

Serial Number 1948/210

**THE LIGHTHOUSE DUES ORDER 1948**

B. C. FREYBERG, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington, this 22nd day of
December, 1948

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Shipping and Seamen Act, 1908, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby make the following Order.

ORDER

1. This Order may be cited as the Lighthouse Dues Order 1948.
2. This Order shall come into force on the 1st day of January, 1949.
3. In this Order, unless the context otherwise requires,—

“ Dues ” or “ light dues ” means lighthouse dues payable in accordance with the provisions of the Shipping and Seamen Act, 1908, and this Order :

“ Foreign-going pleasure yacht ” means any pleasure yacht not included in the terms “ pleasure yacht voyaging in the home trade ” or “ intercolonial pleasure yacht ” :

“ Foreign-going ship ” means any ship not included in the terms “ home-trade ship ” or “ intercolonial-trading ship ” :

“ Home-trade ship ” and “ pleasure yacht voyaging in the home trade ” mean a ship and pleasure yacht employed in trading or going between any ports or places in New Zealand :

Provided that, for the purposes of this definition, the Cook Islands, the Kermadec Islands, the Chatham Islands, the Auckland Islands, Campbell Island, Antipodes Islands, and Bounty Islands shall be deemed to be places out of New Zealand :

“ Intercolonial-trading ship ” and “ intercolonial pleasure yachts ” mean any ship actually trading or any pleasure yacht going between New Zealand and any port or place within the Commonwealth of Australia, or between New Zealand and any of the islands lying between the parallels of 30 degrees north and 30 degrees south latitude and the meridians of 155 degrees east and 130 degrees west longitude.

4. The Orders in Council relating to lighthouse dues referred to in the table subjoined to this clause are hereby revoked :—

ORDERS IN COUNCIL REVOKED

Date of Order in Council.	Published in <i>Gazette</i> .	
	Year.	Page.
9th March, 1923	1923	776
7th June, 1923	1923	1639
3rd September, 1923	1923	2386
23rd July, 1935	1935	2009

5. Subject to the provisions of this Order, the rates of lighthouse dues payable at the ports named in the first column of the Schedule to this Order in respect of the ships and voyages specified in the second column of the said Schedule shall be the rates per ton of net registered tonnage specified in the third column of the said Schedule :

Provided that the minimum sum payable in any case shall be 1s.

6. (1) The following persons shall be liable to pay light dues for any ship in respect of which light dues are payable, namely :—

- (a) The owner or master ; or
- (b) Such consignees or agents thereof as have paid, or made themselves liable to pay, any other charge on account of the ship in the port of her arrival or discharge.

(2) Such dues shall become payable on the arrival of the ship at the port, and shall be paid to the Collector of Customs at that port.

7. This Order is to be read subject to the provisions of section 287 of the Shipping and Seamen Act, 1908, which provides that ships engaged solely in fishing or whaling, pleasure yachts under 25 tons register, missionary ships, ships in distress, and ships putting in to refit or for water and provisions, or calling at any port for fuel for consumption on board only, shall not be liable to pay light dues :

Provided that the exemption of ships calling at any port for fuel for consumption on board shall not apply if the quantity of fuel taken on board exceeds the quantity that is stowed in the permanent bunkers in which cargo is never carried, unless the Collector of Customs is satisfied that the quantity in excess is required for consumption on board.

8. Notwithstanding the provisions of this Order,—

- (a) No light dues shall be payable at the Port of Auckland in respect of any ships arriving at that port from the islands of Rangitoto, Motu Tapu, Motuihi, Rakino, Motukarakia, and places westward of a line drawn from Maraetai Point, on the mainland, to the easternmost head of Whakanewha Bay, Waiheke Island, and thence to the easternmost head of Onetangi Bay, on the northern side of Waiheke Island :
- (b) Light dues shall not be payable at more than one port on any one day in respect of any ship trading between—
 - (i) The Port of Thames and the Port of Auckland ;
 - (ii) The Port of Coromandel and the Port of Thames ;
 - (iii) The Port of Nelson and the Port of Motueka ;
 - (iv) The Port of Nelson and the Port of Collingwood ; or
 - (v) The Port of Nelson and the Port of Westhaven :

(c) No light dues shall be payable in respect of any ship trading between the Port of Wairoa and the Port of Napier.

9. In respect of any ship on a voyage from any place out of New Zealand first arriving at a port in New Zealand where light dues are not payable for such voyage, there shall be payable on the arrival of such ship at any other port in New Zealand where light dues are payable for ships arriving from such voyage the same light dues as would be payable if the said ship had arrived at such other port direct from such place out of New Zealand.

10. In respect of any ship on a voyage from any place out of New Zealand first arriving at any port in New Zealand where light dues are payable on ships arriving from such voyage, there shall be payable the light dues fixed for such voyage, and thereafter on arrival on the same voyage at any port in New Zealand where light dues are payable there shall be payable at each such port light dues at the rate fixed for home-trade ships.

11. In respect of ships arriving at any port in New Zealand from the Chatham Islands, the Auckland Islands, Campbell Island, the Antipodes Islands, or the Bounty Islands, light dues shall be payable at the rate fixed for home-trade ships.

12. In any case where the master of a ship which arrives at a port in New Zealand and in respect of which light dues have become payable at that port is compelled by stress of weather to put to sea and later returns to that port to complete discharge or loading, no further light dues shall become payable in respect of that ship by reason only of such departure and return.

13. Notwithstanding the provisions of clause 5 hereof, there may be paid to the Collector of Customs at any port in New Zealand for light dues in respect of any ship under 24 tons net register a lump sum of £1; and upon payment of such lump sum and thereafter until the 1st day of January next following, such ship shall be exempt from the payment of any further light dues.

14. Notwithstanding the provisions of clause 5 hereof, there may be paid to the Collector of Customs at any port in New Zealand for light dues in respect of any home-trade ship a lump sum calculated at the rate of 15s. for each ton of the net registered tonnage of such ship; and upon payment of such lump sum and thereafter until the 1st day of January next following, such ship shall be exempt from the payment of any further light dues.

15. (1) The Collector of Customs to whom a lump sum is paid pursuant to clause 13 or clause 14 hereof shall issue a receipt therefor bearing the date of such payment and showing on its face the name of the ship to which it relates and stating that the payment is a lump-sum payment for light dues.

(2) The production to the Collector of Customs at any port in New Zealand by the master or owner of any ship of a receipt issued under subclause (1) of this clause for the lump sum paid for light dues in respect of that ship shall be sufficient evidence that such ship is exempt from light dues until the 1st day of January next following the date of the receipt.

SCHEDULE

Port.	Class of Ship and Nature of Voyage.	Rate Per Ton Register.	
		s.	d.
Auckland ..			
Mangonui ..			
Whangaroa ..			
Russell ..			
Awanui ..			
Parengarenga			
Kaipara ..			
Manukau ..			
Whangarei ..			
Thames ..			
Coromandel ..			
Whitianga ..			
Tauranga ..			
Whakatane ..			
Opotiki ..			
New Plymouth			
Napier ..			
Gisborne ..			
Hicks Bay ..			
Tokomaru Bay			
Tolaga Bay ..	Foreign-going and intercolonial-trading ships ..	0	6
Wairoa ..	Home-trade ships	0	1
Waikokopu ..	Foreign-going and intercolonial pleasure yachts		
Wanganui ..	of 25 tons register and over	0	6
Wellington ..	Pleasure yachts of 25 tons register and over		
Picton ..	voyaging in the home trade	0	1
Havelock ..			
Kaikoura ..			
Wairau ..			
Nelson ..			
Motueka ..			
Collingwood ..			
Westhaven ..			
Westport ..			
Greymouth ..			
Hokitika ..			
Kaipoi ..			
Lyttelton ..			
Akaroa ..			
Timaru ..			
Oamaru ..			
Dunedin ..			
Bluff ..			
Invercargill ..			
Riverton ..			
Port Craig ..	Foreign-going and intercolonial-trading ships	0	6
	Home-trade ships, except ships from any port		
	on the west coast of the North Island between		
	Motu Pea and Hokianga	0	1
Hokianga ..	Foreign-going and intercolonial pleasure yachts		
Whangape ..	of 25 tons register and over	0	6
Herekino ..	Pleasure yachts of 25 tons register and over		
	voyaging in the home trade, except those		
	from any port on the west coast of the North		
	Island between Motu Pea and Hokianga ..	0	1

SCHEDULE—*continued*

Port.	Class of Ship and Nature of Voyage.	Rate Per Ton Register.
		s. d.
Mokau Waitara Kawhia Raglan	Foreign-going and intercolonial-trading ships	0 6
	Home-trade ships, except ships from any place between Cape Egmont and Raglan	0 1
	Foreign-going and intercolonial pleasure yachts of 25 tons register and over	0 6
	Pleasure yachts of 25 tons register and over voyaging in the home trade, except those from any place between Cape Egmont and Raglan	0 1
Manawatu (Foxton) Patea	Foreign-going and intercolonial-trading ships	0 6
	Home-trade ships, except ships from any port on the west coast of the North Island between Opunake and Rangitikei	0 1
	Foreign-going and intercolonial pleasure yachts of 25 tons register and over	0 6
	Pleasure yachts of 25 tons register and over voyaging in the home trade, except those from any port on the west coast of the North Island between Opunake and Rangitikei	0 1
Kaikoura Port Robinson	Foreign-going and intercolonial trading ships	0 6
	Home-trade ships, except ships from any place between Cape Campbell and Kowai River	0 1
	Foreign-going and intercolonial pleasure yachts of 25 tons register and over	0 6
	Pleasure yachts of 25 tons register and over voyaging in the home trade, except from any place between Cape Campbell and Kowai River	0 1
Karamea	Home-trade ships, except ships from any place between Cape Foulwind and Kahurangi Point	0 1
	Pleasure yachts of 25 tons register and over voyaging in the home trade, except yachts from any place between Cape Foulwind and Kahurangi Point	0 1
		0 1

T. J. SHERRARD,
Clerk of the Executive Council.

Issued under the authority of the Regulations Act, 1936.

Date of notification in *Gazette*: 23rd day of December, 1948.

These regulations are administered in the Marine Department.