons passing to and from that vessel.

Lights and
gangways on
vessels
alongside
wharves.

49. The use of flare-up lamps or naked lights of any kind or design whatever, in the holds of vessels lying at any wharf of the Port, whether for the purpose of working cargo or for any other purpose, is prohibited.

Naked lights
prohibited in
vessel's
holds.

50. A vessel or craft of any description whatever that, between the hours of sunset and sunrise, lies in tier outside of any ship or other craft moored to the shore or to any wharf or mooring buoy or at anchor in the Harbour, shall, during those hours, exhibit, on the side farthest from that ship or other craft and at its widest part, a bright light so placed as to show a clear and unbroken light completely round her off side from right ahead to right astern.

Lights on
vessels when
lying in tier
at wharves.

51. (1) Every vessel lying at a wharf shall have such a safety net suspended, beneath the gangway or other appliance that may be rigged for the purpose of facilitating ingress and egress to the vessel, as will, in the opinion of the Harbour Master, prevent persons falling in the water in the event of their slipping off the gangway or other appliance.

Safety nets.

(2) Every vessel shall, while discharging or loading cargo at a wharf, have, and keep, suspended, to the satisfaction of the Harbour Master, a safety net or saveall of such size and character, and so placed, as to prevent any material (including coal, coke, ballast, refuse, ashes, or other material) being dealt with falling into the water.

(3) In the event of the failure to provide a net or saveall, or of any appliance used not being efficient or sufficient for its purpose, the master or owner of the ship shall, in addition to committing a breach of these regulations, be liable for any loss or damage caused by that failure or want of efficiency.

- Metal disc on hawsers, ropes, and springs. 52. Any hawser, rope, or spring by which a vessel is made fast to a wharf, or the shore shall, when required, be defended by at least one metal disc of such size and pattern as shall have been approved by the Harbour Master or Health authorities; and every such metal disc shall, if not affixed to the satisfaction of the Harbour Master or Health authorities, be removed to a position on the hawser, rope, or spring required by him or them.
- Openings at ship's side to be closed at sundown. 53. Any opening in the ship's side shall be closed and all cargo skids shall be unrigged, at sundown, unless at that time they are actually in use, in which case they shall be brightly illuminated.
- Gangways to be lighted. 54. Any gangway fixed for the purpose of giving the crew access to a ship, after dark, shall be brightly illuminated by the best available means, as long as the gangway is in contact with the shore or wharf; and a watch shall be continually set upon that gangway.
- No work to be permitted on Sundays. 55. Except as may be permitted by Customs authorities or as may be necessary for the safety or cleanliness of a ship, work shall not be carried out in any ship in the Port on a Sunday.
- No shipwright's work permitted on Board property. 56. A person shall not make, repair, dress, or scrape spars or masts or do carpentry, smithwork, boilermaking, sailmaking or rigging work of any kind, on, or under, any wharf or in, or under, any shed, or hang or put up sails, masts, spars or any other thing to, or upon, any beam or joist or any other part of any wharf or shed, without the permission of the Harbour Master or Wharf Manager, in writing.
- Combustible matter to be heated in a boat. 57. A fire shall not be lighted in or upon, under, over or near any wharf, or shed, nor, without permission of the Harbour Master, upon any portion of the foreshore; and combustible matter, such as pitch, tar, resin or oil, shall not be heated on board any vessel lying at a wharf or at anchor in the Harbour; and all combustible matter shall be heated in a boat astern of, and at a proper distance from, a ship or vessel, but so that combustible matter is not heated while the vessel is lying alongside a wharf.
- Cleaning of wharf berth. 58. (1) The removal of stages, planks, gangways, horse boxes, trams or other gear used in the loading or unloading of a vessel is the responsibility of the Master and shall be done to the satisfaction of the Wharf Manager; and in the event of the removal not being promptly effected and to the satisfaction of the Wharf Manager, it may be effected by the Board, at the expense of the owners of the vessel.
(2) The cleaning up of excessive cargo spillage of whatever nature may be done by the Board, at the expense of the consignor or the consignee, as the case may be.
- Deaths on vessels. 59. Where any seaman or other person dies on board a vessel in the Harbour, the master of that vessel shall cause the body to be brought on shore and interred.
- Mooring appliances and fireplugs to be kept clear. 60. All goods or other articles landed or brought on, or into, any wharf or shed shall be placed as the Wharf Manager directs and, in any event, so as to keep mooring posts, rings and all other appliances free; and all fire alarms, fire-plugs, and electric connections shall be left clear, with a space of three feet around each, and with a passage three feet wide leading thereto.
- Vessels at owner's risk. 61. (1) The Board shall not take charge of any vessel lying within the Port and the safety of any vessel, whether at an anchorage or moored alongside any wharf or at any mooring buoy, is at all times the responsibility of the master or owner thereof.
(2) Any instruction or direction given by the Harbour Master or other officer of the Board to the master of any vessel and any act performed by the Harbour Master or other officer of the Board in respect of any vessel shall not place any responsibility for the security or safety of the vessel upon the Board.

62. The Board is not responsible for any damage done to any vessel, arising from the defective condition of any mooring or moorings or other appliances provided by the Board. Defective moorings.
63. Every ship above 75 tons register shall have a watchman on deck, from sunset to sunrise, and any ship under 75 tons register shall have at least one man on board, during the whole of the night. Night watchman.
64. A vessel shall not be beached or grounded in the Harbour, without permission being first had and obtained from the Harbour Master; and any vessel that takes ground or is stranded, from any cause, shall be removed by the owner, when called upon to do so, by the Harbour Master. Beaching vessels.
65. For the purpose of seeing that all or any of these regulations are properly carried out, every Water Policeman in uniform, shall have access to a vessel, at any hour of the day or night, and shall be allowed and is authorised to ask any reasonable question of the master of the vessel or of any officer thereof; and any information required shall in all cases be furnished. Water Police may board vessels.
66. (1) After a vessel has been unloaded and sufficiently ballasted, the Harbour Master may require it to be anchored, or moored, clear of other shipping. Vessels may be hauled off from berth.
- (2) Any vessel having discharged, or taken in, her cargo, shall remove to such berth or anchorage as may be required by the Harbour Master.
67. (1) For the purposes of this regulation the term— Power of Harbour Master.
- “berthing regulation” means any of these regulations affecting the manner and place of mooring or anchoring of vessels, or the positioning, management or government of vessels in the Harbour, or the unmooring and removal of vessels to a position within or without the Harbour; and
- “subject vessel” means any vessel in respect of which there has been a breach of, or any non-compliance with, a berthing regulation.
- (2) In any case of a breach of, or a non-compliance with, a berthing regulation the Harbour Master may, for the purpose of giving effect to that regulation—
- (a) make fast and attach any warp, rope, wire, chain, shackle or other tackle to, and moor or anchor, the subject vessel;
 - (b) cast off or loose any warp, rope, wire, chain, shackle or other tackle from, and unmoor, move and position, the subject vessel;
 - (c) call on either or both the Master and crew of the subject vessel to give and afford him such assistance as he may require for any of the purposes of this regulation and that Master and crew shall, thereupon, afford him the assistance so required; and
 - (d) in the event of there being no, or insufficient, crew, rope or other tackle or quantity of ballast in, or aboard, the subject vessel, employ, hire or obtain such assistance, rope, tackle or ballast as may appear to him necessary or expedient in the circumstances.
- (3) Any person who—
- (a) cuts or casts off any rope or tackle attached to or made fast to any subject vessel by, or under the direction of, the Harbour Master;
 - (b) being the master or a member of the crew of a subject vessel refuses any assistance called for by the Harbour Master, for any of the purposes of this regulation; or
 - (c) obstructs, or interferes with, the Harbour Master in the performance of his duties,
- is guilty of an offence against these regulations.

(4) Any expense incurred by the Harbour Master, pursuant to the provisions of subregulation (2) of this regulation, shall be borne, and be payable on demand to the Board, by the master, owner or agent of the subject vessel.

Careening vessels.

68. Any Master requiring to careen, heave down or haul his vessel on shore, for the purpose of inspection or repairs, shall apply to the Harbour Master for permission therefor; and a person shall not make fast any boat or vessel to any wharf, buoy, beacon or other property of the Board, for the purpose of heaving down or careening that boat or vessel, unless so permitted or directed by the Harbour Master.

Discharging.

69. Any vessel discharging cargo or part cargo shall have a claim to a wharf, prior to a vessel taking in cargo.

Notice to be given before removal.

70. A master, officer, or other person in charge of a vessel shall not remove the vessel from any mooring or wharf, without due notice having been given of that intended removal, at the office of the Harbour Master.

Securing.

71. Every master of a vessel shall, whenever so required by the Harbour Master, provide, make and fix, under his direction, additional fastenings to that vessel.

Anchors let go in Harbour to be buoyed.

72. The master of a vessel shall not let go any anchor without a buoy being attached thereto; and every master shall lift anchor, when required to do so by the Harbour Master.

Pipes shall not discharge on to wharves.

73. (1) The master of a vessel shall not allow any refuse, filth or excreta to be emptied from any discharge pipe or from any water closet or latrine on the vessel, upon any portion of a wharf or steps belonging thereto, and all steam pipes shall be effectively screened.

(2) Water shall be not allowed to be discharged from the scuppers of any vessel, upon any portion of wharf or steps belonging thereto.

Scuttling of vessels.

74. (1) Whenever, in the opinion of the Harbour Master, a state of emergency has arisen wherein it becomes necessary, for the safety of the Port and for the preservation of life and property, that a vessel in the Port should be scuttled, he shall order the master thereof to scuttle that vessel and shall give all necessary directions for that purpose.

(2) In case the master of any vessel ordered to be scuttled pursuant to the provisions of subregulation (1) of this regulation refuses or neglects to scuttle it then the Harbour Master shall proceed to scuttle the vessel and may for that purpose call upon any officer or member of the crew of the vessel or any officer or other person employed by the Board to assist him.

(3) A person refusing or neglecting to obey an order of the Harbour Master made, or refusing assistance asked, for any of the purposes of this regulation, is guilty of an offence.

Fire.

75. (1) In the case of an outbreak of fire in, or on board, any vessel in the Port, it is the duty of any person, being an officer or member of the crew or an officer or other person employed by the Board and discovering the outbreak, to give an alarm by means of the nearest electrical signal provided for that purpose and that person shall forthwith give notice of the outbreak to the Harbour Master and to the Wharf Manager.

(2) Any person, being an officer or member of the crew of a vessel in, or on board of, which there is an outbreak of fire or being an officer or other person employed by the Board, shall give such assistance in extinguishing the fire as the Harbour Master may direct.

(3) A person shall not break, sound or in any manner operate or interfere with any electrical or other fire alarm on the premises of the Board, except in the case of an outbreak of fire.

76. The master of a vessel in the Port shall keep it and every part thereof and all boats, rigging, ropes, hawsers and other equipment or apparel thereof and all gangways belonging thereto, or used or intended to be used in connection therewith at all times clear of, and away from, all cranes, running cranes, railway lines, engines, trucks, gear or plant, on the wharves within the Harbour or forming part thereof, whether the cranes, running cranes, engines, trucks, gear or plant are stationary or in use.

Vessel and gear to be kept free and clear of cranes, etc.

77. The master of every vessel in the Port shall obey all lawful orders of the Harbour Master and such directions as, in the opinion of the Harbour Master, the weather, the conditions of shipping in the Port or other circumstance may render necessary or expedient for the safety of, and in the interest of, shipping.

General order.

78. The master of every vessel shall produce the Certificate of Registry of the vessel to the Harbour Master or other officer of the Board, upon demand.

Certificate of Registry.

PART IV—TONNAGE RATES.

79. All vessels entering the Port shall, unless hereinafter in these regulations exempted, pay the tonnage rates prescribed by these regulations.

Payment of tonnage rates.

80. Vessels of war of any nationality and vessels owned by the Government of any of Her Britannic Majesty's States or Dominions, if not engaged in trade, shall be exempt from the payment of tonnage rates.

Exemption from payment.

81. For the purpose of assessing the period over which any tonnage rates are payable, a vessel shall be deemed to occupy a berth where that vessel—

Computing time in berth.

- (a) uses a berth at a wharf, or at a mooring buoy,—from the time when the first line is made fast until the last line is let go;
- (b) anchors in the harbour,—during the actual time occupied in shipping or discharging cargo, or both, and embarking or disembarking passengers or both; or
- (c) remains at anchor in the Harbour, having arrived solely for orders or supplies (including bunkers) for her own use, or to be refitted or repaired, or being in distress or under duress,—for a period of three hours, irrespective of the actual time the berth is so occupied.

82. (1) The tonnage rates payable shall be assessed at one-twelfth of a penny for each ton of the gross registered tonnage of a vessel, for each complete hour during which the vessel occupies a berth.

General rate payable.

(2) The minimum charge for each entry into the Port shall be as for six hours, but in the case of a vessel occupying a berth in the Harbour only, other than at a wharf or as provided in regulation 81 (c) of these regulations, the minimum charge shall be as for three hours.

83. Should a vessel occupy more than one berth, the tonnage rates shall be assessed on the aggregate of the periods during which berths have been occupied, and where that aggregate is less than six hours, a minimum charge as for six hours is payable.

Vessel occupying more than one berth.

84. A whale-chasing vessel of less than 500 tons gross shall pay as a tonnage rate, per entry into the Port, a fixed sum of £3 for any period or periods not exceeding four complete days and £1 per day or portion thereof for any subsequent period, during which a berth is occupied; but, where the vessel does not occupy a jetty or wharf berth, the amount payable as a tonnage rate is a fixed sum of 12s., irrespective of the period involved.

Whale-chasers.

Rebates of
tonnage
rates.

85. (1) Notwithstanding that a minimum charge as for six hours at the maximum rate applicable to a vessel is, in any event, payable, rebates of the tonnage rates prescribed by regulation 82 of these regulations may be allowed, in the circumstances, and to the extent, following, that is to say—

- (a) where a vessel berths in the Harbour—
 - (i) in distress, under duress or for the purpose of fitting, refitting or repairs, the rebate allowable is a maximum of 75 per centum of the tonnage rates; or
 - (ii) for orders or supplies, including bunkers for its own use, and is berthed for that purpose for a period not exceeding 72 hours, the rebate allowable is a maximum of 50 per centum of the tonnage rates;
- (b) where any circumstance mentioned in subparagraph (i) of paragraph (a) of this regulation occasions the replenishment of supplies that would not otherwise have been required or the discharge, temporarily or otherwise, of cargo not originally intended to be discharged at the Port, then, notwithstanding the provisions of subparagraph (ii) of the paragraph hereinbefore mentioned, the maximum rebate allowable is 75 per centum of the tonnage rates;
- (c) where any circumstance mentioned in subparagraph (ii) of paragraph (a) of this regulation occasions the discharge and reshipment of any cargo, pursuant to the provisions of these regulations, then the rebate mentioned in that subparagraph may be allowed for the whole of the period of those operations;
- (d) where, prior or subsequent to the completion of any work for which a vessel occupying a wharf berth has entered the Port, in the ordinary course of its voyage, it becomes necessary for repairs to be effected to, or supplies to be replenished in, that ship, then a rebate may be allowed for the actual period involved in the repairs or replenishment, as prescribed for similar circumstances by paragraph (a) of this regulation;
- (e) where a vessel occupies a berth in the Harbour for a period in excess of that necessary for the handling of cargo, replenishment of supplies or both and the excess period is required for the sole purpose of extending tourist facilities to transit passengers, then a rebate of 75 per centum may be allowed in respect of the excess period;
- (f) where a vessel then ready to put to sea is detained in the Harbour by reason of any precaution taken by a military or naval authority, then a rebate of tonnage rates may be allowed for the whole of the period the vessel is so detained.

(2) The rebates of tonnage rates allowable under this regulation are not allowable, unless the master or agent of the vessel concerned has, in any circumstance such as is mentioned in paragraph (a), (b) or (c) of subregulation (1) of this regulation, prior to or within one hour of the vessel's arrival in the Port, or in any circumstance such as is mentioned in paragraph (d), (e) or (f) of that subregulation, within one hour of the commencement of operations or cause of delay arising, or, where the office of the Port is not open for business, within one hour of its next being open for business, made a declaration in writing, to the Secretary, setting out the facts of the circumstance.

Vessels free
of tonnage
rates in
certain
cases.

86. (1) Where exceptional weather conditions render it unsafe for any vessel (being then ready for sea) to leave the Harbour, the Board may allow that vessel to be free of tonnage rates, during the period of delay thereby occasioned, if written application therefor

is forthwith made by the master or agent of the vessel and the application is certified by the Harbour Master, as to the adverse weather conditions.

(2) Where any vessel enters the Port solely for the purpose of landing a sick or injured person and remains for such time only as may be necessary for that purpose, if the master or agent of that vessel submits a written declaration as to the circumstances, the Board may, in its discretion, allow the vessel to be free of tonnage rates.

87. A coasting vessel in commission, not exceeding 750 tons gross register, shall pay half the amount of the tonnage rates prescribed for other vessels in like circumstances. Coasting vessels.

(2) A vessel is deemed to be in commission until such time as the owners thereof notify the Board in writing that they intend to lay up the vessel.

(3) A vessel laid up shall pay to the Board a special lay-up fee of 12s. per week.

88. (1) Every hulk, tug, passenger steamer, lighter and barge using the wharves or waters of the Port shall pay, as a tonnage rate, an annual fee as follows:— Hulks, tugs, etc.

(a) tugs, lighters and barges (50 tons gross measurement and under), each £3 per annum; and

(b) tugs, passenger steamers, lighters, barges, coal and other hulks, and licensed launches (over 50 tons gross measurement), each £12 per annum.

(2) The above fees are payable half-yearly in advance, and shall be calculated from the 1st day of January and July, each year.

PART V.—GOODS AND CHARGES THEREON.

Division 1.—Computation of Charges.

89. (1) All dues and charges on cargo shall, except where otherwise provided, be computed on their weights or measurements or the weights and measurements given in the ship's manifest, bill of lading, or other shipping document for that cargo, but it is competent for the Board, at its own option, to proceed on a weight basis of 2,000 lbs. or 2,240 lbs. to the ton (according to trade usage) or on a measurement basis of 40 cubic feet to the ton. Computation of wharfage handling, etc.

(2) A fraction of a ton weight or measurement shall be charged for on a pro rata basis.

(3) In every case the gross weight or gross measurement shall be that applicable and the Board reserves the right, at any time, to demand that goods be reweighed or remeasured in the presence of an officer of the Board and at the expense of the owner of the cargo.

(4) Charges on goods enumerated hereunder shall be computed on the basis following, that is to say—

boats, launches, etc.	....	....	cubic measurement, less $\frac{3}{4}$ ths;
cornsacks and ore bags in bales	....	....	15 cu. ft. each bale;
cylindrical cargo, except otherwise stated	....	....	cubic measurement on external dimensions less $\frac{3}{4}$ th, unless the weight is then greater;
oil and inflammable liquids, in bulk (fuel lighting and lubricating)	....	....	at 250 gallons per ton;
timber	....	....	per ton of 40 cu. ft.

90. (1) The master of every vessel arriving at the Port shall deliver, at the office of the Board, prior to commencing to discharge cargo, two true, legible, and complete copies of the manifest of that vessel, certified by himself as being true and complete, containing the particulars indicated in the form set forth in the First Schedule Inwards manifests to be supplied and certified to.

to these regulations; and shall also furnish within 48 hours a certified statement of all alterations (if any) which may be made in the manifest, by reason of re-measurement of goods included therein or otherwise.

(2) An alteration to a manifest shall not be recognised, unless supplied prior to the goods thereby affected being removed from the premises of the Board.

Outwards manifests.

91. (1) Prior to the clearance for any vessel being granted by the Board, the Master shall deliver to the office of the Board, except where otherwise arranged with the Secretary, in writing, a certified copy of the outwards manifest, containing the particulars, indicated in the form set forth in the First Schedule to these regulations, of the goods so shipped and in addition shall show the tonnage of coal or fuel oil bunkered.

(2) A person shall not enter upon any wharf with goods for shipment and those goods shall not be received into any shed for that purpose, unless the shipper, owner or agent shall first have delivered to the Wharf Manager a cartnote or other written document, setting out such particulars of the goods as will enable the amount of wharfage and other dues payable thereon to be readily computed.

Payment of wharfage dues, etc.

92. (1) All wharfage dues and handling or other charges incurred and payable, in respect of a cargo discharged or shipped, are payable to the Board, forthwith upon permission being given by a competent officer of the Board for the discharge or shipment thereof; but the Board may, at its discretion and in the case of outward cargo only, accept from the consignor, owner, shipper or agent of the vessel in which the cargo is shipped a guarantee in writing that the wharfage dues and handling or other charges will be paid within 24 hours of the clearance of the vessel.

(2) Inward cargo shall not be delivered to the consignee or owner thereof and outward cargo shall not be delivered to the vessel in which it is intended to be shipped, until the receipt of the Board for the payment of all wharfage dues, handling and other charges in respect of that cargo have been issued to the consignee or owner or to the shipper or master of the vessel in which the cargo is to be shipped, as the case may be.

Wharfage and handling charges on cargo.

93. (1) Wharfage dues, handling and other charges shall be paid on any goods discharged from, or to be shipped in, or transhipped out of, any vessel in the Port, as by this regulation prescribed.

(2) Except as otherwise provided by this regulation, wharfage dues and handling charges are those set out in the Second Schedule to these regulations.

(3) The dues and charges provided by subregulation (2) of this regulation shall be modified, in any of the cases and in the manner following, that is to say—

(a) handling charges shall be increased or decreased, as the case may be, by one per centum for each complete penny of variation in—

(i) the ordinary hourly rate of pay of Waterside Workers as operating from the 1st day of November, 1952, viz., 8s. 2d.; or

(ii) the rate of charge levied as from the 4th day of May, 1954, pursuant to the Stevedoring Industry Charge Assessment Act, 1947-1958 (Commonwealth), per man hour of employment of waterside workers engaged in stevedoring operations and registered under the Stevedoring Industry Act, 1949-1957 (Commonwealth), viz., 6d.;

(b) wharfage dues on cargo discharged on to a wharf from a vessel in distress or so discharged for the convenience of the vessel and subsequently re-shipped are at the rate of 1s. 3d. per ton;

- (c) where the full wharfage rate has been paid upon fuel oil carried as cargo, a rebate of 8s. 6d. per ton shall be allowed upon any of that oil that is subsequently bunkered;
- (d) wharfage shall be paid on passengers' luggage at the rate of 1s. 8d. per ton when manifested; but passengers' luggage does not include commercial travellers' samples, theatrical scenery and properties, furniture or merchandise;
- (e) wharfage dues are not payable in respect of any yacht or boat discharged in the Port, on behalf of a visiting club and for regatta purposes only; but handling charges are payable thereon;
- (f) wharfage dues are not payable in respect of ship's refuse or manure, discharged by leave of the Board, as such, and not on consignment; but handling charges are payable thereon;
- (g) wharf haulage charges where applicable shall be paid, at the current rate per ton, according to the Western Australian Government Railways rate book, on all goods passing through any shed of the Board and on any goods which may be handled by the Board in any of its yards; and
- (h) in addition to any charge levied by these regulations for the loading of wagons, a charge of 6d. per ton shall be paid in respect of any cargo which the Board is required to cover with tarpaulins or to rope, chain or otherwise secure for carriage in or on any railway wagon; but the charges by this paragraph provided shall be levied for labour services only, in sheeting and securing cargo and shall not include the cost of supplying tarpaulins, ropes, chains or other appliances which shall be supplied by the owner or consignee of the cargo.

94. The rates of wharfage and handling charges on inward cargo are as set out in Part I of the Second Schedule to these regulations. Inward cargo.

95. The rates of wharfage and handling charges on outward cargo are as provided in Part II of the Second Schedule to these regulations; but Outward cargo.

- (a) goods manufactured within the State, when delivered for shipment ex factory or ex wholesale store or ex retail store and being unused (as distinct from second hand), and products of the soil of the State (except those which the Board may by notice exclude from the application of this paragraph) are free of wharfage on shipment to any Port, if those goods or products are declared, in such manner as the Board may from time to time require, to be goods or products of the kind mentioned in this paragraph, and are so declared at the time of delivery for shipment; and
- (b) the wharfage rate on cargo shipped to ports within the State is, unless otherwise stipulated, 2s. per ton.

96. In the case of transshipment cargo charges shall be levied for— Transshipment cargo.

- (a) wharfage, as set out in the Second Schedule to these regulations; and
- (b) handling charges, at the rates applying to inward cargo of a like nature, save that, where the discharge and reshipping of transshipment cargo is not at the same shed in the Port, two handling charges shall be levied.

Extra handling charges and extra charges on special cargo.

97. (1) The rates of handling charges prescribed by these regulations include charges for the usual and customary receiving, sorting, stacking and delivery of cargo only, and the Board may prescribe an additional charge for handling packages of over 1 ton in weight or of an awkward shape or where extra labour is required or unusual risk is involved; but that additional charge shall in no case exceed an additional 50 per cent. of the scale prescribed by these regulations for goods of the category so handled.

(2) Where extra wages are payable by the Board, under an order or award of a Court or other competent authority, for the handling of any special cargo, the extra cost thereby occasioned shall be borne and be payable by the consignee or the consignor (as the case may be) of the cargo.

Charges on vessel's stores, etc.

98. (1) Materials and equipment passing over the wharves and to be used for the repair or refitting of a vessel, its machinery or equipment, whilst that vessel is in the Port and all consumable stores, excepting fuel oil loaded into a vessel for the vessel's own use, upon which an inward wharfage rate pursuant to these regulations has not been paid at the Port, are exempt from the payment of outward wharfage rates.

(2) The outward wharfage rate on fuel oil loaded into a vessel as bunkers supplied for that vessel's own use and upon which an inward wharfage rate has not been paid at the Port, is 5s. per ton, payable by the suppliers of the oil.

(3) Where any materials, equipment or stores shipped for a vessel's own use are handled by the Board, the owners of the vessel shall pay to the Board handling charges, as for cargo of a like nature.

Division 2.—Handling and Custody of Cargo.

Services covered by "handling charges".

99. (1) Handling charges levied on inward cargo except where in these regulations otherwise provided, include charges for receiving from ship's slings, tallying and delivering that cargo to the tail or side of any vehicle; but do not include charges for loading the cargo on any vehicle.

(2) Inward cargo shall not be deemed to be in the custody of the Board, until such time as the sling by which the cargo is discharged is released from any ship's tackle or, if not discharged by sling, then, until the cargo is deposited upon a wharf or jetty in the Port or upon a vehicle supplied by the Board for that purpose.

(3) Handling charges levied on outward cargo, except where otherwise in these regulations provided, include charges for receiving that cargo at any of the Board's sheds and delivering it to the sling of a ship wherein it is to be shipped.

(4) Outward cargo shall be deemed to be in the custody of the owners of any ship when that ship's tackle is attached to the sling by which the cargo is to be shipped, or if not shipped by sling, then upon the cargo being taken clear of the wharf or jetty from which it is shipped in the Port.

(5) The providing of labour and services for which handling charges may be levied is in the discretion of the Board.

Cargo assigned from ship's slings in railway wagons.

100. (1) Every consignee requiring cargo consigned to him to be loaded direct from a ship's slings into railway wagons shall give notice to the Wharf Manager of that requirement, before 8 a.m. of the day upon which the cargo is to be discharged and, at the same time, satisfy the Wharf Manager that he has completed arrangements with the master of the ship to have the cargo so discharged; and every consignee shall indemnify the Board against loss or damage to cargo so handled before the work is undertaken.

(2) In the event of cargo, required to be discharged as in sub-regulation (1) of this regulation, being discharged, before the railway wagons have been run alongside the ship for the purpose of direct loading, or in absence of any indemnity against loss or

damage to that cargo, the cargo will be run into and stacked in the Board's sheds, or otherwise dealt with at the option of the Board; and, if the cargo is afterwards required to be loaded into railway wagons, an extra labour charge shall be paid by the consignee for conveying the cargo to the side of the railway wagons.

(3) Where the consignee requires loading in railway wagons to be done during hours outside the working hours of the Board, the consignee shall pay the additional cost of labour employed, due to the work being performed at overtime rates.

(4) The Board may, notwithstanding the giving of the indemnity in subregulation (2) of this regulation mentioned, refuse to handle cargo direct from ship's slings into railway wagons, where, owing to the character of the ship's gear, or any other reason, that work is, in the opinion of the Wharf Manager, dangerous.

(5) Where cargo to which this regulation refers is, for any reason, handled into sheds, or on to any wharf in the Port, the wharfage dues and handling charges properly applying to that method shall be borne and be payable by the consignee of the cargo.

101. In the case of cargo landed direct into railway wagons or delivered to railway wagons on a wharf at which that cargo has passed into the custody of the Board, the consignee of the cargo shall give a receipt to the Board for the cargo before it is permitted to be removed from the confines of the Port; and the Board is not responsible for the safe custody of any cargo, after that cargo has been loaded and is ready for removal.

Receipts for cargo landed into railway wagons.

102. (1) Where, under the provisions of these regulations, cargo has passed into the custody of the Board, any receipt given by the Board for that cargo is as far as it purports to relate to the condition of the cargo, based upon the outward appearance of the packages comprising the cargo and does not purport to relate to the weight or the contents of any package.

Receipts, etc., for inwards cargo.

(2) Where, during the progress of discharge of any cargo, the Wharf Manager is in doubt as to the condition of any package or packages, it or they shall, at his direction, be placed in a situation apart from other cargo, pending examination, and the Board's tally of and receipt for that package or those packages shall be read as being that for a doubtful or damaged package, as the circumstances may require.

(3) Any package or packages dealt with under the provisions of subregulation (2) of this regulation shall be opened and examined by the consignee, in the presence of the Wharf Manager and of the ship's agent, as soon as possible after being landed, and the Board is not responsible for the safe custody or the condition of that package or those packages or of its or their contents.

(4) In the event of the ship, by its agent, refusing to accept a receipt for any cargo given in terms of this regulation, that cargo shall forthwith be returned on board by the agent of the ship, and shall not be again landed, until it has been examined by the consignee, who shall take delivery direct from the ship.

103. (1) Goods for which a receipt has not been given by the Board shall not be deemed, for any purpose, to be in the custody of the Board and the Board is not responsible for the safe custody, or for any loss or damage to those goods, however occasioned.

General responsibility of Board.

(2) The Board is not responsible for the weight, size, character, or condition of the contents of any package, and, in any event, the Board is not liable for a greater value in regard to any goods than is stated upon a ship's receipts, bills of lading, manifests, or other documents relating to those goods as regards declarations of values; and, for the purposes of this regulation, the Board may rely on, and the owners of the goods are bound by, all statements, exceptions, and conditions endorsed upon any ship's document relating to the goods.

- Delay in delivery of goods.
Wrong delivery.
104. The Board is not responsible for any claim for loss arising from delay in the delivery of any goods, however occasioned.
105. The Board is not responsible for the non-delivery of goods or their delivery to persons other than the consignee, or of goods that, or the packages of which, are not marked or are erroneously or insufficiently marked, or that have numerous, old or imperfectly erased marks thereon, or, in the case of more than one consignment of goods of apparently similar character or appearance, in the same ship, that bear the same, or similar marks.
- Goods not to be moved.
106. A person shall not, without the authority of the Wharf Manager first had and obtained, remove from one vessel to another, or from any part of the wharf to any other part thereof, any goods or luggage or cargo.
- Goods not to be handled in wet weather.
107. Goods shall not be landed or shipped in wet weather, without the permission, in writing, of the Wharf Manager, at the request of the master or agent of the discharging or loading vessel; and the giving of that permission does not throw upon the Board any liability for damage to the goods caused by being so landed or shipped or handled in wet weather and any determination of the Wharf Manager that the weather is wet is conclusive.
- Goods specially treated by Government or other authorities.
108. The Board is not liable for any goods which are required by a Government or other authority in that regard to undergo such special treatment, such as fumigation, dipping, steaming, opening, destroying or the like.
- Responsibility in case of fire, etc.
109. The Board is not responsible for loss of or damage to goods, while in their custody, occasioned by fire, water used in extinguishing fire, or vermin, or for loss or damage to ironwork or goods of that character in an unprotected state that may be stacked on any wharf or on any land under the jurisdiction of the Board; and any action of the Board in endeavouring temporarily to cover or protect those goods shall not be held to cast upon it any liability for loss or damage.
- Mode of discharging or loading.
110. (1) The master of every vessel shall give notice to the Wharf Manager of his intention to discharge or load, before that work is commenced.
- (2) Goods, live stock, or other material of any kind whatever shall not be discharged or shipped, except at such times and places, and in such manner, as may be directed by the Wharf Manager, for the proper working of any wharf.
- (3) Cargo discharged without permission of the Wharf Manager being first obtained shall not be deemed to be in the custody of the Board, and the Board is not responsible for any loss or damage to that cargo, however occasioned.
- Goods handled out of the ordinary working hours of the Port.
111. Where any goods have passed into the custody of the Board, at a time other than during those hours fixed by these regulations as the ordinary working hours of the Port, the Board is not, whatever the nature of receipt given for those goods, responsible for the condition of the goods so passing into its custody.
- Goods insufficiently packed.
112. Whenever, in the opinion of the Wharf Manager, any goods are wholly unprotected or so packed as to require additional labour in the handling thereof or to involve the Board in an additional risk in the handling thereof, the Board may levy an additional handling charge in an amount not exceeding 50 per cent. of the scale fixed by these regulations for the class of goods so handled; and, in any event, shall not be liable to any damage occasioned those goods by reason of the insufficiency of their packing or protection.
- Goods delivered in special manner.
113. Where the consignee of any goods requires that they be delivered to him or his order in a different manner from that in which they have been received by the Board, from a ship, and where, in the opinion of the Wharf Manager, that delivery involves

special sorting or handling, the consignee shall pay to the Board an additional charge on the goods so actually sorted or handled sufficient to cover the actual cost of labour involved in the sorting or handling.

114. Where any goods accepted by the Board for direct and immediate shipment cannot then, for any reason beyond the control of the Board, be shipped and those goods are, for the convenience of any vessel or consignor, or by reason of bad weather or other cause, required to be stored by the Board in any of its sheds, the consignor of the goods or the owner of that vessel, as the case may be, shall pay to the Board handling charges, in accordance with the scale applying to goods of that category, for each occasion that the goods are required to be handled, together with storage charges as by these regulations provided.

Vessel not ready for cargo.

115. The master of any vessel berthed at a wharf shall cause the discharge or loading of that vessel to be commenced and continued till completed, by working at such hours as the Harbour master or Wharf Manager may direct, but such a direction shall not be given in contravention of any Customs law or regulation.

Discharge or loading to be continuous or as directed.

116. The Master of a vessel shall not discharge, and a consignor shall not deliver for shipment, any package or article of a gross weight of 1 ton (2,240 lbs.) or more, unless the package or article has the weight marked thereon in legible characters of not less than one inch in height; but where it is not practicable to weigh any package or article of which the weight is more than one ton, the gross weight of the package, or article may be stated approximately, within a limit of one ton, that is to say "over one but under two tons" or as the case may be.

Weight of package or article to be marked thereon.

117. Ballast, stone, coal, coke, timber, sand or any goods or other materials in bulk shall not be deposited on a wharf, without the permission of the Wharf Manager.

Cargo deposited on wharf.

118. The working hours of the Port shall be and include the hours from 8 a.m. till 12 noon and from 1 p.m. to 5 p.m. on Mondays to Fridays, except upon such days as may be appointed holidays.

Working hours.

119. (1) The master of a vessel requiring to work any hours, not being working hours as defined in these regulations, shall give to the Wharf Manager 2 hours' notice and, on holidays, 12 hours' notice of that requirement.

Vessels working overtime.

(2) The cost over and above the ordinary cost of day work or of labour, supervision, and services provided by the Board, during any hours, not being working hours as defined in these regulations, or on holidays, shall be paid by the master or owners of the vessel, or the agent therefor, in addition to the usual charges.

(3) The extra cost of lighting to enable a vessel to work during any hours, not being working hours, or on holidays, shall be paid by the master, owners, or agent to whom that service is provided.

120. Where, due to the delay in the handling of cargo from a ship, by reason of time lost in the repair or rigging of gear or the inefficient handling of cargo on the part of the ship, the Board is occasioned extra expense in labour costs, that extra expense shall be made good by the master or the owners of the ship.

Cost of delays caused by ships to be made good.

121. Pig-iron, timber, stone, machinery, or heavy merchandise or commodities of any kind shall not be tilted or thrown out of, or from, any vessel on to a wharf or conveyance, but shall be laid down by hand; and pig-iron and other heavy articles shall not be deposited upon any wharf, except in accordance with the directions of the Wharf Manager.

Heavy goods not to be tilted or thrown on the wharves.

122. Every master of a ship shall be responsible for the proper slinging of all goods discharged on to a wharf or conveyance, and for any damage that may occur either from the breakage of slings or from goods being imperfectly slung.

Master responsible for proper slinging of goods.

- Sorting or packing on wharves. 123. Except with the permission of the Wharf Manager or as may be required by a Customs Official, a person shall not sort any timber, pack, repack or repair any goods or screen coal or other bulk goods on any wharf or in any shed in the Port.
- No Goods allowed on roadways. 124. Goods shall not be placed on any roadway or other land adjoining a wharf, without the permission of the Wharf Manager having first been obtained.
- Goods falling overboard. 125. Where any cargo or other material is by accident or otherwise dropped or let fall overboard, the master or agent or other officer of the vessel present at the time shall forthwith report the event to the Wharf Manager, and the Wharf Manager may take such steps as seem to him expedient to recover and land that cargo or other material; and any expense of the recovery and landing shall be a debt due to the Board by the owner or master of the vessel from which such goods were being landed, or into which they were being shipped, or from any person responsible for permitting or suffering the goods or other material to drop or fall overboard.
- Limitation of value of goods, lost or damaged. 126. Any claim for goods lost, damaged or destroyed shall be restricted to the cash value of those goods at Bunbury, which shall not exceed the cash value at the port of shipment at date of shipment with actual freight, insurance, duty (if any), and shipping charges added.
- Limitation of the amount of liability for goods. 127. The Board is not liable for gold, silver, bullion, specie, watches, clocks, jewellery, precious stones, silk goods, quinine, precious metals, opium, bank notes, bonds or securities for money, paintings, sculpture or other works of art beyond the sum of £10 nor beyond the sum of £100 for any one package or parcel, regardless of the nature or value of the contents thereof.
- Limitation of value of goods. 128. Without affecting, restricting or limiting any provision of these regulations, the Board's liability for any package of goods coming into its custody is limited to the amount of any declaration of value made by a consignor or consignee of those goods; and the Board may rely upon, and the owner of the goods shall be bound by, all statements, exceptions and conditions endorsed on a ship's receipts, bills of lading or a ship's manifest as, to the value of the goods.
- Passengers' luggage. 129. The limitations with regard to value of ordinary cargo provided by these regulations applies to packages of passengers' luggage or effects passing into the custody of the Board.
- Persons receiving or retaining goods not their own property. 130. A person shall not take delivery from the Board or retain possession after delivery of any package or goods of any description not being his own property, except by, or under the authority of the owner.
- Claims in respect of cargo. 131. A claim shall not be entertained by the Board unless that claim shall have been received by the Secretary—
 (a) in the case of cargo landed or alleged to have been landed from—
 (i) a sailing vessel, before that vessel leaves Port; or
 (ii) a steamer within four days of that steamer leaving the Port; and
 (b) in the case of outward cargo, within 24 hours of the departure from the Port of the vessel within which that cargo was intended to be shipped.
- Special indemnity of Board against liability. 132. (1) Notwithstanding anything to the contrary elsewhere by these regulations provided, the Board is not responsible or liable for any damage, injury or loss occurring in relation to any goods of any kind or description whatever while those goods are in the custody or under the control or power of the Board or its servants or agents, or upon the Board's premises, except where that damage, loss or injury is directly caused by the wilful and deliberate act of, or negligence by, a servant or agent of the Board.

(2) Nothing in this regulation operates to prevent the Board from entering into a special agreement in writing with any person whereby, upon payment of any special consideration to the Board, the Board assumes responsibility or liability in respect of damage, injury, or loss of goods specified in such agreement, in accordance with the provision thereof and to the extent therein stated.

(3) The exemption or indemnity provided in subregulation (1) of this regulation shall, subject to any special agreement entered into by the Board thereunder, be read and construed and have effect as being supplementary and additional to all other exemptions and indemnities from liability elsewhere in these regulations provided for the benefit of the Board.

Division 3.—Storage of Cargo.

133. The Board is not bound to find storage room for any goods, whether in any shed or on any wharf and, after notification to the owners, shippers or consignees of any goods, or to a vessel's agent that room is not available for the storage of goods within a shed, or that any goods are, owing to their character, not permitted by some authority other than the Board to be stored in a shed, the Board shall not be held responsible for any loss or any damage that may occur to the goods by the elements or otherwise, during the time they remain on the Board's premises.

Board not bound to find storage accommodation.

134. (1) Except where otherwise by these regulations provided, any inward goods placed in a shed in the Port and any goods placed therein for the purpose of shipment shall be removed therefrom, within 16 working hours after having been so placed.

Storage, period of.

(2) Any goods on prime entry that are detained for examination by Customs officials, may be stored free from the time of passing of entry until examination is completed, but a free storage period shall not exceed 4 days in all.

(3) Any goods on warehousing entry requiring examination and making up for Customs purposes may have free storage in a shed during any time of examining and making up not exceeding 4 days in all.

(4) Upon the expiration of the free storage time, by this regulation provided, goods are chargeable for storage, at the general rate of storage hereinafter by these regulations provided.

135. The Wharf Manager is empowered to take charge of, and store, any cargo or goods not removed from a wharf or shed by the consignee within the time or respective times limited for that purpose, to cause the cargo or goods to be conveyed to the Queen's warehouse or delivered to the consignee at the consignee's expense and risk or to remove the cargo or goods to any of the premises of the Board or other convenient place, there to keep possession of the cargo or goods, until payment is made to the Board of the expenses of the removal and keeping and of all other charges due to the Board thereon; and, in default of payment, the Wharf Manager is empowered, on behalf of the Board, to sell the cargo or goods in the manner, at the time, and in accordance with the powers, provided by Section 48 of the Act.

Goods to be removed, or may be sold.

136. (1) Where any goods are not removed from any wharf or shed, within the time specified in these regulations, there shall be (subject to and as hereunder mentioned) payable to the Board, as and by way of storage rent in respect of those goods, charges at the rates set forth in the Second Schedule to these regulations.

Storage rates for goods.

(2) The storage rate on transshipment cargo and on cargo landed and reshipped is 1s. per ton or part thereof, per week, for a maximum period of two weeks, whereafter the rates prescribed for transit cargo become payable, except where the goods are actually reshipped during the third week of storage, in which event the rate of 1s. per ton shall continue to apply for the third week.

(3) Nothing in this regulation prevents the Wharf Manager from removing any goods or ordering their removal as by these regulations provided, at any time after the time thereby appointed for their removal.

Extension of prescribed storage period.

137. (1) Notwithstanding anything contained in this Division, the Wharf Manager may, where—

- (a) handling services upon the wharves would be advantaged generally by the non-removal of any particular goods within the prescribed period; or
- (b) the non-removal of goods would be conducive to the free flow of other goods; or
- (c) excessive overtime is being worked on vessels, including that worked on Sundays and public holidays, to the detriment of the ordinary delivery of cargo,

grant such extension of the period prescribed for the removal of goods, either generally or in particular, as, in his opinion, is justified by and is reasonable in the circumstances.

(2) Where any place is set apart for the placing of goods awaiting shipment, the Wharf Manager may grant such extensions of the period prescribed for the removal of goods as he is empowered to grant under the provisions of subregulation (1) of this regulation.

(3) Without limiting the provisions of subregulation (1) or (2) of this regulation, the Wharf Manager may, at his discretion, in lieu of extending the prescribed period, determine that some lesser rate or rates of storage charges than those prescribed by these regulations, shall be payable in respect of goods, whether awaiting shipment or delivery, that have not been removed in the prescribed period.

Limit of storage.

138. Goods shall not be allowed to remain in any shed or upon any wharf for a longer period than 4 weeks, and if any goods so remain without the consent of the Board, the Wharf Manager may remove them to Queen's warehouse (in the case of goods liable to custom duty), or to any of the premises of the Board or other convenient place, and retain the goods under the provisions of Section 27 of the Act and for the purposes enumerated in that section.

Goods left on wharf may be opened, etc.

139. Where any free goods remain, without the permission of the Wharf Manager, upon any wharf or on the approaches thereto or in any shed in the Port, for a longer period than by these regulations allowed, it shall be lawful for the Wharf Manager to open and examine the goods, before they are dealt with under the provisions of Section 27 of the Act, or otherwise according to law.

Special charge to clear sheds or wharves.

140. When notice is given to the owner, shipper, consignee, or ship's agent of any goods that no storage room is available after the date stated by the notice, the goods shall be forthwith removed; and should the goods remain 24 hours after the date fixed by notice they shall be chargeable at the rate of 2s. per ton or fraction of a ton per day or part of a day.

PART VI—INFLAMMABLE LIQUIDS AND OILS.

Exemptions.

141. The regulations in this Part apply to inflammable liquids and oils, but notwithstanding anything therein contained, the Board may, where, in its opinion, the public safety will not be prejudiced, by notice in writing by the Secretary, grant exemption to any person from compliance with any of the requirements thereof, and an exemption may be for such term, to such extent, and subject to such restrictions, limitations and conditions, as the Board may think fit.

Interpretation.

142. In this Part, the following expressions shall have the meanings assigned to them, that is to say—

“approved electric lamp” means an electric lamp approved by the Director of Navigation, Commonwealth of Australia, the British Board of Trade or the American Bureau of Standards, at the time of the making of these regulations;

- “approved safety lamp” means a safety lamp approved by the Director of Navigation, Commonwealth of Australia, the British Board of Trade or the American Bureau of Standards, at the time of the making of these regulations;
- “battened down” includes any method of securely closing, to make gas-tight as far as practicable, any hatchway;
- “cargo” includes bunker coal;
- “certificate of test” means a certificate of test, in the prescribed form, given by a competent analyst, in respect of a tank or any other part of a vessel that has been carrying oil or inflammable liquids, certifying that he has carried out a test, in an adequate and suitable manner, for the presence of inflammable vapour and has found the tank or other part to be free therefrom;
- “competent analyst” means a member of the Institute of Chemistry of Great Britain and Ireland or of the Australian Chemical Institute, with special knowledge of inflammable liquids and oils, or any other competent person approved by the Board;
- “fire” means fire of every description and includes means of ignition;
- “flashing point” means the true flashing point of a liquid, as obtained by Abel’s close test apparatus or by any apparatus that has been established by Act of Parliament for the purpose of determining the true flashing point of inflammable liquids;
- “hatchway” means any opening into a hold, not being an opening protected to prevent communication of fire;
- “hold”, when applied to a vessel, means any hold between deck, shelter deck, tank, or other covered place where cargo or fuel may be stowed;
- “in bulk”, with respect to oil and inflammable liquids, means 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” includes any oil, liquid or spirit having a true flashing point of less than 150 degrees Fahrenheit, and also any substance that the Governor, by proclamation, declares to be inflammable liquid;
- “inflammable liquid ‘group A’” means any inflammable liquid that has a true flashing point of less than 73 degrees Fahrenheit;
- “inflammable liquid ‘group B’” means any inflammable liquid that has a true flashing point of not less than 73 degrees Fahrenheit;
- “oil” means oil of any description, having a true flashing point of not less than 150 degrees Fahrenheit;
- “tank” means any tank, compartment, or space which contains or has contained any oil or inflammable liquid, or any sludge deposit or residue therefrom;
- “tank ship” means a vessel specially fitted with tanks and used wholly, or mainly, for the conveyance of oils or inflammable liquids;
- “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.

143. (1) This regulation applies to every vessel—

- (a) that is carrying, has carried, or may carry any oil, inflammable liquid or liquid derived from oil shale or coal; and

General regulation applying to all vessels.

- (b) that may be affected by any such vessel as is mentioned in paragraph (a) of this subregulation.
- Observance of regulations. (2) The master, owner and agent of a vessel are severally responsible for the due performance and observance of every regulation applying to that vessel and the responsibility of one of them does not relieve any other of them of his responsibility.
- General precautions. (3) A person shall not commit any act or permit the commission of any act of such a nature as to cause an outbreak of fire or an explosion; and every person shall take every reasonable precaution, whether expressly prescribed by this Part or not, to prevent an outbreak of fire or an explosion.
- Inspection (4) The Harbour Master may, at any time, inspect or examine any vessel that he reasonably believes to have, or lately to have had, oil or inflammable liquid on board; and a person shall not hinder or obstruct the Harbour Master in his inspection or examination; and every person shall assist in any inspection or examination and in the conduct of any inquiry made with regard thereto.
- Escape of oil. (5) It is the duty of any person, being the master or owner of any vessel or being the owner, occupier or person in charge of any oil terminal, depot, storage tank, oil pipe line or any other apparatus or place used for the storage or handling of oil or being the servant or agent of any of the foregoing persons and engaged in or on any of the foregoing places or things, to prevent the escape, flow or drainage of any oil, inflammable liquid or liquid derived from oil, shale or coal, directly or indirectly, into or upon any waters, land or vessel in the Port; and none of the persons in this subregulation mentioned shall permit or suffer any escape, flow or drainage as therein described.
- Notice of loading or unloading oil in bulk or inflammable liquid. (6) Oil in bulk or inflammable liquid shall not be loaded or unloaded in the Port, unless notice of intention in that regard has first been given to, and a permit therefor obtained from, the Harbour Master who may however, in the case of intra-harbour traffic, dispense with the requirement of notice and issue a permit to load and unload any oil or inflammable liquid, for a period of time fixed by him.
- Burning oil or inflammable liquid or refuse on board. (7) Heating, boiling or burning of any pitch, tar, resin, turpentine, spirits, inflammable liquid, oil, refuse, rubbish or other combustible matter in or on any vessel is prohibited; and the heating, boiling or burning of any such substance removed from a vessel on any wharf or on any place, within 50 ft. of any wharf, is prohibited, except in such place and in such manner as may be approved of by the Harbour Master.
- Strong containers required. (8) Inflammable liquid shall not be conveyed, loaded or unloaded on, into or from any vessel, unless that inflammable liquid is contained in tanks, drums, tins or other containers from which, in the opinion of the Harbour Master, the inflammable liquid cannot escape, in the form of liquid or vapour.
- Vehicles, machines and boats not to be shipped while containing inflammable liquids. (9) Except in the case of vehicular ferries,—
 (a) a person shall not ship or send in any vessel a motor driven vehicle, machine or boat using inflammable liquid, unless the tanks thereof and all engine connections are empty and free from that liquid or any vapour thereof;
 (b) a motor driven vehicle, machine or boat, shipped or carried in a vessel, shall not have stored, placed or packed therein any inflammable liquid, whether enclosed in a separate container or otherwise; and
 (c) the Master shall not knowingly receive or carry on board his vessel any motor-driven vehicle, machine or boat in respect of which the requirements of this subregulation have not been complied with.
- Powers of the Harbour Master with respect to vessels not carrying inflammable liquid. (10) The Harbour Master may, as shall appear to him expedient, in the interests of safety, require any of the provisions of this Part to be complied with by the master or owner of any vessel then anchored, moored or berthed within 100 feet of a vessel loading, unloading or carrying bulk oil or inflammable liquids; and that master or owner shall comply with that requirement.

(11) The following precautions shall be taken against injurious fumes and explosion in tanks on vessels, that is to say—

Precautions
against
injurious
fumes and
explosion in
tanks on
vessels.

- (a) until a certificate of test has been obtained, a person shall not bring or permit to be brought near, or take into, any tank or part of a vessel that has been used for the carriage of oil or inflammable liquid a naked light, fire, or lamp (other than an approved electric lamp) or apparatus of any kind for producing a light or spark, nor enter that tank, except for the purpose of testing the atmosphere or for the necessary preliminary cleaning;
- (b) where the cargo last contained in any tank was inflammable liquid "group A", a fresh certificate of test shall be obtained, daily, before work is commenced or continued therein; and where, during the course of work, any pipe or joint in the tank is broken or any other risk arises of inflammable liquid or vapour therefrom entering the tank, work therein shall be suspended, until a further certificate of test has been obtained;
- (c) every certificate of test, or a true copy thereof, shall, immediately after its receipt, be posted in a conspicuous place, where it may easily be read by every person concerned therewith;
- (d) in connection with the preliminary cleaning of tanks,—
 - (i) all sludge deposit or residue in a tank shall first be removed; and, where it is necessary for any person to be employed in the cleaning of a tank which has contained inflammable liquid "group A", he shall be provided with suitable breathing apparatus, consisting of a helmet or facepiece with all necessary connections by means of which he may breathe outside air;
 - (ii) a tank shall be thoroughly steamed by means of steam jets, for such periods as will ensure the vaporisation of all volatile oil or inflammable liquid;
 - (iii) after a tank has been steamed, all covers of manholes and other openings therein shall be removed and the tank shall be thoroughly ventilated, by mechanical or other efficient means, so as to ensure the removal of all inflammable vapour; and the interior surfaces including covers shall, if any deposit remains thereon, be washed or scraped down with a wooden or other suitable tool;
 - (iv) any person in charge thereof shall take precautions that matches or other means of producing fire or sparks are not carried by the men who are employed in the cleaning of a tank; and
 - (v) a person employed in the cleaning of a tank shall not smoke in, or take matches or other means of producing fire or sparks into, the tank; and
- (e) such further precautions as may be required by the Harbour Master.

(12) Where repairs are being carried out on or in any tank in which there is a possibility of the presence of inflammable or explosive fumes and in respect of which a certificate of test is required under these regulations,—

Repairs in
tank of
vessels.

- (a) lamps other than approved electric lamps or approved safety lamps shall not be used; and

- (b) a fire, naked light or heated rivet shall not be taken into any tank or compartment, without the written authority of the person giving the certificate of test that, as far as he is able to ascertain, work may be undertaken without danger to the vessel or the men employed.

- Vessels with oil in bulk. 144. The master and owner of any vessel conveying, loading or unloading oil in bulk shall, in addition to complying with the requirements of regulation 143 of these regulations, ensure that every pipe, valve, hose or other appliance used for the transference of oil is suitable for that work and is kept in good condition and free from leakage; and that master and owner shall take every precaution to prevent the escape of oil into inland and tidal waters of the Port.
- Vessels with inflammable liquid. 145. (1) The provisions of this regulation shall be observed by the master, owner and agent of every vessel upon which inflammable liquid in any quantity exceeding 400 gallons is conveyed, loaded or unloaded, within the Port.
- Notice of intention to convey, load or unload inflammable liquid. (2) The master, owner or agent of the vessel shall give at least 24 hours notice to the Harbour Master of the intention to convey, load or unload inflammable liquid, within the Port, and of the quantity of inflammable liquid to be conveyed, loaded or unloaded.
- Red flag and red light. (3) While within the Port, there shall be displayed, on the vessel, at the masthead or other conspicuous place, but not less than 20 feet above the deck, so as to be clear of all obstructions and clearly visible in all directions, a red flag of not less than 3 feet square, with a white circular centre 6 inches in diameter, by day, and a red light of a design approved by the Harbour Master, by night; but if the vessel is a barge that cannot reasonably comply with the foregoing requirements, then the master or owner of that barge shall display 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, by day, and an all round red light of a design approved by the Harbour Master, by night.
- Copy of regulations to be displayed. (4) A copy of these regulations shall be obtained and placed in such a prominent part of the vessel as to be readily seen and read by the officers and crew.
- Permit required to enter vessel. (5) A person, other than those actually engaged in the work of loading or unloading inflammable liquid, shall not be allowed on the vessel, without the permission of the master.
- Smoking prohibited. (6) A person shall not smoke in or on the vessel, during the loading or unloading of inflammable liquid.
- Locomotives not permitted within 50 feet. (7) A locomotive in which steam is generated by combustion in open fires shall not enter or be permitted to enter on railway tracks within 50 feet of any vessel carrying inflammable liquid.
- Steel hawsers to be placed over side of vessel. (8) Immediately a vessel carrying inflammable liquid has been berthed, a steel wire hawser, sufficiently strong to enable the vessel thereby to be hauled away from the wharf, shall be placed over both the fore and aft ends of the vessel, and those hawsers shall be maintained there, during the whole of the time the vessel remains alongside the wharf.
- Prompt discharge. (9) Except with the permission of the Harbour Master, a vessel shall not be berthed alongside any wharf, unless it is ready to discharge and to continue discharging, and arrangements have been made by the consignee immediately to receive, the inflammable liquid.
- Officer to be in charge. (10) A responsible officer of the vessel shall be on duty, day and night, and be responsible for giving effect to these regulations.
- Inspections at other than ordinary hours. (11) All inspections necessitated by the requirements of this Part, other than during the ordinary working hours of the Port, whether carried out aboard the vessel or ashore, shall be at the expense of the master, owner or agent of the vessel.

- (12) Inflammable liquid shall not be loaded or unloaded on or from the vessel, during the hours between sunset and sunrise, unless a permit in writing therefor shall first have been obtained, in each instance, from the Harbour Master; and all the conditions of such permit shall be duly observed.
- Inflammable liquid not to be loaded or unloaded between sunset and sunrise without permit.
- (13) Approved fire extinguishers and other approved material shall be provided and so distributed about the vessel as to be available for dealing with any inflammable liquid that may be spilled or ignited.
- Supply of fire extinguishers, etc.
- (14) An iron or steel hammer or other instrument capable of causing a spark shall not be used for the purpose of opening or closing hatches or tank lids of the vessel and, except with the written approval of the Harbour Master, chipping, scraping or hammering of iron or steel on the vessel is prohibited when any hold that contains, or has recently contained, inflammable liquid is open, or while there is any inflammable liquid on deck.
- Chipping, scraping, hammering prohibited.
- (15) A vessel (other than a self-propelled vessel) carrying inflammable liquid shall not be navigated, except in tow of, or attended by, an efficient tug propelled by mechanical power, and not more than two such vessels shall be towed together at any one time, either abreast or in train; and a vessel (other than a self-propelled vessel) carrying inflammable liquid shall not be towed alongside a tug, unless with the permission in writing of, and then upon such conditions as shall have been imposed by, the Harbour Master.
- Towing vessels.
- (16) A tank used for conveyance of inflammable liquid on a vessel shall, as far as practicable and applicable—
- Tanks.
- (a) be solidly constructed of steel and shall not exceed a capacity approved by the Harbour Master;
 - (b) be firmly attached to strongly constructed supports;
 - (c) 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 so that the exhaust of the engine shall be wholly in front of that shield, where the engine is in front of the tank, or wholly behind that shield, where the engine is behind the tank;
 - (d) have all vent pipes and vacuum relief valves effectively protected by wire gauze;
 - (e) be provided with effective earthing to prevent accumulation of static electricity;
 - (f) have the bottom end of each fill pipe carried down near to the bottom of the tank to form a liquid seal;
 - (g) have all fill pipes, dip pipes and other openings of the tank fitted with screw caps, bolted covers or other means of closing, gastight, at all times when those fill pipes, dip pipes or other openings are not in use for filling or dipping;
 - (h) have all vent pipes properly protected at the outlets by wire gauze and have the outlets not less than 12 feet above deck and made weatherproof; and
 - (i) not be filled with inflammable liquid to more than 95 per centum of its capacity and be marked in a permanent manner to indicate the level at which that percentage of its capacity is occupied.
- (17) Without prejudice to the provisions of regulation 143 of these regulations, the Board may, at the expense of the owner of any vessel, employ watchmen to guard the vessel and the wharf at which it is moored, during the whole of the time that any inflammable fluid remains in or upon the vessel; and those watchmen shall thereupon be empowered to enforce any of these regulations made, and any instruction of the Harbour Master given, to ensure the general safety of the Port and the immunity of persons and property from the danger of accident.
- Watchmen.

- Vessels with inflammable liquid otherwise than in bulk. 146. (1) This regulation applies to every vessel carrying inflammable liquid, other than in bulk.
- Display of notices. (2) Notices, warning the crew and every person 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 its gangways.
- Ventilation of holds before unloading. (3) Every hold containing inflammable liquid, in drums, tins or other packages, shall be thoroughly ventilated before, and during, the time the inflammable liquid is being unloaded.
- Ventilation of holds after unloading. (4) Every hold from which any inflammable liquid in drums, tins, or other packages has been unloaded shall be thoroughly ventilated and the bilges shall, thereupon, be carefully cleaned by the removal of any liquids by hand pumps, suitable wooden bailers and by swabbing, and shall thereafter be suitably ventilated; and a fire or unauthorised light shall not be permitted at or near that hold, until a certificate of test has been obtained.
- Stowage. (5) Any inflammable liquid loaded on the vessel shall be properly and securely stowed, to the satisfaction of the Harbour Master.
- Ventilation of stowage spaces. (6) Proper and efficient ventilation for the place of stowage of the inflammable liquid shall be provided and, when required by the Harbour Master, outlet ventilators, passing through the deck and terminating just below the deck, and inlet ventilators, extending to the bottom of the holds from above the upper deck, shall be fixed and all outlet and inlet ventilators shall be covered with wire gauze.
- Battening down holds. (7) After inflammable liquid has been stowed in a hold, it shall be securely battened down.
- Marking of packages. (8) Every package containing inflammable liquid shall be properly marked or branded to indicate the nature of the inflammable liquid; and all inflammable liquid 'group A' shall be marked "Highly Inflammable".
- Hatch coverings. (9) Sufficient hatch coverings and other coverings as may be required by the Harbour Master shall be provided by the master or owner of the vessel.
- Holds to be closed. (10) Every hold that contains, or has recently contained, inflammable liquid shall, except when inflammable liquid or other article is being loaded into or unloaded from that hold or that hold is being cleansed and ventilated, be closed, gastight, as far as practicable.
- Loading or unloading general cargo at night. (11) A permit in writing shall be obtained from the Harbour Master to load or unload general cargo into or from a vessel carrying inflammable liquid, after sunset; and the following precautions shall be taken, that is to say—
 (a) every hold containing inflammable liquid shall be securely battened down; and
 (b) cargo shall not be loaded into or unloaded from a hold unless the hold is separated, by watertight and gastight bulkheads, decks, battened down hatchways or other means, from every place on the vessel in which vapour from the inflammable liquid is likely to be present.
- Stowing inflammable liquid in wooden vessels. (12) The stowing of inflammable liquid below deck in a wooden vessel is prohibited; but a limited quantity of that liquid may be carried as deck cargo on the weather deck of any wooden vessel, if the inflammable liquid is stowed at a safe distance from the galley, crew's quarters and openings leading into any machinery or boiler spaces.
- Tank ships. 147. (1) The master of every tank ship carrying inflammable liquid shall not permit the vessel to enter the Harbour, until specially authorised in writing by the Harbour Master and then only if the master of the vessel is in possession of a copy of these

regulations; and the master shall not, except with the written permission of the Harbour Master, permit wire ropes to be used in the mooring of the vessel.

(2) The loading or unloading of inflammable liquid from a tank ship shall not be commenced, until a barricade efficient to prevent access to the vessel and pipe line hose connections, by any unauthorised person, has been erected to the satisfaction of the Harbour Master and until a watchman has been stationed at each opening of the barricade, to prevent the entrance of any unauthorised person and to take charge of matches from every person entering the barrier.

Wharf
barricade.

(3) Before entering the Harbour, all matches shall be collected by the master from any member of the crew and other person on the tank ship having them; and a person shall not smoke or bring matches or other means of making a fire or light on to the vessel, while it is within the Harbour.

Matches,
smoking,
etc., pro-
hibited.

(4) Without prejudice to, and in addition to, any requirement of these regulations for a responsible officer to be in charge of a vessel, there shall, at any time that a tank ship has inflammable liquid on board, be a responsible member of the vessel's engine-room staff and a crew available to assist the officer in charge, in case of emergency and to operate fire pumps or other fire extinguishing appliances.

Engineer
to be in
charge.

(5) From the time that the tank or any hold of a tank ship carrying inflammable liquid is first unsealed or opened for the purpose of loading or unloading inflammable liquid and until every tank or hold has been closed and sealed down, a fire or light, other than any fire or light approved by the Harbour Master, shall not be lit or used either on board the vessel or on shore, within 50 feet of any place at which the inflammable liquid is being loaded or unloaded; but where the Harbour Master is satisfied that the construction of the vessel and the situation of any fire is such that no serious hazard will be created thereby, he may permit the use of boiler fires for the purpose of supplying power necessary for the working of machinery or appliances, for the unloading of inflammable liquid or for heating galley appliances; but those fires or lights of any description shall not be permitted on any vessel while the tanks are open, or unsealed for the purpose of loading inflammable liquid.

Fires and
lights.

(6) Except during inspection or when samples or ullage measurements are being taken, wire gauze shall be fitted over all openings of every tank that contains, or has recently contained, inflammable liquid in bulk; but the lids, screw caps or other coverings shall not be removed from any tank or other receptacle containing, or recently containing, inflammable liquid, in respect of which pumping operations are not in progress.

Safety
gauzes on
openings to
tanks.

(7) Pipes, hoses, pumps and other appliances used for the transferring of inflammable liquid in a tank ship shall be maintained free from leakage and gastight, to the satisfaction of the Harbour Master and, unless otherwise authorised, on the completion of loading or unloading all gear shall be thoroughly freed from inflammable liquid and the hoses shall be disconnected from the shore pipe lines.

Pipes, hoses,
etc., to be
free from
leakage.

(8) The following precautions in the loading or unloading of inflammable liquid in bulk shall be taken, that is to say—

Loading or
unloading in
bulk.

- (a) hoses constructed to be resistant to inflammable liquid and maintained in good order, and none other, shall be used for connecting from ship to shore installation;
- (b) a non-return valve shall be placed immediately behind the connection between hose and shore installation pipe and, where required by the Harbour Master, at the shore end of the wharf also; and pumping operations shall not be commenced before the correct position of all valves has been verified by the Harbour Master;

- (c) whenever pumping ceases temporarily, every valve on ship and shore pipe line shall be closed and every pipe line under a wharf shall be thoroughly cleared of inflammable liquid, by flushing with water, and shall be kept full of water;
- (d) on the completion of loading or unloading, the connections or connection to the shore pipe line shall not be broken, until the pipe line has been completely and satisfactorily cleared of all inflammable liquid for the whole of its length; and the condition of the pipe line in this respect shall be verified as satisfactory by the Harbour Master;
- (e) every opening in the tanks shall be closed gastight, immediately on suspension or completion of loading or unloading;
- (f) the master of a tank ship shall see that a competent signalling staff is in attendance, both at the tank installation and on board the ship, and that telephonic communication between those points is established;
- (g) pipelines and hoses shall not be coupled or uncoupled or otherwise interfered with until—
 - (i) permission to do so has been given by the Harbour Master;
 - (ii) a representative of the Board is present;
 - (iii) a satisfactory electrical connection has been made between the tank ship and the shore pipelines by means of a suitable continuous bonding cable remaining intact, until all hoses have been disconnected from the tank ship at the completion of discharging or loading, the shipboard connection being made first and disconnected last;
 - (iv) approved equipment and tools for the purpose are available;
 - (v) a drain cock, such as will enable controlled draining of hoses and pipes before they are disconnected, and a test cock, to ensure that only water is in the hoses and pipes, prior to disconnection, has been fitted at points required by the Harbour Master; and
 - (vi) all inflammable liquid therein is cleared by pumping water as provided by paragraph (c) of this subregulation;
- (h) every coupling, uncoupling or other work on hoses, pipes and fittings shall be carried out under approved supervision, as may be required by the Board's representative;
- (i) the rate of loading inflammable liquid shall be such as may be required by the Harbour Master and any directions given by him for other safety measures to be taken for that loading shall be strictly observed; and
- (j) arrangements shall be made by the master of the tank ship, to ensure that there is a sufficient staff of officers and men available, at all times, by day and by night, to ensure the efficient carrying on of the work or to remove the vessel, if so required.

Loading or unloading of inflammable liquid in bulk at night.

(9) Subject to the approval in writing of the Harbour Master, inflammable liquid in bulk may, after sunset, be unloaded into shore tanks and, in special circumstances only, loaded into tank ships, if the following conditions and such other conditions as may be prescribed by the Harbour Master, in special cases, are complied with, that is to say—

- (a) unless circumstances render it unavoidable, pipelines and hoses shall not be coupled, uncoupled or otherwise interfered with, except in daylight; and

- (b) sufficient electric floodlighting, of an approved type, shall be provided to give ample light for all operations.

(10) Immediately it becomes known that repairs or alterations are necessary to any tank in which oil or inflammable liquid has been conveyed, application shall be made to the Harbour Master for permission to undertake that work; but repairs or alterations involving operations, such as welding, cutting, boring, soldering or hammering that may produce heat or be liable to cause ignition of inflammable vapours, shall not be commenced, until the permission of the Harbour Master, in writing, has been obtained, and then not until the measures prescribed by subregulations (11) and (12) of regulation 143 of these regulations have been taken.

Repairs or alterations to tanks.

(11) An inflammable liquid tank ship shall leave the Harbour, as soon as possible, following completion of loading or discharging.

Prompt departure of inflammable liquid tank ships after completion of loading or discharging.

(12) Where it is necessary for an inflammable liquid tank ship to replenish bunker supplies, that operation shall be allowed within the Harbour only after permission therefor in writing being obtained from the Harbour Master.

Bunkering of inflammable liquid tank ships.

148. (1) A person shall not deposit any inflammable liquid or cause to 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 Harbour Master; and a person shall not deposit any inflammable liquid or allow any inflammable liquid to remain on any wharf or place within 50 feet of any wharf, during the hours between sunset and sunrise, unless he shall first have obtained the permission in writing of the Harbour Master therefor.

Inflammable liquid on wharves or in sheds.

(2) Except with the permission of the Harbour Master, a greater quantity of inflammable liquid than that which may be handled in a period of one hour, with the means of transport then available, shall not be placed on any wharf.

Quantity of inflammable liquid permitted on wharves or in sheds.

(3) Inflammable liquid shall not 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:—

Notice boards to be erected.

“This vessel handling INFLAMMABLE LIQUID—NO SMOKING”,

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

(4) Where inflammable liquid is kept, handled, exposed or lying anywhere on premises under the jurisdiction of the Board, other than in properly constructed fuel tanks of a vessel, boat, aircraft, motor vehicle or mechanically operated appliance or under such safety precautions as may be approved by the Harbour Master in writing, a person within 50 feet of the inflammable liquid shall not smoke or have in his possession or under his control any fire, means of ignition or light, other than an approved safety lamp.

No smoking or matches within 50 feet.

(5) A fire, light, telephone or electrical apparatus (other than electric filament lamps or self contained lamps, heaters, cookers or other types of safe apparatus, so designed, constructed and maintained as to be incapable of igniting inflammable vapour) shall not be used within 50 feet of any premises under the jurisdiction of the Board wherein inflammable liquid is kept, handled, exposed or lying, unless the inflammable liquid is contained in properly constructed fuel tanks of a vessel, boat, aircraft, motor vehicle or mechanically operated appliance or except where safety precautions approved by the Harbour Master in writing are in operation.

Fires, lights, telephones or electrical apparatus.

PART VII—NOXIOUS, DANGEROUS AND INFLAMMABLE
MATERIALS AND EXPLOSIVES.

Noxious or
dangerous
goods.

149. (1) Except where otherwise in these regulations provided, the master of a vessel shall not discharge, and a person shall not bring, onto any wharf any noxious or dangerous goods, without the permission in writing of the Wharf Manager.

(2) Containers of noxious or dangerous goods shall be distinctly labelled to show the nature of the contents and shall be so constructed as to comply with standards approved by the Board.

(3) All goods of a noxious, dangerous or inflammable character shall be removed from the wharves with all possible despatch after being placed thereon.

(4) The Board is not responsible for any loss or damage that may accrue to goods of a noxious, dangerous or inflammable character while on its premises and the master of the vessel from which any such goods have been discharged, or the Owner, agent or consignor of those goods shall be held responsible for damage or loss arising directly or indirectly therefrom.

Vessel not
obliged to
carry
dangerous
goods.

150. The master or owner of a vessel is not obliged to carry therein *aqua fortis*, oil of vitriol, any explosive as defined by the Explosives and Dangerous Goods Act, 1961, or any other goods that are of a dangerous nature; and a person shall not carry or send by any vessel any goods of a dangerous nature, without first distinctly marking their nature on the outside of the packages in which they are contained or without giving notice in writing to the master or owner at or before the time of carrying or sending them to be shipped; and the master or owner of a vessel may refuse to take on board any parcel or package that he suspects may contain goods of a dangerous nature, and may, to satisfy himself of the contents thereof, require any parcel or package to be opened in his presence.

Exemptions.

151. Nothing in this Part applies to a vessel having exclusively on board explosives of the following kinds, or to the loading or unloading into or out of, or conveyance to or from, that vessel of those explosives, that is to say—

- (a) explosives belonging to the first division of the sixth (ammunition) class;
- (b) the following explosives of the third division of fireworks class, namely—
squibs, crackers, serpents, rockets (other than war rockets), maroons, stars, lances, wheels and Roman candles;
- (c) other explosives in such quantities and under such authority as may from time to time be approved by the Inspector;
- (d) explosives on any vessels of war; or
- (e) explosives carried for a vessel's own use, and in such quantities as are necessary to meet the requirements of law for signalling purposes, if those explosives are kept, while the vessel is in Port, in a magazine of copper or other suitable material, and if, where two or more of the following explosives are in the vessel, they are kept in separate and completely enclosed receptacles in the magazine, namely—
gunpowder, rockets, sound signal rockets, blue lights, Holmes lights and pyrotechnic signals of any other kind.

Signals to be
exhibited.

152. (1) The master or person in charge of a vessel having explosives on board shall keep conspicuously exhibited at the foremast head, from sunrise to sunset, the Red burgee, being letter "B" of the International Code, and from sunset to sunrise, in addition to the lights ordinarily required for navigation purposes, a red

light, in such a position as to be above the ordinary lights, showing a clear, uniform and unbroken light all round the horizon, visible on a clear night at a distance of half a mile.

(2) The person in charge of a vessel shall observe due caution when approaching another vessel exhibiting the flag or signal prescribed by this regulation and shall not approach within 200 yards thereof, unless duly authorised by an officer of the Board.

153. Explosives shall not be shipped on board any vessel as cargo, except in the quantities and according to the manner approved of or prescribed by the Inspector. Shipping of explosives.

154. A lighter conveying explosives to or from vessels, wharves or other places shall be duly licensed in accordance with the provisions of the Western Australian Marine Act, 1948, under such conditions as may be prescribed in the license by the Chief Inspector of Explosives, and shall be subject to any regulation (as far as the same may be applicable) in force for the time being for the management of magazines. Lighters to be licensed.

155. A powder lighter having explosives on board shall not be towed by a high-pressure open-decked steamer of which the furnaces are exposed, nor by any steamer with a towline of less than 60 feet in length. Towing of lighters.

156. Explosives shall not be conveyed in any vessel carrying or plying for passengers, except under special written permission of the Inspector. No explosives on passenger vessels.

157. An explosive of the 5th (Fulminate) Class or of the 6th (Ammunition) Class that contains its own means of ignition, or an explosive of the 7th (Fireworks) Class shall not be conveyed in the same vessel or powder lighter with any other explosive not of the same class and division, unless it is sufficiently separated from that of the other class and division as to prevent any fire or explosion that may take place by one explosive being communicated to another. Conveyance in mixed classes.

158. Where an explosive is not effectually protected from accident by fire from without, as when conveyed in the hold of a vessel or powder lighter having a close deck securely closed, then, the explosive shall be completely covered with a painted cloth, tarpaulin or other effective material so as effectually to protect it against any communication of fire. To be protected against fire.

159. Any iron or steel in the interior of that portion of a vessel or powder lighter where explosive is deposited shall be covered, either permanently or temporarily with leather, wool, cloth, lead or other effective material. Iron and steel to be covered.

160. Matches, other than safety matches, shall not be carried in any powder lighter containing explosives; and safety matches shall be carried for the use of the boat only and shall be kept apart from explosives in a place prescribed by the license. Matches.

161. Due precaution shall be taken in the stowing of explosives in any vessel or powder lighter, by means of a partition or otherwise, and by careful stowing, to secure the explosives from being brought into contact with, or endangered by, any other article or substance, conveyed in that vessel or lighter, that is liable to cause fire or explosion. Stowing of explosives.

162. A person while on, in, or attending at, a powder lighter containing any explosive shall not smoke, except in such place (if any) as may be prescribed in the license. No smoking.

163. A person in charge of a vessel, or powder lighter containing explosives shall not conduct it in a dangerous or reckless manner; and a person who is intoxicated shall not be permitted or continue to be in charge of, or be in, on, or attending at, that vessel or lighter. Conduct of persons.

Prevention
of accidents.

164. While the loading, unloading or conveyance of explosives is in progress, any person engaged in that loading, unloading or conveyance shall observe every due precaution for the prevention of accident by fire or explosion; and shall not permit or suffer any unauthorised person to have access to the explosive being loaded, unloaded or conveyed; and shall abstain from any act whatever that tends to cause fire or explosion; and shall not permit or suffer any other person to do any such act.

Conditions
applying to
loading and
unloading of
explosives.

165. (1) Explosives shall not be loaded into, or unloaded from any vessel or powder lighter at or adjoining a wharf or landing stage, except with the consent of, and under conditions approved by, the Inspector.

(2) Subject to subregulation (3) of this regulation, once the loading and unloading of explosives, into or out of a vessel or powder lighter, has been commenced, that operation shall be continued, with all diligence and without avoidable delay, until completed.

(3) Notwithstanding the provisions of subregulation (2) of this regulation, explosives shall not be loaded into, or unloaded from, a vessel or powder lighter other than during the hours between sunrise and one hour before sunset, unless the permission in writing of the Inspector therefor has first been obtained and then only to enable the loading or unloading to continue until sunset.

Not to be
conveyed
with other
merchandise.

166. An explosive shall not be conveyed in any vessel that is carrying, as merchandise, any charcoal, lucifer matches, articles for striking a light, inflammable liquid or any article liable to cause or communicate fire or cause an explosion.

Delays to be
avoided.

167. A person in charge of a vessel conveying explosives shall not suffer or permit that vessel to remain at any place in the Port for any period longer than may be necessary for the loading; unloading, fuelling, victualling or commissioning of that vessel; and shall not station that vessel at any place in the Port where the vessel might occasion danger to the public.

Fires, lights,
water, etc.

168. (1) Whenever a vessel or powder lighter is conveying explosive, due provision shall be made by the master and owner for preventing the introduction into that vessel or lighter of fire, lucifer matches or any substance or article likely to cause explosion or fire, or the introduction therein of any iron, steel or grit so as to come in contact with explosive; and if the explosive carried in a vessel or powder lighter is liable to be dangerously affected by water, due precaution shall be taken to prevent water coming into contact with that explosive.

(2) This regulation shall not be construed to prevent the introduction of an artificial light of such construction, position or character, or of safety matches of such character, as not to cause any danger of fire or explosion.

Regulations
to be ex-
hibited.

169. The owner of every vessel or powder lighter into, from or on which explosive exceeding 100 lb. is loaded, unloaded or conveyed who employs any person for the purpose of that loading, unloading or conveyance shall, by furnishing copies of this Part of these regulations, or by affixing copies thereof in some place where they may conveniently be read, or by any other means, take such measures as may be necessary to acquaint every person so employed with the provisions of this Part.

Lighters to
have person
in charge.

170. Every powder lighter conveying explosives shall be in the exclusive charge of, and constantly attended by, some competent person; and that person shall not have charge of more than one lighter; and where more than 5,000 lb. of explosives are on, or are being conveyed in, a powder lighter, there shall be two persons continuously on board that lighter.

171. The quantity of explosives to be conveyed in any one powder lighter shall not exceed such quantity as may be allowed by the license, except under any special conditions that may be authorised by the Inspector.

Quantity to be conveyed.

172. Where two or more vessels or powder lighters are conveying explosives, or are travelling together, a space of at least 50 yards shall be kept between them, unless any circumstance renders it impracticable to maintain that distance.

Space between lighters.

173. (1) In every vessel loading or discharging explosives within the Port—

General precautions.

- (a) an officer of the vessel shall be constantly and exclusively in charge of the shipment, stowage or discharge of those explosives;
- (b) every fire and light thereon shall be completely extinguished (except engine-room fires which shall be carefully banked with damp ashes); and smoking shall not be allowed on board that vessel;
- (c) a person selected to work in the magazine of that vessel shall not have any matches, fuses, knives or hooks about his person, or wear boots or shoes having any iron or steel on them;
- (d) any exposed iron or steel in or near the place where any explosive is being passed or handled shall be covered with tarpaulin or other effective covering;
- (e) where the Inspector—
 - (i) is satisfied that weather conditions are such as will safely permit the loading or discharging of explosives by net; and
 - (ii) has examined every net prior to its use for loading and discharging of explosives and has found it to be suitable for that purpose; and
 - (iii) has determined the load of explosives to be carried in any net approved by him,

he may authorise the loading or discharging of explosives in the loads determined by him in any net approved by him but, in the absence of that authorisation, the explosives shall be loaded or discharged by passing them from man to man, by hand, or by rolling them; and they shall not in any case be pitched, thrown or slid; and, in any event, the directions of the Inspector as to the loading or discharging of explosives shall be obeyed;

- (f) a person shall not be allowed to work aloft or in those parts of the rigging that may be near to a magazine;
- (g) any person, having the charge of the loading or discharging, shall exercise special care in the selection of men for that work to ensure that none is affected by drink and a person so affected shall not be engaged for that work;
- (h) where at any time the loading or discharging of explosives is discontinued, before completion, the person in charge of the vessel engaged in that loading or discharging shall cause the hatches of the vessel to be closed and covered with tarpaulin and shall not permit or suffer any person to remain, and no person shall remain, in any hold or magazine in that vessel, at any time during which the loading or discharge is discontinued.

(2) Except as approved by the Inspector, paraffin, naphtha, petroleum or other volatile oil shall not be used in any vessel or lighter in the Port, as long as that vessel or lighter has on board more than 1,000 lb. of any explosives other than of ammunition and while the vessel is within the limits of the Port.

(3) The provisions of paragraph (b) of subregulation (1) of this regulation apply to every vessel alongside of, or attached to, a vessel or powder lighter loading or discharging any explosive.

Explosives to be marked.

174. Any case containing explosives imported into the Port shall be marked in legible and indelible characters, showing the date of its manufacture, the name of the explosive and the word "Explosive."

Explosives to be inspected.

175. Explosives shall not be landed within the limits of the Port, unless they have been previously inspected by the Inspector, or unless permission has been given by him.

Explosives stored in lighters.

176. Explosives in course of transit by a licensed powder lighter may, by permission in writing from the Board, be stored in that lighter for such time as may be specified in the permit; but unless that permission has been given, all explosives shall be removed from every lighter to some duly licensed magazine or other place where they may legally be kept, within one week from the date on which they were received into the lighter.

PART VIII.

PIPE LINES FOR TRANSMISSION OF INFLAMMABLE LIQUIDS AND OILS.

Application.

177. (1) This Part of these regulations applies to any pipeline used for the transmission of petroleum or any liquid derived from petroleum, coal or shale, from the point of its attachment to a vessel to the point where it is attached to the place of storage or intended storage of the petroleum or other liquid and to any component of, and appliance ancillary to, that pipeline.

(2) Where any regulation in this Part prescribes any act to be done by a person, that person, unless therein otherwise appearing, shall be taken as being the owner of the pipeline or of any appliance ancillary thereto, referred to in that regulation.

Installation and repairs.

178. (1) Any proposal for the institution of a new pipeline shall be submitted to the Board, together with all relevant details, before installation is commenced and a pipeline shall not be installed or put into use, until approved by the Board.

(2) Where any existing pipeline is to be relaid or removed or any major repairs (which term includes any repairs or alterations involving welding) are to be effected, that pipeline, or such part of it as the Board may determine, is classed as a new pipeline, for the purposes of this regulation.

(3) Where the Board is of opinion that it is in the interest of public safety that any pipeline should be renewed relaid or repaired, it may, by notice to the owner of that pipeline, require that work to be carried out within such reasonable period as the notice may require and the requirements of that notice shall be complied with in the time thereby limited.

Construction.

179. Every pipeline installed in the Port shall—

(a) comprise only such pipes, valves, flanges and ancillary fittings as comply with the relevant requirement of British Standards, British Institute of Petroleum Safety Codes or American Petroleum Institute Specification for Line Pipe in operation at the time of the making of these regulations or such other specification as the Board may approve;

(b) wherever practicable, have welded joints and, where welded joints are not practicable, have flanged or other joints approved by the Board;

- (c) where supported by a wharf or jetty, be adequately secured to that wharf or jetty, with provision made for expansion, movement and anchorage;
- (d) where any of its valves or outlets are placed below the deck of a wharf or jetty, be provided with covered access openings in that deck;
- (e) on any wharf or jetty, be fitted with a stop valve, at the outer or seaward end, and with a non-return valve, immediately behind any connection to a flexible hose and at the shore end of the wharf or jetty;
- (f) at any control point, have a rising spindle gate valve of a type approved by the Board;
- (g) if used for the transmission of any inflammable liquid having a flash point of less than 150 degrees Fahrenheit, be bonded and earthed in a manner approved by the Board;
- (h) when not operating, have the outer or seaward end on any wharf or jetty or the end of any hose connected thereto closed off, by fitting thereto either a screwed cap or a blank flange, properly secured and fastened by at least four bolts;
- (i) be, and have the control valves, marked as may be required by the Board;
- (j) where not situated on a wharf or jetty, be, wherever practicable, laid and supported above ground at a height of not less than six inches; but so as not to rest directly on wood;
- (k) be protected against corrosion and damage by the elements;
- (l) if laid under water, be afforded cathodic protection, if so required, and in a manner approved, by the Board;
- (m) where laid under any railway track, road or street or where likely to be subject to heavy loading, be installed in accordance with the plans and specifications of the "Recommended practice on form of agreement and specifications for pipeline crossings under railroad track", issued by the American Petroleum Institution (A.P.I. Code No. 26) and in operation at the time of making these regulations or in accordance with any other specification in regard to steering or culverting that may be approved by the Board;
- (n) where laid in any ground the surface of which is subject to loading or vehicular traffic, have at least two feet of approved cover above the pipe, excluding flanges, and be provided with covered access pits to valves and have any flanged joint readily accessible;
- (o) when first installed, be tested, in sections not exceeding the distance between consecutive flanged joints, over the whole of its length with water, maintained at a pressure of 300 pounds per square inch for a minimum period of 30 minutes, in each test; and
- (p) have provision for the relief of any excess pressure occasioned by temperature variations, when the pipe line is full of liquid.

180. Any electrical equipment on any oil wharf or located within 50 ft. of a shore terminal valve in a pipeline shall comply with the Standards Association Standard C.C.1—Part I—1961—(S.A.A. Wiring Rules) and shall be inspected at least once in every period of six months to ensure continued compliance with that standard.

Electrical
equipment.

Maintenance
and
operation.

181. The provisions of this regulation shall be observed for the maintenance and operation of every pipeline and its ancillary appliances in the Port, that is to say—

- (a) every underground pipeline, between any wharf or jetty and a place of storage, shall be examined at intervals not exceeding three years and a certificate shall be given to the Board showing—
 - (i) that the pipeline has been examined and whether that examination was by visual, pressure or metal thickness test; and
 - (ii) if such is the case, that the pipeline is in good order and condition;
- (b) every pipeline and its fittings shall be inspected, prior to each occasion of its use, and shall, at least once in every three months, be tested under working conditions to a pressure of at least 25 per cent. in excess of the maximum pressure under which it is intended ordinarily to operate the pipeline;
- (c) every valve or ancillary appliance used in pumping operations shall, before each occasion of pumping, be inspected to ensure certainty of operation;
- (d) every flexible hose to be used in connection with any pipeline to which this Part of these regulations applies shall—
 - (i) be of approved quality with a safe working pressure of at least 100 pounds per square inch;
 - (ii) be fitted with Turk's Heads of hemp or sisal rope or with other approved means of protection, at intervals of 3 feet of its length;
 - (iii) have incorporated in the hose a metallic plate on which shall be engraved the number and the safe working pressure of the hose and the owner's name except that the Board may approve any alternative method by which those particulars shall be exhibited;
 - (iv) be fitted with 44/.012 copper wire mechanically connected to the metallic fittings at either end in such manner as to ensure electrical connection between any vessel and the pipeline to which the hose is connected, except that the Board may approve any alternative method by which that connection is assured;
 - (v) be properly and adequately supported to prevent chafing or kinking during pumping operations; and
 - (vi) be tested under working conditions to at least 25 per cent. in excess of the maximum working pressure under which it is intended to be operated, at least once in every six months, and the result of every such test shall be recorded in a register that may be examined by the Board when it so requires and, in any event, a report of those tests shall be provided to the Board in January and July in each year;
- (e) every pipeline used for the transmission of any liquid derived from petroleum, coal or shale, having a flash point of not less than 150 degrees Fahrenheit, shall—
 - (i) be provided with a drip-tray or a drum of a type approved by the Board, at the seaward end of that pipeline; and
 - (ii) be maintained in good condition and free from leakage; and every precaution shall be taken to prevent any liquid escaping into the waters of the Port;

- (f) every pipeline, valve, hose or ancillary appliance used for the transmission of inflammable liquids, having a flash point of less than 150 degrees Fahrenheit, shall—
- (i) be maintained free from leakage and gas-tight;
 - (ii) be tested at intervals of not less than twelve months, to ensure that it is properly bonded and earthed as may be required by the Board; and
 - (iii) unless otherwise authorised by the Board, be freed of all inflammable liquid and have any hose disconnected from the shore pipeline, upon the completion of any operation of loading or discharging;
- (g) the velocity of flow of liquid in any pipeline shall be restricted to that of three feet of the narrowest bore of that pipeline, per second—
- (i) for a period of 30 minutes after pumping has commenced or recommenced or for a period sufficient to clear the pipeline twice, whichever is the longer, in either case where the liquid has a flash point of less than 150 degrees Fahrenheit or the pipeline has been cleared by water; or
 - (ii) until the fill pipe is covered where the liquid is being pumped into empty tanks;
- (h) at any time during which liquid derived from petroleum, shale or coal is being pumped to or from any vessel in the Port—
- (i) the pipeline then in use shall be continuously patrolled throughout the whole of its length, to ensure the detection of any leakage from it;
 - (ii) every terminal valve then in use on the wharf or jetty and any control valve in use in that vessel shall, in each case, be manned by a person competent to close the valve whenever emergency or expediency may require;
 - (iii) a boat, barge or other small craft shall not be moored or remain nearer than 50 feet of that vessel and the master of the vessel shall maintain a lookout to ensure compliance with the provisions of this subparagraph;
 - (iv) a naked light, matches or other means of ignition shall not be brought within 50 feet of any terminal valve then in use and any torch or other artificial light used within that distance shall be of flameproof construction, except that the Board may approve any alternative type of light which shall, in any event, be mounted at least 25 feet above the level of the wharf or jetty;
 - (v) a watchman or watchmen approved by the Board shall be stationed at that vessel, as the Harbour Master may require;
 - (vi) both at the time of, and during any period in which preparation is being made for, that pumping, the master or a representative of the master of that vessel and a representative of the owner of the installation to or from which the liquid is being, or is to be, pumped shall be present at the point of discharge or intake; and each of those persons shall ensure that sufficient firefighting equipment of a type approved by the Board is there present available and capable of dealing with any outbreak of fire that may occur within the ambit of his own operations; and

(vii) the master of that vessel shall ensure that a sufficient complement of officers and men is in the vessel to enable the pumping operations to be efficiently carried out and, if the circumstances should require, to remove the vessel from its mooring;

- (i) pumping operations shall not be commenced in the Port, except with the approval of, and subject to any conditions imposed by, the Board; and where, in the opinion of the Board, it is not in the interest of safety that pumping be continued, the Board may order it to be discontinued and every person shall comply with that order;
- (j) whenever pumping operations are temporarily suspended, the valve on the vessel and on the shore pipeline, then in use, shall be closed; and
- (k) on the completion of pumping operations, every pipeline, outside the storage installation, used for the transmission of inflammable liquids having a flash point of less than 150 degrees Fahrenheit shall be cleared of that liquid by flushing with water and thereupon be kept filled with water; but the Board may exempt a person from compliance with the requirements of this paragraph, in the case of an underwater pipeline that was used for the transmission of any crude oil having a flash point of not less than 73 degrees Fahrenheit.

Liquids derived from petroleum, coal or shale may be pumped after sunset, in certain cases.

182. (1) With the written approval of the Board, liquids derived from petroleum, coal or shale may be pumped to or from a vessel after sunset, if—

- (a) every pipeline, hose, valve and other appliance is coupled and pumping is commenced at least one hour before sundown; and
- (b) adequate lighting of an approved type is provided to the satisfaction of the Board.

(2) Where pumping operations are continued after sundown, pipelines and hoses shall not, without the express permission of the Board, be uncoupled until the hours of daylight, and then only in the presence of a representative of the Board.

(3) Except as provided by this regulation, liquids derived from petroleum, coal or shale shall not be pumped to or from a vessel, after sunset.

PART IX—MISCELLANEOUS CHARGES.

Division 1.—Hire of Cranes.

Applications for cranes.

183. (1) Every application for the hire of a wharf crane shall be made at the office of the Board, on the form provided, and, as far as practicable, cranes will be available for use in the order of the applications received and as near to the time specified in such application as can be arranged.

(2) The Board is not bound to supply any crane, at any time, to an applicant.

(3) Charges for the hire of cranes shall be payable when making application.

(4) The Wharf Manager may at any time re-allocate cranes or withdraw a crane from any hirer where, in his opinion, the exigencies of the working of vessels require that action.

Calculation of crane hire.

184. (1) The amount payable for the hire of a crane is that calculated in accordance with Part IV of the Second Schedule to these regulations; and the minimum amount payable is that payable for a hiring of two hours.

(2) Crane hire is payable from the time for which the crane is ordered (if then available), until the time that the officer of the Board in charge of the crane is advised that it is no longer required.

(3) Where a crane is not used by the hirer at the time for which it is hired, the Board may permit some other person to take the hiring.

185. The Board is not liable for any loss or expense incurred by applicants for cranes, in the event of a crane not being available for hire at the time appointed.

No liability for loss.

186. Any expense incurred by reason of the failure of an applicant to make use of a crane, at the time appointed, shall be borne by the applicant.

Expenses to be paid.

187. (1) The hirer of a crane shall not permit the crane fall to be used for the purpose of dragging out cargo, unless a pennant is attached so as to avoid the fall being drawn across any part of a vessel's structure.

Responsibility of hirers.

(2) The hirer is responsible for, and shall indemnify the Board against, any loss or damage that may be caused to, or be suffered by, the Board, by reason of any wrongful or negligent act or any omission, or incorrect information made or given by the hirer or anyone acting on his behalf, including all damage done to the cranes or the gear or purchases used in connection therewith, while being used by them, reasonable wear and tear excepted.

188. (1) The Board is responsible for working the cranes, but shall not supply, nor accept any responsibility for, the safety of slings used for lifting cargo out of or into vessels.

General responsibility.

(2) Every crane shall be operated by an employee of the Board, and that employee shall, as far as possible and consistent with safety, be subject to and obey the instructions of the hirer, his stevedore or agent, but the Board is not liable for any loss or damage whatever that may occur while the employee is operating the crane, during the period of hire, unless the loss or damage is proved to be the direct result of wilful misconduct or wilful disobedience of any reasonable order on the part of the employee.

189. The cost over and above the ordinary cost of day work, or of labour supervision, and services provided by the Board, during hours not being working hours as defined in these regulations, or on holidays, whether in respect of continuous work, or casual or special lifts, shall be paid by the hirer, in addition to the usual charges.

Work in overtime hours.

190. A person shall not tamper with any crane or any of the electric mains or connections or other portions of the electrical equipment, or clamber upon any crane.

Tampering with cranes.

Division 2.—Hire of Springs.

191. Every vessel berthing at any of the jetties or wharves under the control of the Board shall, with a view to safe berthing, make use of the mooring springs provided by the Board.

Springs must be used.

192. The Harbour Master shall decide the number of springs to be used by any vessel, and may, at any time it appears to him necessary, order additional springs to be used.

Number to be used.

193. Springs may be laid upon the wharf or jetty by the Board, from which position the vessel may pick them up; and a receipt shall be given by the ship to the Board for any picked up.

Receipt for springs

Safety clearance. 194. An officer or servant of the Board or other person, shall not, unless directed by the Harbour Master, approach within twelve feet of any bollard, or other place under the jurisdiction of the Board, to which any mooring spring or rope may be made fast.

Members not responsible. 195. (1) The Board is not responsible with regard to persons or vessels, for any loss, damage, or accident however arising, in consequence of mooring springs being permitted to lie on any wharf or jetty.

(2) The Board is not responsible for any damage done to any vessel, or damage or loss caused by any vessel to any other vessel, thing, or person, arising from the defective condition of any spring or springs or other appliance provided by the Board.

Responsibility of hirers. 196. The master, owner, or agent of any vessel using any springs provided by the Board is responsible—

- (a) for the maintenance of the springs while in his or their possession;
- (b) for the delivery of the springs, after use, to the Board, in good order and condition; and
- (c) for any damage caused to the springs, from whatever cause arising, fair wear and tear excepted.

Calculation of hire. 197. The time of hire shall be calculated from the hour of the ship's coming alongside, to the hour of its casting off, in accordance with Part IV of the Second Schedule to these regulations.

Division 3.—Charges Relating to Mooring and Unmooring of Vessels.

Mooring and unmooring. 198. (1) The Board shall when so required supply men to attend to the mooring and unmooring of vessels and the charge in respect of those services, during the ordinary working hours of the Port, shall be borne by the Board; for those services performed outside the ordinary working hours of the Port, the difference between the ordinary time wage and the appropriate overtime rate, based on the wages currently payable to the permanent employees of the Board, shall be a charge on the vessel concerned.

(2) Where a gang is requisitioned and not employed, the whole cost shall be charged to the vessel upon whose behalf the gang was requisitioned.

(3) Where the performance of any service involves attendance at the vessel for a period exceeding one hour, whether by reason of delay in commencing the service or otherwise, an additional charge, according to the extra cost incurred by the Board, shall be payable by the vessel concerned.

(4) The Harbour Master, his deputy or other officer acting for the Harbour Master shall order a gang to handle mooring ropes, when a vessel is berthing or casting off.

(5) The master of any vessel who holds a Pilotage Exemption Certificate for the Port and does not require the services of a pilot may nominate the number of men required to be comprised in a casting-off gang.

Division 4—Other Charges and Rebates.

Charges for other plant and equipment. 199. Charges payable for plant and equipment not hereinbefore in these regulations prescribed are those set out in Part IV of the Second Schedule to these regulations.

Board may rebate certain charges. 200. Notwithstanding anything to the contrary in these regulations contained, the Board may, in its discretion, at any time and from time to time, make rebates in respect of the charges in regard to hire of machinery and the handling of cargo therein prescribed

and accept payment for those services at rates, being the rates prescribed, less the amount of the rebates made by the Board, under the authority of this regulation.

201. Where any variation occurs in the method of, or in the conditions relating to, the handling or custody of cargo, whereby the complete service as contemplated or defined in these regulations is not rendered by the Board, or when any handling service not defined by regulation is required, the Secretary shall determine the appropriate rate or amount of handling charges payable, in each case.

Charges for incomplete services.

PART X.

LICENSES AND PERMITS—(WATERMEN AND BOATMEN.)

202 (1) A person shall not ply for hire as a waterman or boatman, unless he holds a license issued by the Board.

License required.

(2) The annual fee for a license is five shillings (5s.) and that license covers the period from the first day of July to the last day of June, next following.

License fee.

(3) Every application for a license shall be made in writing, addressed to the Secretary and shall be accompanied by two references from reputable and competent persons, testifying to the sobriety and efficiency of the applicant.

Form of application.

(4) Before a license is issued to a waterman, his boat shall be surveyed by the Surveyor, and should the Surveyor's report and the references produced by the applicant be satisfactory, a license may be issued by the Board, on payment of the prescribed fee.

Boat to be surveyed.

203. Every waterman shall have his name in full, the number of his boat, and the number of passengers he is authorised to carry, corresponding with his license, painted in letters one inch in height, on a conspicuous part of his boat.

Boat to be marked.

204. The Harbour Master or Surveyor may inspect or overhaul any waterman's boat or gear, at any time he or they think fit; and the Board may, on the report of the Harbour Master or Surveyor to the effect that any boat is unfit to carry passengers, call on the boat owner to deliver up his license.

Licensed boat and gear may be inspected.

205. A waterman shall keep his boats and equipment clean and serviceable, and shall keep the landing place from which they ply clean; and every waterman shall, while afloat or on duty, at any wharf or stairs, obey every direction given by the Harbour Master.

Boat and landing place to be kept clean.

206. Every licensed waterman shall wear a badge, of a pattern approved by the Board on the left arm of his coat, showing the number of his license; and he shall, on demand, produce his license to the Harbour Master, to any police constable on duty within the harbour or to any person engaging him.

Badge to be worn.

207. Any waterman proved to the Board to have been guilty of drunkenness, of having, in any way, jeopardised the safety of his passengers or of having used insulting or obscene language, is liable to have his license cancelled.

Conduct of waterman.

208. A waterman shall not lend his license to any other person.

License not to be lent.

209. Any waterman prevented by sickness from plying for hire, may, on depositing with the Board a certificate from a duly qualified medical practitioner to that effect, together with his license, be permitted to nominate a substitute; and the Harbour Master may, if satisfied as to the efficiency of the substitute, issue a certificate authorising him to serve for a period not exceeding one month, in the place of the licensed person who is disabled by sickness; and that certificate may from time to time be renewed, during the illness of the waterman, while his license is retained by the Board.

License may be temporarily transferred.

Waterman's shelters. 210. A person, other than a licensed waterman or his substitute, a Customs officer or a Board officer, shall not enter or occupy any house, shed or shelter, erected for the use of watermen.

Penalty. 211. On the violation or infringement of any regulation in this Division or on the neglect of any duty or obligation imposed thereby, a waterman or boatman may, in addition to any other penalty that may be imposed on him in consequence thereof, be deprived of his license.

Members may fix charges. 212. (1) The Board may from time to time determine the charges to be made by licensed watermen for their services and every such determination shall be posted at the offices of the Board and a copy given to every licensed waterman; and, thereupon, a licensed waterman shall not make, or attempt to make, any charge for his services, in excess of the amounts so determined as aforesaid.

(2) The failure by the Board to provide a licensee with a copy of any determination of charges is not a defence to a breach of this regulation.

PART XI.—MISCELLANEOUS PROVISIONS.

Division 1.—Bathing.

Bathing from wharves. 213. A person shall not bathe from any wharf or jetty or in any part of the Harbour, except at such places and at such times as the Board may appoint for bathing purposes; and a person shall not wantonly or indecently expose his person, within the Harbour area.

Depth of water. 214. The lessee, owner or occupier of any public baths within the Harbour shall take soundings of the depth of water in different portions of the baths, and properly and plainly show or mark the depths at those places.

Life-saving appliances. 215. The lessee, owner or occupier of any public baths within the Harbour shall provide proper and sufficient life-saving appliances and keep them in good order and condition and readily available for use when required.

Experienced attendant required. 216. The lessee, owner or occupier of any public baths within the Harbour shall have in attendance at least one person who is an expert swimmer.

Division 2.—General.

Touting. 217. A person shall not, upon any wharf or roadway within the Harbour, tout for or solicit anyone to proceed as a passenger by any steamer or to take up his or her residence at or to proceed to any boarding-house or hotel, or to entrust the landing or portorage of luggage or goods to any one person or firm.

Stray boats to be handed over to the Secretary. 218. Any drifting boat, timber or other unattended article found within the Harbour shall immediately be delivered up to the Secretary in whose custody it shall remain, until claimed by the lawful owner, who is liable for any expenses arising from the recovery and storage of that boat, timber or article.

Rubbish or offensive matter, etc., shall not be put into water. 219. Every person who unloads, puts or throws into any part of the Harbour, or on any shore or ground in the Harbour below high-water mark at ordinary tides, any rubbish, earth, ashes, dirt, mud or other matter, or allows any offensive matter to flow into the Harbour, is guilty of an offence.

Dead animals. 220. Any person who throws, places or leaves any dead animal or putrefying matter into or upon any part of the Harbour, is guilty of an offence.

Interference with notice boards. 221. A person shall not remove, obliterate or otherwise interfere with, any notice or notice board erected by the Board.

222. A person shall not soil, deface or injure, or, without the consent of the Board, write, paint or place any placard or other document upon, any shed, waiting room, barricade, railing, fence, wharf, jetty, post or plant; and shall not place or deposit any rubbish, refuse matter, article of offensive character or such as is likely to create a nuisance, upon or under any pier, wharf or approach road, except at those places, and in the manner, appointed by the Wharf Manager.

Defacement and bill-posting prohibited.

223. A person shall not interfere with any life-saving equipment, boat-hook, drag, grapnel or other apparatus placed within the Harbour and intended to be used for the purpose of saving persons from drowning, except for the purpose of saving life or for the carrying out of his duties by a member of the Police Force.

Life-saving appliances.

224. A person shall not, without the written permission of the Harbour Master, use drags or grapplings within the Harbour for the purpose of lifting any object from the bed thereof or otherwise disturb the bed of the Harbour.

Dragging or grappling in the Harbour

225. (1) The driver of a motor driven vehicle, who is permitted to drive into any cargo shed or upon a wharf, shall not take or permit the vehicle to approach within fifty feet of any inflammable goods.

Vehicles on wharves or in sheds.

(2) The driver or person in charge of a motor vehicle shall not permit the vehicle to remain within any cargo shed for any period in excess of that necessary for the discharging or loading of the vehicle.

226. (1) Where, in the opinion of the Wharf Manager, any vehicle should be moved from any stand or place, it is lawful for him to direct the driver thereof to remove the vehicle to such place as the Wharf Manager directs and any driver refusing to obey those directions is guilty of an offence.

Vehicles may be moved.

(2) The Wharf Manager or any officer of the Board may lawfully remove or cause to be removed any unattended vehicle or any vehicle that the driver fails to remove when so directed.

227. Every waterman, ferryman, stevedore, porter, carter, or other person, when on any wharf or jetty, whether employed thereon or not, is under the control of, and shall obey the orders of, the Harbour Master or Wharf Manager, and shall immediately leave the wharf or jetty when ordered by either of them so to do.

Preservation of order.

228. A person shall not ride any horse or other animal or drive or impel any machine, bicycle, tricycle, velocipede, perambulator, hand-cart or motor-car over, or upon, any wharf or jetty, except with the permission of the Wharf Manager; but a person may take any of those machines across the wharf or jetty to or from any ship moored thereto, for the purpose of being loaded or after being unloaded therefrom.

Riding and driving upon wharves or approach roads.

229. The Harbour Master or Wharf Manager may lawfully prevent any drunken, idle or disorderly person from entering in, upon or under any wharf or shed within the Harbour.

Disorderly persons.

230. A person shall not smoke or loiter in, under or near to any shed, loiter upon any wharf or jetty, lounge or sleep among any cargo placed in or under any shed or upon any wharf or jetty, play at any game or, without the written consent of the Board, address any assemblage of persons in any shed or on any wharf or jetty or any approach thereto.

Smoking and loitering.

231. A person shall not commit any nuisance under or upon any wharf or jetty.

Nuisances.

232. Every yacht, motor boat or other craft of any nature anchored within the jurisdiction of the Board, and, in particular, in the waters of the Estuary, shall keep clear of the fairway and shall anchor or moor in such position as the Harbour Master may, from time to time, appoint.

Yacht moorings.

- Private jetties and moorings. 233. The Board may permit the erection of private jetties and moorings upon such rent, terms and conditions as it may, from time to time, decide.
- Boat races. 234. A person shall not cause any boat race or procession of boats to take place in the Harbour, without the leave of the Harbour Master and then only subject to such conditions as the Harbour Master may impose; and a steamer shall not be caused or permitted to accompany a race, without the consent of the Harbour Master.
- Auction sales, etc. 235. A person shall not hold any auction sale, carry on any retail trade or sell or expose for sale any goods on any wharf, jetty or landing place or upon any land or premises owned or leased by the Board, without first having obtained permission from the Board in writing.
- Removal of material. 236. A person shall not remove any ballast, rock, stone, slate, shingle, gravel, sand, earth or other substance or thing from any tidal land or water, or from the seashore below high-water mark in any part of the Harbour, without the permission of the Board.
- Unserviceable vessels may be removed. 237. Any unserviceable vessel in the Port may, subject to the rights of any person thereunder, be dealt with as provided by section 6 of the Act, 37 Victoriae No. 14.
- Damage by water from ships. 238. The master of a vessel lying alongside any wharf or jetty is responsible for any damage occasioned to goods on that wharf or jetty, by the spillage of water from that vessel.
- Fire alarms and appliances. 239. Except to give notice of the outbreak of fire or for the suppression of fire, a person breaking, sounding, opening or in any way interfering with, any electric or other fire alarm apparatus on the premises of the Board or using without permission, or in any way interfering with, any apparatus for the suppression of fire, is guilty of an offence and, in addition, is liable for any loss or damage thereby occasioned to the Board.
- Wharves may be closed. 240. The Board has power to close any wharf or jetty or part thereof, whenever the Board considers it advisable to do so, and a person shall not enter upon any wharf or jetty or part thereof so closed, without the consent of the Board.
- Persons not allowed on wharves or jetties except on business. 241. A person shall not enter and remain upon any wharf or jetty vested in the Board unless he has, in the opinion of the Wharf Manager, legitimate business to warrant his presence thereon and any person refusing, when so required by the Wharf Manager, to state the nature of the business warranting his presence on the wharf or jetty is guilty of an offence.
- Public demonstrations on wharves or jetties. 242. A person shall not ring any bell or gong, play any musical instrument, walk or take part in any demonstration or procession of any kind, make or deliver any speech or address or sing any song or hymn likely to attract a crowd or assemblage of persons upon any wharf or jetty, without first having obtained permission therefor from the Wharf Manager; and any persons assembled, gathered or standing together on a wharf or jetty shall, immediately upon being required so to do by the Wharf Manager, disperse, quit and leave the wharf or jetty and its approaches.
- Children not allowed on wharves. 243. A child of tender years shall not be permitted on any wharf or jetty, unless accompanied by, and under the control of, an adult person.
- Cargo not to be shipped at landing steps. 244. A person shall not land or ship any goods, except passengers' luggage of a portable nature, at or from any landing place for passengers.
- Fishing. 245. (1) A person shall not fish from any wharf or jetty, without obtaining the permission of the Wharf Manager therefor.
(2) A person shall not fish from any public landing steps or place for landing passengers, or place or use any fishing nets or other fishing gear there, or upon or under any wharf, jetty or shed.

246. A person shall not, without special permission from the Board, erect any building, staging or structure on any jetty, wharf or landing place; and shall strictly abide by every condition upon which that permission is given. No building allowed on jetty.
247. An unauthorised person shall not clamber on or about the structure of any wharf, below the deck level, upon or about any crane or hoist or on or over any gate or fence. Climbing about structures not permitted.
248. A person shall not turn any valve or cock, or open or shut any fire-plug or hydrant, unless so authorised by the Wharf Manager. Tampering with water appliances.
249. A person shall not tamper with, or in any way interfere with, any electric light, light fitting or power main, within the Harbour. Tampering with electric light or power mains.
250. A person shall not, within the Harbour, ply for hire or reward with a steamer, vessel or boat of any description, or hold or let any of them, for hire or reward, for towing, conveyance of passengers, goods, water, ballast, refuse, or any other commodity or thing or for any other purpose, unless he is the holder of a license which is current, and the Board may issue, a license, for that purpose, and may withdraw or vary any such license. Tugs, lighters and other vessels to be licensed.
251. Any complaint concerning the Harbour Master, Wharf Manager or any person under the direction of either of them shall be made in writing to the Secretary. Complaints.
252. (1) Live stock may be landed or shipped at any wharf or jetty, on permission being first obtained from the Wharf Manager, but not otherwise. Where stock to be landed.
- (2) Application for permission shall be made at least 24 hours prior to the arrival of the vessel carrying the stock sought to be landed.
- (3) Cattle shall not be landed until all necessary precautions have been taken to ensure their being at all times properly tended and under control and, in any event, shall not be landed until the master has made the necessary declaration to the Customs authorities, and submitted the stock for inspection, in terms of The Stock Diseases Act, 1895.
253. (1) Every vessel that has discharged its consignment of live stock, in accordance with regulation 252 of these regulations, shall thereupon be removed to the ballast ground and there be cleaned. Stock vessels to clean up.
- (2) Refuse of any kind shall not be put overboard into the waters of the Harbour, except within the limits of the ballast ground.
- (3) Notwithstanding any other provision of this regulation, the Wharf Manager may permit a vessel to clean her cattle decks at a wharf or jetty, if—
- (a) that work is commenced immediately the livestock is landed and is carried on rapidly and continuously, until completed;
 - (b) all refuse is put into barges, in such manner that none is permitted to find its way into the waters of the Harbour; and
 - (c) every barge containing refuse is, when filled, forthwith taken to a situation outside the Harbour indicated by the Harbour Master and there unloaded and cleaned.
- (4) Where a vessel is permitted to be cleaned, under the provisions of subregulations (3) of this regulation, the master or other person in charge of that work shall comply with every condition imposed by that subregulation; and nothing in the subregulation relieves a person of the requirement of complying with the provisions of the Health Act, 1911 and any regulations made thereunder.

- Ballast ground. 254. The ballast ground is situate four miles North-North-West by North-West of the sea end of the Breakwater.
- Ballast. 255. Except ballast that is discharged into trucks at a wharf or jetty or outside the limits of the Harbour, under the authority of the Harbour Master, ballast shall be discharged within the limits of the ballast ground only.
- Exemption from liability. 256. The Board is not liable for any damage to, or any loss suffered by, any person in consequence of an act of God, act of war, act of public enemies, strikes, lock-outs or stoppage or restraint of labour from whatever cause, whether partial or general, riots and civil commotions, or the use for the purposes of war, of defence or training or preparation for war or defence, of any property vested in the Board.
- Wharf holidays. 257. The following days shall be observed as wharf holidays, namely, New Year's Day, Australia Day, Waterside Workers' Picnic Day, Good Friday, Easter Monday, Anzac Day, Labour Day, Foundation Day, Christmas Day and Boxing Day, and such other days as may be declared to be wharf holidays.
- Decaying goods or material not to be placed or left on wharves, jetties, etc. 258. (1) A person shall not place or leave, or cause to be placed or left, upon any wharf or jetty, or in any shed, any vegetable or animal matter, or goods, or other things that are in a state of decay or putrefaction.
(2) Any goods or other things that are, in the opinion of the Wharf Manager, unfit to remain on a wharf or jetty, or in any shed, or are harmful to other goods stored on or in a wharf, jetty or shed, may be removed by the Wharf Manager and the consignee and owner of those goods or other things shall, upon demand, repay to the Board the cost of removal.
- Special services. 259. Where any service is undertaken or provided by the Board, whether generally or at the request or for the convenience of shipping interests, and that service is not defined in these regulations, the Wharf Manager shall determine the rate or charge payable in respect thereof.

PART XII.—APPLICATION OF REGULATIONS AND PENALTIES.

- Application to ships and vessels. 260. Where in these regulations anything is expressed as requiring to be done, or prohibited to be done, by a ship or vessel, that requirement or prohibition shall be taken as being directed to the master, owner or agent of the ship or vessel, as the case may require.
- Penalties. 261. Except where any specific penalty is imposed, a person committing an offence against these regulations is liable to a penalty not exceeding One hundred pounds in respect of each breach, and the imposition and payment of any penalty does not affect the liability of any person or vessel, for damages for any injury to any property or person, arising from the breach.

PART XIII.—REVOCATION.

- Prior regulations revoked. 262. The regulations made under and for the purposes of the Act, published in the Government Gazette on the 26th November, 1909, as amended by regulations amending the same so made and published in the Government Gazette from time to time thereafter, are revoked.

First Schedule.

Reg. 91.

SPECIMEN FORM OF INWARD AND OUTWARD MANIFEST.

Manifest of the S.S....., Trip.....
 Master..... From.....
 to.....

Bill of Lading No.	Shipper	Consignee	Marks and Nos.	Packages		Contents	Total Gross Weight			Total Gross Measurement
				Quantity	Description		TONS	cwt.	qrs.		lb.

I (or we) declare the above particulars of weights, measurements, and quantities to be correct.

..... Master or Agent.

Bunbury,, 19.....

It shall be open to the Board to accept, instead of the above form of manifest, the manifest of any Shipping Company, provided that such manifest contains the above declaration and sufficient information for the purposes of the Board.

Second Schedule.

Reg. 93.

PART I.

INWARD CARGO.

The rates of Wharfage and Handling Charges on Inward Cargo shall be as under:—

1 Description of Goods	2 Wharfage	3 Handling Charges	
		4 Delivered over wharves, Board receiving and delivering	5 Discharged direct from ship's slings into railway wagons or other vehicles for consignment off the wharves
All goods for which specific rates are not provided—per ton	£ 13 6	£ 1 0 0	£ 6 0
Chaff (in bags), Oats, Hay and Straw (in bales not compressed)—per ton	£ 13 6	£ 1 9 0	£ 10 8
Coke (in bags)—per ton	£ 4 6	£ 1 9 0	£ 10 8
Coke (loose)—			
(a) if landed by tubs or baskets—per ton	£ 4 6	....	£ 6 8
(b) if landed by grabs—per ton	£ 4 6	....	£ 3 8
Empty Returns—per ton	£ 5 0	£ 1 0 0	£ 6 0
Empty Returns (not knocked down or nested)—per ton	£ 5 0	£ 10 0	£ 6 0
Explosives—Minimum wharfage charge 8s. 6d. Consignee must find labour for handling—per ton	£ 8 6	....	....
Fresh Fish—per ton	£ 4 6	£ 1 0 0	£ 6 0
Furniture, second-hand (in transport boxes)—per ton	£ 5 0	£ 1 0 0	£ 6 0

Second Schedule—continued.

PART I.—INWARD CARGO—continued.

1 Description of Goods	2 Wharfage	Handling Charges	
		3 Delivered over wharves, Board receiving and delivering	4 Discharged direct from ships' slings into railway wagons or other vehicles for consignment off the wharves
	£ s. d.	£ s. d.	£ s. d.
Iron and Steel—			
(a) angles, flats, rounds, etc., in pieces not exceeding 1 cwt.—per ton	13 6	1 4 0	10 8
(b) in bundles or pieces exceeding 1 cwt.—per ton	13 6	1 0 0	6 0
Livestock—			
Horses, cattle and other large stock—each	6 3	....	....
Calves, Foals and Dogs (not caged or crated)—each	5 0	....	....
Pigs, sheep and Goats (not caged or crated)—each	5	....	....
Manures, Fertilisers and Material for the manufacture of artificial manure and acids.—			
(a) In bulk cargoes and landed loose—			
(i) If landed by tubs or baskets—per ton	2 9	....	3 8
(ii) If landed by grab or skip—per ton	2 9	....	1 8
(b) In bags or mats—per ton	2 9	18 0	6 0
(c) In bulk liquid form and pumped ashore—per ton	2 9	....	....
Motor Cars, Utilities, Trailers and Caravans for conveyance of passengers and/or personal effects only, used and uncased, and on own wheels—each	1 0 0	14 0	per ton 6 0
Oils and Inflammable Liquids (fuel, lighting or lubricating)—			
(a) Other than as bunker supplies for vessels of war and either pumped ashore in bulk or transferred direct from a tanker to a commercial vessel by means of wharf pipe lines—per ton	13 6	....	....
(b) In containers—per ton	13 6	1 0 0	6 0
Pipes—4 in. in diameter or less, not cased, crated or in bundles—per ton	13 6	1 4 0	10 8
Skins—per single undumped bale or per two bundles	per ton 13 6	each 2 4	each 1 4
Timber—per ton	5 0	2 0 0	11 6
Wool per single bale or per two pockets, bundles or bags	2 9	2 4	1 4
Minimum Charges—per consignment	1 6	1 0	1 0

PART II.

OUTWARD CARGO.

The Rates of Wharfage and Handling Charges on Outward Cargo shall be as under:—

1 Description of Goods	2 Wharfage	Handling Charges	
		3 Shipped over wharves, Board receiving and delivering	4 Shipped direct ex railway wagons or other vehicles to ships' slings
	£ s. d.	£ s. d.	£ s. d.
All goods for which specific rates are not provided—per ton	10 0	14 0	6 0
Chaff (in bags), Hay and Straw (in bales not compressed)—per ton	10 0	1 0 0	10 8
Empty Returns—per ton	5 0	14 0	6 0
Empty Returns (not knocked down or nested)—per ton	5 0	10 6	6 0
Explosives—Minimum wharfage charge 6s. 8d. Consignee must find labour for handling—per ton	6 8	....	....
Flour, Bran and Pollard—per ton of 2,000 lb.	10 0	14 0	6 0
Flour, Bran and Pollard (in consignments of 50 tons or more)—per ton of 2,000 lb.	10 0	10 8	4 6
Fruit, fresh—per ton	10 0	14 0	9 0

Second Schedule—continued.

PART II.—OUTWARD CARGO—continued.

1 Description of Goods	2 Wharfage	3 Handling Charges	
		3 Shipped over wharves, Board receiving and delivering	4 Shipped direct ex railway wagons or other vehicles to ships' slings
Furniture, second-hand (in transport boxes)—per ton	£ s. d. 5 0	£ s. d. 14 0	£ s. d. 6 0
Livestock—			
Horses, Cattle and other Large Stock—each	5 0	....	....
Calves, Foals and Dogs (not caged or crated)—each	4 0	....	....
Pigs, Sheep and Goats (not caged or crated)—each	4 4	....	....
Meat, frozen or chilled (in carcase form)—per ton	10 0	1 0 6	14 0
Metal Scrap—			
(a) Loose in pieces of 1 cwt. or more—per ton	3 6	....	9 0
(b) Loose, small—per ton	3 6	....	14 0
(c) In containers—per ton	3 6	14 0	6 0
Minerals, Metallic and Earthy and Metallurgical and Chemical Products mined or treated in the State—			
(a) In containers or bags—per ton	2 4	14 0	6 0
(b) Loose—per ton	2 4	....	9 0
Motor Cars, Utilities, Trailers or Caravans for conveyance of passengers and/or personal effects only, used and uncased, and on own wheels—each	1 0 0	14 0	per ton 6 0
Oats—per ton	10 0	16 0	7 6
Petrol, Kerosene, Fuel Oil and other Petroleum Products and By-products refined or manufactured locally from crude oil (notwithstanding proviso (a) of Regulation 95)—			
(a) To ports within the State—			
In bulk	<i>Nil</i>	....	....
In containers	<i>Nil</i>	14 0	6 0
(b) To other ports—			
In bulk	5 0	....	....
In containers	5 0	14 0	6 0
(c) As bunkers	5 0	....	....
Skins (in bales or bundles)—per ton	10 0	14 0	6 0
Timber—			
(a) Railway sleepers—per ton	2 0	....	7 0
(b) Other—per ton	2 0	1 8 0	14 0
Wheat—per ton	10 0	14 0	6 0
Wheat (in consignments of 50 tons or more)—per ton	10 0	12 6	5 4
Wool—per single bale, or per two pockets, bundles or bags—each	1 6	2 4	1 4
Minimum charges—per consignment	1 6	1 0	1 0

PART III.

(1) Wharfage Rates on Transshipment Cargo shall be—

Empty Returns, per ton—1s.

Wool per ton of 5 bales—1s. 9d.

All other cargo, per ton—1s. 3d.

(2) Storage Rates for goods shall be—

(a) Transshipment Cargo and on Cargo landed and reshipped—1s. per ton or part thereof per week.

(b) Transit Cargo (includes all cargo other than transshipment cargo and cargo landed and reshipped)—

Per ton or part thereof per day—

First three days—6d. per day.

Second three days—1s. per day..

Succeeding six days—2s. per day.

Thereafter—3s. per day.

PART IV.

Miscellaneous Hire and Other Charges.

Crane Hire: 3-ton Electric—

£1 per hour, plus 112½% of the driver's appropriate hourly rate, for a minimum period of 6 hours.

Spring Hire:

15s. per spring per day or part thereof.

Electric Clusters:

15s. each per day, including the cost of the current consumed and the connecting and disconnecting upon the vessels during the ordinary working hours only.

Capstan Hire:

5s. per hour or part thereof, including the cost of the current consumed.

Water: (a) Fresh—6s. per 1,000 gallons or part thereof.

(b) Hot—7s. 6d. per period: 8 a.m. - 5 p.m.; 6 p.m. - Midnight; Midnight - 7 a.m.

Reg. 4.

Third Schedule.

MANAGEMENT AND CONDUCT OF BUSINESS AT MEETINGS OF THE MEMBERS.

1. *General Conduct of Business.*—In any case occurring in connection with the conduct of business that is not herein provided for, resort shall be had to the rules, forms, and usages of the Legislature of Western Australia, and they shall be followed, as far as they may reasonably be applied to the proceedings of the Board.

2. *Minutes of Meetings to be Read at Next Subsequent Meeting.*—At every ordinary meeting of the members, the first business thereof shall be the reading and putting a question for the confirmation of the minutes of the proceedings at the preceding meeting; and discussion shall not be permitted thereon, except as to their accuracy as a record of the proceedings; and if confirmed the minutes shall then be signed by the Chairman.

3. *Order of Business at Ordinary Meetings.*—After the signing of the Minutes, as provided by clause 2 of this Schedule, the order of business of an ordinary meeting shall, except as may, for the greater convenience of the members at any particular meeting of the Board, be altered by resolution, be as nearly as is practicable as follows—

- (a) reading of copies of letters sent by the authority of the Board;
- (b) reading letters received, and considering and ordering thereon;
- (c) reception and reading of petitions and memorials;
- (d) receiving deputations;
- (e) presentation of schedule of receipts and disbursements and passing of accounts;
- (f) presentation of reports of Chairman and of Committees, and considering and ordering thereon; postponed items of former reports of Committee taking precedence over new business brought up by Committees;
- (g) orders of the day, including subjects continued from proceedings of former meetings and any business the Chairman may think desirable, with the consent of the Board;
- (h) motions of which previous notice has been given; and
- (i) notices of motion for consideration at following meetings.

4. *Order of Business at Special Meetings.*—The order of business at a special meeting shall be the order in which such business stands in the notice thereof.

5. *Motions*.—Every notice of motion shall be dated, signed, and given by the intending mover to the Secretary, either at a meeting of the Board or three clear days, at the least, prior to the holding of any ordinary meeting; and the Secretary shall enter every motion in the Notice of Motion Book, in the order in which they were received; and each member shall receive a copy of every notice of motion with the ordinary notice of meeting.

6. *Motion not to be Proceeded with, in Absence of Member Giving the Notice, Except by His Authority*.—A motion entered in the Notice of Motion Book shall not be proceeded with, in the absence of the member who gave notice of it, unless by some other member having authority from him in that regard.

7. *Order of Debate*.—Any member desirous of making a motion or amendment or of taking part in discussion thereon shall address the Chair, and shall not be interrupted, unless called to order, whereupon he shall remain silent, until the member calling to order has been heard thereon and the question of order disposed of, whereafter the member having the floor may, subject to the ruling of the Chairman, proceed with the subject.

8. *Motion not to be Withdrawn without Leave*.—A motion or amendment shall not be withdrawn, without the consent of the majority of the members present.

9. *Motion to be Seconded*.—A motion or amendment shall not be discussed or put to the vote of the Board, unless it is seconded; but a member may require the enforcement of any standing order of the Board, by directing the Chairman's attention to the infraction thereof.

10. *Mover of Motion*.—A member moving a motion shall be held to have spoken thereon; but a member merely seconding a motion shall not be so held.

11. *Priority of Members*.—If two or more members attempt to speak at the same time, the Chairman shall decide which of them is entitled to priority.

12. *Members not to Speak a Second Time on the Same Question*.—A member shall not speak a second time on the same question, unless entitled to reply, or in explanation, if he has been misrepresented or misunderstood.

13. *Points of Order*.—The Chairman, when called upon to decide on points of order or practice, shall state the provision, rule, or practice which he thinks applicable to the case, without discussing or commenting thereon; and his decision as to order or explanation shall in every case be final.

14. *Members not to Digress, Etc*.—A member shall not digress from the subject matter of the question under discussion; and every imputation of improper motives and every personal reflection is out of order.

15. *Members Called to Order to Sit Down*.—A member called to order shall remain silent, unless permitted to explain.

16. *Member May Demand Documents*.—Any member may, of right, demand the production of any of the documents of the Board applying to the question under discussion and may, at any time during business hours, have access to all the records and documents of the Board.

17. *Voting*.—The members shall, where any question is put to the vote, vote by show of hands.

18. *Motions, Etc., if Required, to be Reduced into Writing*.—At every meeting of the members all motions, whether original motions or amendments, shall, if required by the Chairman, be reduced into writing, signed by the mover and delivered to the Chairman, immediately on their being moved and seconded.

19. *If Amendment Negatived, a Second may be Moved.*—Where an amendment is negatived, a second amendment may be moved to the motion to which the first-mentioned amendment was moved; but only one amendment shall be submitted to the Board for discussion at any one time. If an amendment is carried, it shall then become the substantive motion, and only one amendment shall be made thereon at any one time.

20. *Mover of Motion to have Right to Reply.*—The mover of every original motion, but not of any amendment, shall have the right to reply, and the question shall be put by the Chair immediately thereafter; but a member shall not be permitted to speak more than once on the same question, unless permission is given to explain or the attention of the Chair is called to a point of order.

21. *Motion for Adjournment.*—A motion for adjournment of the meeting or of a debate may be moved at any time, but discussion shall not be allowed thereon.

22. *Protests.*—A member of the Board may, by notice of intention given forthwith after the adoption thereof, protest against any resolution of the Board. Every protest shall specify the reasons therefor and shall be entered and signed by the protesting member, at least three days before the next ordinary meeting of the Board, in a book to be kept for that purpose at the office of the Secretary. Every protest shall be noted in the minutes of the meeting at which it was made but may be expunged from the minutes, if declared by a majority of the members to have no basis in fact or to be disrespectful to the Board.

23. *Committees.*—Minutes of all proceedings of all Committees shall be entered in the Committees' Minute Book.

24. *Petitions to be Signed by Petitioners.*—Every petition shall be signed by the persons whose names are appended thereto, by their names or marks, and by no one else, except in case of incapacity by sickness.

25. *Petitions to be Respectful.*—It is incumbent on every member presenting a petition to acquaint himself with the contents thereof, and to ascertain that it does not contain language disrespectful to the Board.

Passed by a resolution of the Bunbury Harbour Board at a meeting of the Board held on the 28th day of August, 1962.

The Common Seal of the Bunbury Harbour Board was at the time of the above-mentioned resolution affixed in the presence of—

	W. E. McKENNA,	Chairman.
[L.S.]	E. D. McDOWELL,	Member.
	B. W. MASON,	Secretary.

Approved by His Excellency the Governor in Executive Council this 20th day of September, 1962.

R. H. DOIG,
Clerk of the Council.