

# PORT REGULATIONS, 1923. <sup>(1)</sup>

1. These Regulations may be cited as the *Port Regulations, 1923*, <sup>(1)</sup> and shall apply to and have effect in the Ports of Port Moresby and Samarai, the limits and boundaries whereof respectively are defined by Proclamation <sup>(2)</sup> published in the *Government Gazette* of 23rd November, 1889, and shall apply to and have effect in such other Ports as the Lieutenant-Governor <sup>(3)</sup> by Proclamation <sup>(4)</sup> published in the *Gazette* may proclaim.

Citation and application.  
Am. by S.R. 1937, No. 8, r. 1.

2. The Regulations comprised in Statutory Rules No. 12 of 1916 are hereby repealed.

Repeal.

3. In these Regulations unless the context otherwise indicates or requires—

Definitions.

“Board” means the Marine Board of Papua;

“Master” means every person (other than a pilot) having command or charge of any vessel;

“Port” means and includes any Port to which these Regulations apply;

“Steamer” or “Steam Vessel” includes any vessel propelled by machinery;

“Wharf” means any public wharf, quay, jetty, pier or landing place in any port.

(1) The *Port Regulations, 1923* (made under the *Navigation Ordinance, 1889-1938*), comprise the original *Port Regulations, 1923*, as amended by the other Regulations referred to in the following Table:—

REGULATIONS MADE BY THE LIEUTENANT-GOVERNOR IN COUNCIL. <sup>(a)</sup>

Description and number and year.	Date on which made by Lieut.-Gov. in Council (a).	Date on which published in Papua Govt. Gaz.	Date on which took effect.
<i>Port Regulations, 1923</i> (S.R. 1923, No. 20)	11.12.1923 <sup>(b)</sup>	31.12.1923	31.12.1923 (Papua Govt. Gaz. of 31.12.1923)
<i>Amending Regulation</i> (S.R. 1929, No. 13)	28.5.1929	5.6.1929	5.6.1929 (Papua Govt. Gaz. of 5.6.1929)
<i>Amending Regulation</i> (S.R. 1934, No. 2)	12.3.1934	4.4.1934	4.4.1934 (Papua Govt. Gaz. of 4.4.1934)
<i>Amending Regulations</i> (S.R. 1937, No. 8)	2.11.1937	15.11.1937	15.11.1937 (Papua Govt. Gaz. of 15.11.1937)
<i>Amending Regulation</i> (S.R. 1941, No. 1)	10.12.1940	2.1.1941	2.1.1941 (Papua Govt. Gaz. of 2.1.1941)

(a) Regulations made after the commencement of the *Papua Act 1940* on 18.9.1940 were made by the Administrator in Council.

(b) Made with the recommendation of the Marine Board.

(2) Printed on p. 4139.

(3) See Section 19(2) of the *Ordinance Interpretation Ordinance, 1911-1940*.

(4) A Proclamation dated 6.11.1937 and published in *Papua Govt. Gaz. of 15.11.1937*, made under the *Port Regulations, 1923*, is printed on p. 4142.

## SHIPPING—

Delivery of  
Port Regula-  
tions.

4. The Boarding Inspector shall deliver to the master, or, in the absence of the master, to the principal officer on board every vessel arriving from over seas, a copy of these regulations. Provided, however, that it shall not be necessary in any case to issue a second copy of the regulations to the master or officer in charge of the same vessel, unless on the demand of such master or officer, and in such case only on payment of a fee of two shillings and sixpence.

Firearms

5. All vessels shall unshot their guns before entering the port and no guns or firearms shall be discharged by any person on board any vessel, or within a port, nor any blue lights, rockets or other combustibles burned unless permission in writing has been previously obtained from the Harbour Master, except only when urgent assistance is required.

Vessels not to  
anchor at  
narrow  
channels.

6. No vessel or raft shall anchor at or near any sharp elbow or turning in any narrow channel, nor anchor near the entrance to nor in any artificial cutting, and the master of any vessel or the person in charge of any raft or vessel in a port so anchored shall be held to be in default.

Berthing  
vessels.

7. The Harbour Master, or a person deputed by him, shall appoint the place where all vessels shall lie or take up anchorage within a port and no vessel shall be anchored in such place of anchorage or brought or placed alongside of any wharf or other vessel without his authority or contrary to his directions, nor shall the position of any vessel be changed, nor shall any vessel be moved from or leave any berth without his permission.

Harbour Master  
to berth.

8. Every vessel within a port being at any wharf shall be subject to the orders of the Harbour Master in regard to the mooring or shifting, and in regard to the extent of the accommodation such vessel may require from another.

Heave-to for  
boarding officer.

9. While any vessel is entering, departing from, or within a port, the master shall, by every means in his power consistent with the safety of such vessel assist every duly authorized officer of the Government in boarding or leaving such vessel, and no person on board any such vessel shall interfere with or obstruct any such officer whilst carrying out their duties respectively.

Fire engines  
and buckets.

10. The master of every vessel at anchor in a port near any town, or among shipping, or alongside any wharf, shall have one fire engine kept ready for immediate use, or if unprovided with a fire engine shall have, if such vessel does not exceed one hundred tons, four buckets; if exceeding that tonnage, four buckets for the first hundred tons and two buckets for every other hundred tons or part of a

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hundred tons additional tonnage, and such buckets shall be kept at hand in some convenient place, half of which are to be fitted with lanyards attached ready for drawing water.

11. No boat shall lie outside of any vessel lying at a wharf and all boats hanging to the davits of such vessel are to be swung inboard. Boats swung inboard.

12. Every punt when at anchor in any port, or alongside any wharf, shall have its sweeps and stern-oar inboard. Sweeps inboard.

13. Every vessel before being berthed at any wharf or while so berthed shall, if required by the Harbour Master, have her jibboom rigged in. Jibbooms.

14. No hulk or other vessel laid up in any port shall be moved from her berth or moorings, unless in charge of a person authorized by the Harbour Master; and the agent for, or owner or person in charge of such vessel which shall be moved contrary to the provisions of this regulation shall be liable to a penalty not exceeding Twenty Pounds. Moving hulks or vessels.

15. All vessels must have proper buoys and sufficient buoy ropes for their anchors. Any anchor, kedge, cable or mooring slipped, parted or cut from in a port if not weighed within twelve hours may be weighed by order of the Harbour Master at the risk and expense of the owner, unless the permission, in writing, of the Harbour Master to allow such anchor, kedge, cable or mooring to remain unweighed, be obtained. Anchor buoys.

16. Vessels in a port moored with two anchors must always have both cables clear. Vessels in a port lying at single anchor must have the second anchor clear. In both cases the cables must be kept in readiness to be slipped, veered or hove in, in case of fire or other accident. Vessels moored.

17. Accidents afloat in a port whether from collision, stranding or capsizing are to be reported to the Harbour Master as soon as practicable. Accident to be reported.

18. The master of any vessel at anchor in a port shall not permit any boat or lighter to ride astern of and be attached to such vessel at a greater distance from such vessel than three fathoms, nor shall the master permit any deeply-laden boat, log or logs of timber, or other floating object likely to injure other vessels, to remain astern of and be attached to any such vessel at anchor in a port. Boats, etc., astern of vessels.

## SHIPPING—

Beacons not  
to be made  
fast to.

19. No person in charge of any vessel shall moor, or make fast, or cause or permit such vessel to be moored or made fast to any buoy or beacon in a port; and no vessel shall be moored, made fast, or hung to any mooring buoy in a port without the permission of the Harbour Master. No person shall in any way interfere with any light, light-beacon or sea-mark in a port.

Watch on  
board.

20. All vessels in a port shall always have at least one seaman at watch on deck, except vessels laid up, coal hulks, ballast or other lighters lying within such limits as the Harbour Master may have authorized them to occupy, but all such last-mentioned vessels shall have always one person on board. All persons on watch or on board as aforesaid, and all persons in charge of vessels, shall at once answer the challenge of any public officer. Where there is no master the owner or agent of such vessel, or person having or claiming to have *de facto* the control thereof, shall be liable for any breach of this regulation. This regulation shall not apply to open boats and small vessels lying within such limits as the Harbour Master may have authorized them to occupy.

Lights on  
vessels in tier.

21. A vessel lying in tier outside a vessel moored to the shore or to any wharf shall, from sunset to sunrise exhibit from her bow and also from her stern a bright white light in a globular lantern, so placed as to show a clear uniform and unbroken light visible all round the horizon to a distance of at least half a mile. No vessel shall be allowed to lie in tier third off from any berth in a port except by special permission of the Harbour Master.

Careening, etc.

22. Masters requiring to careen, heave down, or haul their vessels on shore in a port for the purpose of inspection or repairs, must obtain the permission of the Harbour Master for that purpose.

Gangway  
ladder or  
stage.

23. Every vessel lying in a port and not alongside any wharf shall be provided with a good and sufficient gangway ladder. Every vessel lying alongside any wharf shall be provided with a good and sufficient stage for the use of persons coming from or going on board such vessel, and every such stage shall be made of not less than two-inch planks, and to be at least two feet six inches broad for passenger steamers, and two feet broad for other vessels, with cross batons and ropes on both sides from the vessel to the wharf, or from vessel to vessel, supported by wooden or iron stanchions not less than three feet high, and also with a good and sufficient net placed underneath the stage to prevent accidents, to be approved by the Harbour Master. At night a good and sufficient light shall be provided for every such gangway, ladder and stage. So much of this regulation as refers to providing nets shall not extend or apply to small coasting vessels.

24. Sheep or pigs carried in any passenger steam vessel proceeding to sea from any port shall be placed on one side of the deck only, in pens or hurdles containing in each not more than fifteen sheep or twenty pigs.

Carriage of sheep or pigs.

25. The structures hereinbefore referred to shall be placed and constructed to the satisfaction of the Shipping Inspector or other officer appointed by the Board.

Structures, how to be made.

26. No heavy logs, spars, timber, acids, kerosene or oils in cases, coals, rod, bar or pipe iron or metal, boiler plates, boilers, heavy machinery or any cargo which cannot be lowered down the hatches, shall be carried on the deck of any passenger steam vessel proceeding to sea from any port unless specially permitted by the Shipping Inspector or other officer appointed by the Board.

Deck cargo.

27. The Harbour Master at any time may order any vessel, timber or other article to be removed from any berth alongside a wharf or from any anchorage to any other part of the port.

Removing vessels.

28. The master of any vessel berthed alongside any wharf or moored or anchored within a port shall run out such extra warps, moorings, chains and anchors for securing such vessel as the Harbour Master may direct.

Extra warps, etc.

29. No vessel shall be anchored in any fairway or in the channel of any port nor shall any cable, chain, hawser, rope or other obstruction be placed across any such fairway or channel without permission from the Harbour Master, and the Harbour Master may define, by bearings, or otherwise, as he may deem most convenient, the limits of the fairway, or channel within which no vessel shall bring up.

Obstructing fairways.

30. Whenever by unavoidable circumstances it has become necessary to let go an anchor in any such fairway or channel, the person in charge of the vessel from which it has been so let go, shall, as soon as possible, lift the same and place it in such a situation as not to interrupt or interfere with the free passage of other vessels.

Fairways to be kept clear.

31. Should any vessel ground in a port, or should any anchor or article be let go or fall into a port from any vessel or wharf, whereby the navigation of the port is likely to be obstructed or attended with danger to other vessels, or should a collision take place in a port whereby damage is caused to any vessel, the master of every such vessel, so grounding or colliding, or from which any anchor, article or thing has been let go or fallen as aforesaid, or the owner or person in charge of any article if let go or allowed to fall from the wharf, must immediately report the circumstances in writing to the Harbour Master.

Collisions, etc., to be reported.

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### Anchors.

32. No vessel shall be navigated or lie in a port with its anchor or anchors hanging at the cat-head or a-cockbill, but such anchor or anchors shall be hung perpendicularly from the hawse-pipe, and when berthed shall be slacked down and kept with the stock awash or taken on board.

### Rate of speed.

33. Every steam vessel when under way within the limits of any port shall be navigated at such reduced speed as shall not endanger the safety of any other vessel or vessels or moorings or cause damage thereto, or to the banks or<sup>(4a)</sup> any river, wharf, dredged channel, beacon, buoy or other harbour improvement; and if, through contravention of this regulation any injury or damage should result to any vessel, moorings, wharf, bank of any river, dredged channel, beacon, buoy or other harbour improvement as aforesaid, the owner or master of every vessel causing such injury or damage shall be liable to a penalty not exceeding Twenty Pounds.

### Vessels to slacken speed.

34.—(1.) In this regulation the term "Harbour Works" shall mean any works for the improvement, protection or management of any port and shall include any plant such as barges, punts, pontoons, staging, buoys and moorings used in connection with such works.

(2.) The master of every vessel shall, when such vessel is approaching any harbour works or any dredge or dredge plant, or any wharf at which any vessel is moored, reduce the speed of such first-mentioned vessel so that no damage or injury shall be caused by the passing of the same to such harbour works, dredge, dredge plant, wharf or vessel, or the moorings of any dredge, dredge plant or vessel; and if through neglect to comply with the provisions of this clause, any injury or damage shall be caused to any such harbour works, dredge, dredge plant, wharf, vessel or moorings, the master of every vessel causing such injury or damage shall be liable to a penalty not exceeding Twenty Pounds.

### Master and engineer.

35. No person shall hold the dual positions of master and engineer of any steamer exceeding fifty tons gross, and then only subject to the approval of the Board.

### Passing vessel aground.

36. Steamers on nearing any vessel aground in a port are to slacken their speed until safely past.

### Penalty for not depositing gunpowder etc. in safe place.

37. Every person who shall land, assist in landing or authorize the landing of any package of gunpowder, detonators, dynamite, or any compound of nitro-glycerine on any wharf or other place without placing it under the immediate supervision of some trustworthy person, and any person under whose charge it may be so placed, who, having taken charge, shall leave such package without having it

(4a) The word "or" appeared in the Regulations as published in *Papua Govt. Gaz. Semble*, "of" was intended.

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deposited in some safe place, shall forfeit and pay any sum not exceeding Twenty Pounds.

38. The master of any vessel having on board any package of dynamite or other compound of nitro-glycerine which is liable to be affected by moisture, and who shall carry same on the bridge, or in any other part of the vessel so that it is exposed to or liable to become wet, shall forfeit and pay any sum not exceeding Twenty Pounds for every package so carried.

Penalty for exposing dynamite to wet.

39. No gunpowder, ammunition, or other explosive substance, nor any vitriol or other dangerous or destructive acid shall be taken on board any vessel in any port without a special permit in writing from the Harbour Master.

Shipping explosives without permit.

40. If any person employed in shipping, transshipping, discharging or landing any gunpowder or other explosive substance, or having charge of or being employed in any vessel conveying gunpowder or other explosive substance as aforesaid, shall be found in a state of drunkenness, or smoking or burning tobacco or any other substance while so employed or shall be guilty of any misbehaviour likely to produce accident or danger to others, such person will, on conviction for every such offence, forfeit and pay any sum not exceeding Twenty Pounds.

Drunkenness, etc., when shipping explosives.

41. No fire or light shall be allowed to burn on board of or near to any vessel from on board of which gunpowder or other explosive substance is being discharged, nor on board of which gunpowder or other explosive substance is being taken, or otherwise moved or placed on deck; and no gunpowder or other explosive substance shall be shipped on board, or transhipped from, or be passed up from below on to the deck of any vessel while such vessel is in the tow of a steamer.

No fire or light on or near vessel with gunpowder.

42. Every person in charge of a vessel to which the *Sea Regulations, 1910*,<sup>(5)</sup> or other Regulations for Preventing Collisions at Sea for the time being, do not apply, shall, whenever under way in any port between sunset and sunrise and approaching or being approached by any other vessel, exhibit a bright white light which shall be capable of being seen from such other vessel from a distance of at least half-a-mile.

White light on vessels under way.

43. Every person in charge of any vessel which is required by the last preceding paragraph to show a white light and which is anchored or moored in any port in such a position that such vessel may possibly form a danger to navigation shall exhibit between sunset and sunrise where it can be best seen a bright white light; and so constructed as to

White light on vessel anchored.

(5) *Seemle*, the Regulations referred to are the *Collision Regulations, 1910* (S.R. & O. 1910, No. 1113) made under the *Merchant Shipping Act, 1894*, of the United Kingdom.

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show a clear, uniform and unbroken light visible all round the horizon at a distance of at least half-a-mile.

White light  
on vessels  
being towed.

44. When any vessel to which the *Sea Regulations, 1910*,<sup>(5)</sup> or other Regulations for Preventing Collisions at Sea for the time being in force do not apply is being towed by any steam vessel between sunset and sunrise in any port the person in charge of such vessel being towed shall exhibit a white light thereon. Such light shall be capable of being seen at a distance of at least half-a-mile all round the horizon.

Interpretation  
of "Vessel."

45. For the purpose of the three last preceding paragraphs the word "vessel" shall mean and include every ship, lighter, barge, boat, launch, wherry, punt and any kind of navigable vessel or craft whatsoever.

Punts to carry  
side lights  
when towed.

46. Every punt, when being towed by a steam vessel lashed alongside, shall show a side light of the proper colour on the side farthest from such steam vessel.

Lights upon  
rafts.

47. Every raft, when at anchor, under way, or being towed in a port between sunset and sunrise shall show at each end of such raft a bright white light.

Lights  
improperly  
kept.

48. Should any inspector, surveyor, or other person authorized by the Board, find at any time, on examination, that the lights of any vessel are in a dirty or inefficient state from want of cleaning or from not being kept in proper repair, the master or person in charge of any such vessel shall be liable to a penalty not exceeding Five Pounds.

Lights on  
wharves.

49. Every wharf or other structure which is found to be dangerous to vessels navigating any port at night, and every wharf at which passengers are landed, shall be provided with a proper and efficient light, and the owner or lessee of such wharf or other structure shall have such light exhibited as may be directed by the Harbour Master.

Timber rafts  
to be lighted.

50. No rafts of timber shall lie in the navigable part of any port. Rafts of timber lying in a port must, between sunset and sunrise, exhibit a proper light on a pole ten feet high fitted properly on one end or part of such raft. Where such raft is over 200 feet in length a light of the description above-mentioned must be fitted and exhibited at each end thereof.

Ships berthed  
in rotation.

51. All vessels, on application being made to the Harbour Master, will be provided with berths when vacant in rotation according to

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the time of their arrival in port. Any vessel on being appointed to a berth must immediately proceed to occupy it and go on discharging or loading, otherwise the berth may be given to the next vessel in turn.

Provided that a berth may at the discretion of the Harbour Master be reserved upon application to him not less than seven days before the intended arrival of the vessel. Such reservation shall be subject to such conditions as the Harbour Master may deem fit.

Proviso ad.  
by S.R. 1937,  
No. 8, r. 2.

52. All vessels in a port when not engaged in loading or unloading, having a hatchway or any large opening in the deck for the reception of machinery or otherwise, shall, between sunset and sunrise, have such hatchway or opening closed and properly secured, or properly lighted and watched by a special watchman.

Hatches to  
be on.

53. The masters of steam vessels shall, as soon as their vessels are berthed, cause the furnaces and dampers to be so regulated as to prevent, as far as possible, accidents by fire, and shall so adjust their furnace doors and temper their furnace fires that no more than the smallest practicable quantity of smoke shall pass therefrom.

Steamer's  
furnace.

54. A steam whistle may be used on board any vessel whilst moored alongside any wharf once only as a signal for her departure; but otherwise no steam whistle shall be used on any such vessel for any purpose whatsoever.

Steam  
whistles.

55. No owner or master of any steam vessel, shall, without the permission of the Harbour Master, work the engines of such vessel, or allow the same to be worked, while such vessel remains moored alongside any wharf, and such owner or master shall, in addition to any penalty incurred hereunder, be liable to pay whatever damage may have arisen by reason of such working.

Engines not to  
be worked  
alongside  
wharves.

56. All boats alongside of ships or wharves in a port shall give way to Government boats.

Government  
boats.

57. No sorting, bulking, or repacking of timber or other goods, nor screening of coals, shall be done on any portion of a wharf, except in places expressly permitted by these regulations, and no coals shall be placed thereon except in bags, nor shall any goods or other articles be put on any wharf which, in the opinion of the Harbour Master are likely to occasion damage to such wharf, nor shall any goods or other articles be placed on any wharf so as to be an impediment to the wharf approaches or an obstacle to the removal of other goods from such wharf.

Improper use  
of wharves.

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Boats at  
loading-place.

58. No boat shall be allowed to remain at any loading-place after discharging her cargo and passengers or be made fast to the steps or handrail belonging thereto.

Ropes not to  
be made fast.

59. No person shall make fast any rope or mooring to any wharf (except to the mooring piles or rings provided for the purpose), or to any steps or handrail, or to any sheds, pillars supporting the same, or to any lamp-post, or to any crane or other erection on a wharf.

No ship repairs  
to be done  
on wharves.

60. No person shall make, repair, dress or scrape spars or masts, or do any kind of carpenter, smith, boilermaker or rigging work on any wharf, or under any shed, or hang or put up sails, masts, spars, or any other thing to or upon any of the beams or joists of the sheds without the authority of the Harbour Master.

Stray boats,  
etc.

61. All stray boats, timber or other articles found within a port shall be immediately delivered up to the Harbour Master in whose custody they shall remain until claimed by the proper owners, who shall pay all reasonable expenses thereon.

Boiling pitch,  
etc.

62. No pitch, tar, resin, oil or other suchlike combustible matter shall be heated by fire on board any vessel or boat in a port without the permission of the Harbour Master. But this rule is not to be understood to prevent the burning of any lamp or candle for giving light on board, or the lighting of any fire for the purpose of cooking or working the machinery of any vessel.

Fires, etc., on  
ships.

63. Between the hours of ten o'clock p.m. (10 p.m.) and four a.m. (4 a.m.) no fires, except the furnaces of steamers, shall be lighted, nor shall any unenclosed lights be allowed to burn on board any vessel in that part of a port where vessels lie for the purpose of loading and discharging cargo or effecting repairs; nor shall any vessel be fumigated or smoked, unless the vessel be moored at a safe and sufficient distance from other vessels, and permission in writing be obtained from the Harbour Master. All fires and lights allowed must be properly enclosed.

Smoking.

64. No person shall smoke in the holds of any vessel moored at any wharf.

Ship on fire.

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

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66. No person shall throw, place or leave any dead animal or putrefying matter into or on any part of a port. Dead animals.

67. No ballast, rubbish, gravel, earth, stone, sand, wreck, filth, coal, cinders, or refuse, or any other material whatsoever, shall be thrown or dropped by any person into any port, or be placed, landed or shipped in the port, except at the places and in the manner pointed out by the Harbour Master; and all such ballast, gravel, rubbish, earth, stone, sand, wreck, filth, coal, cinders, or refuse, or other material, placed contrary to the instructions of the Harbour Master, shall be removed at such times and to such places as the Harbour Master may direct. Throwing rubbish, etc., into the port.

68. No oil, spirit or inflammable liquid shall be pumped or discharged from any vessel or tank into the waters of any port. Pumping oil, etc., into port.

69. If any vessel be sunk or stranded within a port, or if any obstruction shall impede the navigation and use of a port, or any part thereof, the master, owner or agent of such vessel or the owner of the property by which such obstruction is caused shall immediately notify the Harbour Master of the position of such obstruction, and shall exhibit on or near such vessel or obstruction such flags, masts or lights as the Harbour Master may direct, and immediately take steps for the removal of such obstruction. Sunken vessels.

70. In the event of the death of any person on board of any vessel in port, the master of such vessel shall cause the body to be buried on shore according to law; but previously thereto he shall report the particulars to the police. Death on board.

71. All mail boats shall, during such time as they are occupied in shipping or landing mails and for such further time as the Harbour Master may deem necessary, have a preference of berth, whether alongside vessels or wharves. Mail boats.  
Am. by S.R. 1937, No. 8, r. 3.

71A. Vessels carrying mails under special contract to the Government of the Commonwealth of Australia shall except as otherwise directed by the Harbour Master have an absolute preference of berth. Preference to mail boats.  
Ad. by S.R. 1937, No. 8, r. 4.

72. Vessels, after having discharged or taken in their cargo in a port shall remove to any berth or anchorage pointed out by the Harbour Master. Taking cargo.

73. Except as in these regulations otherwise provided vessels discharging cargo shall have prior claim to berth alongside a wharf to vessels taking in cargo. Discharging.  
Am. by S.R. 1937, No. 8, r. 5.

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Wharf space  
to be occupied.

74. The cargo of any vessel loading or discharging at any wharf shall not occupy a greater space on any such wharf than the length of such vessel, except by special permission of the Harbour Master.

Cargo may  
be discharged  
over another  
vessel.

75. Cargo may be discharged from or taken in by any vessel lying at any outside berth over and across the deck of any vessel lying alongside of any wharf. The inside vessel shall allow and afford such facilities for the purpose as the Harbour Master may direct.

Wharves to  
be cleared of  
rubbish, etc.

76. The master of every vessel moored to or lying alongside any wharf shall not remove his vessel therefrom until the portion of the wharf opposite to or required for the use of such vessel has been thoroughly cleared of all rubbish and swept clean, to the satisfaction of the Harbour Master, by some person belonging to such vessel or hired by the master or owner thereof. All stages, planks, gangways, horse-boxes, or other articles used for loading or unloading such vessel shall be taken on board such vessel or be removed to such place as the Harbour Master may direct.

Placing goods  
on wharf.

77. All goods or other articles landed on any wharf shall be so placed as to keep the mooring posts or rings free, and allow a clear passage of at least five feet from the edge of the wharf nearest the vessel, upon which space no goods shall be allowed to remain. All fire and water-plugs must be left clear with a space of three (3) feet all round each, and a passage of three (3) feet wide leading up thereto.

Stowage of  
imported  
goods.

78. Imported goods discharged at any wharf shall as far as possible be placed in the cargo shed provided for the purpose and approved by the Collector of Customs.

Goods on  
wharf  
approaches.

79. Goods or cargo shall not be placed on any roadway or approach to a wharf without the permission in writing of the Harbour Master having first been obtained.

Removal of  
imported, etc.  
goods.

80.—(1.) All goods—

(a) imported; or

(b) arriving coastwise;

and landed upon any wharf or placed in any shed upon such wharf shall be removed therefrom within ninety-six hours after having been so landed or placed thereon or therein.

(2.) Should any such goods be not removed from any wharf or any shed thereon within the time specified in paragraph (1.) of this regulation the owner, importer, consignee of such goods or his agent shall be liable for and shall pay storage in respect thereof after the rate of one shilling (1s.) per ton for the first week and for every subsequent week the sum of threepence (3d.) per ton additional to

the amount per ton payable for each immediately preceding week, that is, one shilling and threepence (1s. 3d.) per ton for the second week; one shilling and sixpence (1s. 6d.) per ton for the third week, and so on.

(3.) For the purposes of this regulation a fraction of a ton shall be deemed a ton, and a part of a week shall be reckoned as one week, and ton shall mean 20 cwt. by weight or 40 ft. by measurement at the option of the Harbour Master.

(4.) Notwithstanding anything contained in this regulation the Harbour Master may, after the expiration of the said period of ninety-six hours, without notice to any person remove or cause to be removed the said goods from the wharf or shed to any warehouse or place as he shall direct with the approval of the Customs Authorities: and the owner importer or consignee of such goods shall be liable for and shall pay all charges and expenses connected with such removal, including warehouse rent and charges.

81.—(1.) Goods intended for export may be stored in the sheds provided by the Government for that purpose.

Storage of goods for export.

(2.) The charge for the storage of such goods shall be sixpence per ton per week.

Sub-reg. (2) sub by S.R. 1934, No. 2, r. 1.

Provided that on and after the first day of January, 1941, the charge for the storage of such goods being copra shall be threepence per ton per week and at such date outstanding periods of storage being less than a week shall be deemed part of a week at the reduced rate.

Proviso ad. by S.R. 1941, No. 1, r. 1.

(3.) For the purposes of this regulation—

(a) the minimum charge shall be one ton but after the first ton each quarter-ton or portion thereof shall be charged as one quarter-ton.

Sub-reg. (3) sub. by S.R. 1929, No. 13, r. 1.

(b) the minimum charge shall be one week but after that period any part of a week not exceeding three days shall be charged as one half-week.

(4.) An application for storage must be made in writing and must be presented to the Harbour Master during office hours and at least two hours prior to the hour at which an officer is required to be in attendance for the purpose of receiving the goods. Such application must state the quantity and description of the goods requested to be stored and the name of the vessel concerned.

(5.) The person making the application for storage will be deemed to be the owner of the goods.

(6.) Goods must be stacked as required by the Harbour Master

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or officer in attendance on his behalf and no goods unless properly bagged, cased or bundled will be stored.

(7.) No goods which, in the opinion of the Harbour Master or such officer, are perishable or dangerous goods or are likely to cause damage to a shed or to other goods stored therein will be received into the sheds.

(8.) Copra in bags which are, or appear to be, wet will not be received for storage.

(9.) All labour required for receiving and delivering the goods shall be provided by the owner of the goods.

(10.) The goods stored shall remain in the shed at the risk of the owners, and the Government shall not be liable for compensation for any loss or damage owing to fire, vermin, inevitable accident, or to any crime or misdemeanour.

(11.) The Harbour Master may detain all or any of the goods stored in a shed until all the charges thereon have been paid or until security for payment thereof has been received by him. Storage charges incidental to such detention must also be paid for.

Goods at  
owners risk.

82. All goods placed on a wharf shall be entirely at the owners risk and no responsibility will be upon the Government for any damage done thereto while lying on the wharf, from whatever cause arising, nor for any loss thereof by reason of theft, removal or otherwise.

Goods not to be  
left on wharf.

83. No goods other than goods imported or intended for export shall be left or allowed to remain upon any wharf without the permission of the Harbour Master.

Removal of  
goods for  
export.

84. All goods placed on a wharf for the purpose of export shall be removed therefrom within twenty-four hours after having been placed thereon.

Combustibles  
not to lie on  
wharves.

85. No lime, tar, pitch, resin, spirituous liquors, turpentine, aquafortis, oil of vitriol, kerosene or other combustible thing shall be placed or allowed to remain on any wharf or on the deck of any vessel in a port unless the same is under the protection of a watchman approved by the Harbour Master; and the owner of such lime, tar, pitch, spirituous liquors, turpentine, aquafortis, oil of vitriol, kerosene or other combustible thing must remove the same to a place of safety within two hours after being required to do so by the Harbour Master. In the case of goods left on any wharf, the owner of such goods shall be liable to the penalties in respect of every such breach of this regulation as aforesaid; and in case of goods left on the deck of any vessel, the master or owner of such vessel shall be liable to the penalties in respect thereof.

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86. No person shall soil, deface, mark or injure, or without the consent of the Harbour Master, write or paint or place any placard or other document upon any shed, waiting room, barricade, railing, fence, wharf or wharf post; nor shall any person place or deposit any rubbish or refuse matter in or upon any of the wharves, roads, sheds or other buildings of the Government except at the places and in the manner pointed out by the Harbour Master, nor commit any nuisance in or upon any such wharves, roads, sheds or other buildings, nor discharge therein or thereon any excrement, urine, or other matter of an offensive character or likely to create a nuisance.

Defacing sheds, etc.

87. No person shall use upon any wharf, or in any shed, any artificial light, except the same be securely enclosed and in charge of some trustworthy person, or unless such light be approved by the Harbour Master.

Artificial lights on wharf or in sheds.

88. No drunken, idle or disorderly person shall be allowed to be in or upon any wharf or shed within a port.

Disorderly persons.

89. No person shall smoke in, under or near to any wharf or any shed thereon, or loiter therein or upon any wharf, or lounge or sleep among the cargo placed in any shed or upon any wharf, or play at any game, or without the written consent of the Harbour Master address any assemblage of persons in any shed or upon any wharf or any approach thereto.

Smoking and loitering.

90. No gasoline, benzine, naphtha, vitriol, petroleum, kerosene, turpentine, inflammable acids, or other goods of a dangerous nature, casks containing oil, manures, green skins or hides, iron in pigs, bars or bundles, cement, whiting, galvanized fencing wire, rags, pigs of lead, kegs or casks of white lead, casks of any kind of paint or salt in bags shall be placed in any transit shed.

Goods not to go into sheds.

91. All goods intended to be placed in any shed shall be placed and stacked therein in such a manner as may be pointed out by the Harbour Master or officer appointed for the purpose, and as far as possible as may be convenient for the Customs Officers, and all persons engaged in the depositing, stacking, sorting or removing of any goods at, in or from any of the aforesaid sheds, shall obey the orders of the Harbour Master or other officer in connection therewith.

How stowed.

92. The master of every foreign-going or territorial vessel shall, within forty-eight hours after the vessel's arrival at her final port of destination in Papua, or upon the discharge of the crew, whichever first happens, deliver to the Shipping Master at the port aforesaid, or before whom the crew is discharged, the articles of agreement with the crew, together with the official log-book of the voyage; and if any

Ships articles, etc., when to be delivered.

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master shall refuse or neglect to comply with the provisions hereof, he shall for every such offence forfeit and pay a sum not exceeding Twenty Pounds.

Copy of ships articles, when to be delivered.

93. The master of every foreign-going vessel, whose final port of destination is beyond the Territory, shall, within forty-eight hours after arrival at any port in Papua, deliver to the Shipping Master thereat a copy of the articles of agreement with the crew and of the official logbook, and shall produce the originals thereof to the said Shipping Master who shall compare same with the copies, and the said master and Shipping Master shall verify the said copies with their signatures; and if any master of a vessel shall refuse or neglect to comply with the provisions hereof, he shall for every such offence forfeit and pay any sum not exceeding Twenty Pounds.

Persons held responsible for breaches of the Regulations.

94. Where by any act or omission a contravention or evasion of these regulations takes place in regard to punts, lighters or other vessels, the master of the offending punt, lighter or other vessel shall be held responsible, and in his absence, or should there be no master, the owner, and in the absence of the owner, his legally appointed agent shall be held responsible and may be penalized for such contravention or evasion.

General penalty.

95. Any person who is guilty by act or omission of any contravention of these regulations, for which no other penalty is provided, shall be liable to a penalty of not more than Twenty Pounds.