

1979/1



THE WESTPORT HARBOUR REGULATIONS 1965,  
AMENDMENT NO. 7

KEITH HOLYOAKE, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 23rd day of January 1979

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Harbours Act 1950, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

**1. Title and commencement**—(1) These regulations may be cited as the Westport Harbour Regulations 1965, Amendment No. 7, and shall be read together with and deemed part of the Westport Harbour Regulations 1965\* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the day after the date of their notification in the *Gazette*.

**2. Berths to be allotted by Harbourmaster**—Regulation 4 of the principal regulations is hereby amended by revoking the proviso, and substituting the following proviso:

“Provided that the right of vessels to berths for unloading and loading shall, as between vessels of the same class entering on the same tide, and other things being equal, be determined by the order of their arrival in the roadstead.”

**3. Special pilotage**—Regulation 30 of the principal regulations is hereby amended by revoking subclause (1), and substituting the following subclause:

- \*S.R. 1965/112  
 Amendment No. 1: (*Revoked by S.R. 1974/326*)  
 Amendment No. 2: S.R. 1968/185  
 Amendment No. 3: S.R. 1974/326  
 Amendment No. 4: (*Revoked by S.R. 1977/132*)  
 Amendment No. 5: S.R. 1977/132  
 Amendment No. 6: S.R. 1977/142

“(1) If in any case the Harbourmaster considers that a vessel cannot safely enter or leave the Port without a pilot (whether on board or on board some other vessel leading that vessel), or that for any other reason the services of a pilot are desirable, the Master of that vessel shall not enter, use, or leave the Port, as the case may be, without a pilot.”

**4. Expenses of pilot detained on board**—Regulation 40 of the principal regulations is hereby amended by omitting the expression “\$30” (as substituted by regulation 2 of the Westport Harbour Regulations 1965, Amendment No. 5), and substituting the expression “\$50”.

**5. Pilotage**—The principal regulations are hereby further amended by revoking regulation 47 (as substituted by regulation 3 of the Westport Harbour Regulations 1965, Amendment No. 3, and amended by regulation 3 of the Westport Harbour Regulations 1965, Amendment No. 5), and substituting the following regulation:

“47. (1) Subject to subclause (3) of this regulation, the charges payable for ordinary pilotage in respect of vessels entering or departing from the Port shall be either—

“(a) An amount calculated at the rate of 5 cents per ton net register;  
or

“(b) \$50—

whichever is the greater.

“(2) Subject to subclause (3) of this regulation, the charges payable for special pilotage in respect of vessels entering, using, or departing from the Port shall be either—

“(a) An amount calculated at the rate of 12 cents per net ton register; or

“(b) \$150—

whichever is the greater.

“(3) Where all or any of pilotage services in respect of which charges are to be made under subclause (1) or subclause (2) of this regulation are provided during hours that are, in the opinion of the Secretary-Manager, outside normal working hours, the charges specified in that subclause shall be increased by 50 percent.”

**6. Berthage**—The principal regulations are hereby further amended by revoking regulation 48 (as substituted by regulation 4 of the Westport Harbour Regulations 1965, Amendment No. 3, and amended by regulation 4 of the Westport Harbour Regulations 1965, Amendment No. 5), and substituting the following regulation:

“48. (1) Each time a vessel (except a vessel paying a laying-up charge), is berthed alongside a wharf, the following berthage charges shall be payable by the master or the owner of the vessel on demand to the Collector of Dues:

“(a) In the case of a vessel that is not a fishing vessel, either—

“(i) An amount calculated at the rate of 6 cents per ton net register for the first 2 days or any lesser period and 4 cents per day for every day or part thereof thereafter; or

“(ii) \$11,—

whichever is the greater:

“(b) In the case of a fishing vessel,—

“(i) Where it is licensed by the Secretary-Manager, at the rate per year of \$17 per metre or part thereof of the overall length of the vessel; or

“(ii) Where it is not so licensed, at the rate per week of \$1 per metre or part thereof of the overall length of the vessel.

“(2) For the purposes of this regulation, a vessel shall be deemed to be berthed alongside a wharf if it is berthed alongside some other vessel that is berthed alongside a wharf.”

**7. Warps and swinging wires**—Regulation 54 of the principal regulations is hereby amended by omitting the expression “\$10” (as substituted by regulation 5 of the Westport Harbour Regulations 1965, Amendment No. 5), and substituting the expression “\$11”.

**8. Electricity**—The principal regulations are hereby further amended by revoking regulation 55 (as substituted by regulation 7 of the Westport Harbour Regulations 1965, Amendment No. 3 and amended by regulation 6 of the Westport Harbour Regulations 1965, Amendment No. 5), and substituting the following regulation:

“55. The master and the owner of any vessel using electricity supplied by the Secretary-Manager shall be liable for payment for all such electricity so used at a rate per unit which shall be the rate per unit charged to the Secretary-Manager by the supply authority plus 2 cents, together with a connection fee of \$12 on each occasion required.”

**9. Charges for towing**—The principal regulations are hereby further amended by revoking regulation 56 (as substituted by regulation 8 of the Westport Harbour Regulations 1965, Amendment No. 3, and amended by regulation 7 of the Westport Harbour Regulations 1965, Amendment No. 5), and substituting the following regulation:

“56. (1) Subject to subclauses (2) and (3) of this regulation, the charge for the use of a tug shall be the sum of—

“(a) \$200; and

“(b) \$100 for the second and each subsequent hour or part thereof of use.

“(2) Where a tug is used for a special sounding of the bar at the request of the master or owner of any vessel, and the tug is not used for towing that vessel inwards or outwards immediately after the taking of that sounding, there shall be a charge of \$100.

“(3) Where a tug is used during hours that are, in the opinion of the Secretary-Manager, outside normal working hours, the appropriate charge specified in subclause (1) or subclause (2) of this regulation shall be increased by 50 percent.”

**10. Laying-up charges**—(1) The principal regulations are hereby further amended by revoking regulation 64A (as inserted by regulation 5 of the Westport Harbour Regulations 1965, Amendment No. 2, and amended by regulation 8 of the Westport Harbour Regulations 1965, Amendment No. 5), and substituting the following regulation:

"64A. The master, owner, or agent of any vessel that has been laid-up within the Harbour, whether for the purpose of fitting out, repair, or any other purpose, shall, instead of berthage charges, pay to the Department in respect of that vessel a laying-up charge of 3 cents per ton per day or part thereof, whether or not the vessel is moored to a wharf or to any other vessel."

(2) Regulation 5 of the Westport Harbour Regulations 1965, Amendment No. 2 is hereby consequentially revoked.

**11. New regulations substituted**—The principal regulations are hereby further amended by revoking regulation 82 (as substituted by regulation 9 of the Westport Harbour Regulations 1965, Amendment No. 5) and regulation 82A (as inserted by regulation 2 of the Westport Harbour Regulations 1965, Amendment No. 6), and substituting the following regulations:

"82. **Wharfage rates**—Wharfage at the following rates shall be payable to the Department in respect of all goods landed on or shipped from any of the wharves or landing places in the Harbour under the control of the Department:

<i>Description of Goods</i>	\$
Minimum charge, per consignment	0.55
On all goods not otherwise specified—	
Per tonne	1.65
Per cubic metre	1.65
Bulk gravel, per tonne	0.25
Cement, per tonne	1.10
Clinker, per tonne	0.55
Coal, per tonne (for export)	1.10
Gypsum, per tonne	1.21
Logs, per cubic metre	1.50
Returns and bona fide empties	0.25
Timber, sawn—	
Inwards, per cubic metre	1.25
Outwards, per cubic metre	1.50
Vehicles—	
Four-wheeled	11.00
Two-wheeled	4.40

"82A. **Cranage**—For coal shipped at the port, cranage shall be payable to the Department at the rate of \$1.20 per tonne."

**12. Storage charges**—The principal regulations are hereby further amended by revoking regulation 83 (as substituted by regulation 11 of the Westport Harbour Regulations 1965, Amendment No. 3, and amended by regulation 10 of the Westport Harbour Regulations 1965, Amendment No. 5), and substituting the following regulation:

"83. There shall be paid to the Department for the storage of any goods (other than timber) placed in any store or warehouse, or upon

any wharf, in the Harbour and under the control of the Department that are not moved within 12 working hours a storage charge of \$1.10 per tonne per day or part thereof."

**13. Harbour improvement rate**—Regulation 84A of the principal regulations (as inserted by regulation 6 of the Westport Harbour Regulations 1965, Amendment No. 2) is hereby amended by omitting the expression "25c", and substituting the expression "30 cents".

**14. Unauthorised entry on vessel**—The principal regulations are hereby further amended by revoking regulation 98, and substituting the following regulation:

"98. No person shall go on or remain on board, any vessel under the control of the Department without the authority of the Harbour-master."

**15. Revocations**—The following regulations are hereby consequentially revoked:

- (a) The Westport Harbour Regulations 1965, Amendment No. 3:
- (b) The Westport Harbour Regulations 1965, Amendment No. 5:
- (c) The Westport Harbour Regulations 1965, Amendment No. 6.

P. G. MILLEN,  
Clerk of the Executive Council.

---

#### EXPLANATORY NOTE

*This note is not part of the regulations, but is intended to indicate their general effect.*

These regulations increase various charges payable under the principal regulations, and make other minor amendments to those regulations, including changing the basis of ascertaining berthing priority of vessels to the priority of their arrival in the roadstead.

---

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 25 January 1979.

These regulations are administered in the Ministry of Transport.