

*Regulations fixing Dues and otherwise with respect to the Great Barrier Island County Council Wharves at Port Fitzroy and Whangaparapara.*

JELlicoe, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 11th day of April, 1924.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

WHEREAS it is enacted by section two hundred and twenty-six of the Harbours Act, 1923 (hereinafter called "the said Act"), that a Harbour Board shall have power, by by-laws made under the said Act, to do all or any of the things in the said section mentioned within the limits of the harbour, including, amongst other things, power to regulate the use of wharves and other landing-places, and generally regulate the traffic on the same, fix scales of dues, tolls, and charges to be paid for the use of wharves, and fix scales of dues for the storage of goods, and otherwise as mentioned in the said section :

And whereas it is enacted by section nine of the said Act that in harbours where there is no Harbour Board the Governor-General in Council shall have all the powers, functions, duties, and authorities by the said Act conferred upon Harbour Boards, and may exercise the same in accordance with the said Act under regulations to be made in the manner provided in section two hundred and twenty-six :

And whereas there is no Harbour Board in the Great Barrier Island, and it is desirable to make the following regulations with respect to the said harbours and to the wharves and landing-places therein which are under the control of the Great Barrier Island County Council :

Now, therefore, His Excellency the Governor-General of the Dominion of New Zealand, in exercise of the hereinbefore-recited power and authority, and acting by and with the advice and consent of the Executive Council of the said Dominion, doth hereby make the following regulations with respect to the said harbours, and to the wharves and landing-places therein which are under the control of the Great Barrier Island County Council (hereinafter called "the Council").

REGULATIONS.

1. In these regulations, if not inconsistent with the context,—  
"Council" means the Great Barrier Island County Council :

"Boat" means any open, decked, or half-decked boat attached to or used in connection with any ship or other vessel lying in or belonging to or visiting Port Fitzroy and Whangaparapara harbours, and also any such boat used for the purposes of business or pleasure by residents of the district of Great Barrier Island, in which the means of propulsion is either exclusively by oars or partly by oars and partly by sails :

"Master" means and includes the person actually in charge of any vessel, whether or not he is certificated :

"Vessel" means and includes every description of launch or ship, whether used in navigation or in any way kept or used as a hulk or storeship, or for any other purpose whatsoever, whether business or pleasure, and not coming within the above definition of "boat" :

"Wharf" has the same meaning as in the Harbours Act, 1923 :

"Wharfinger" includes every person actually in charge of any wharf for the time being.

2. The master of any vessel loading or discharging at any wharf or jetty shall be deemed accountable for the proper slinging and landing of all goods, and responsible for all damage that may occur either from the breakage of slings or from the goods being improperly slung or improperly handled.

3. It shall be the duty of the master to cause proper tarpaulins to be stretched from the wharf to the vessel loading or discharging as aforesaid, and to be there maintained while cargo or ballast is being handled or shipped.

4. In case any vessel does or causes any damage to any wharf or any part thereof, or to any machinery or building thereon or appertaining thereto, then and in any such case the master of such vessel shall forthwith report the occurrence to the Wharfinger by telegraph, or by at once reporting to the Wharfinger in person, or should there be no Wharfinger, then shall he report to the Council in like manner.

5. Any damage done or caused as aforesaid may be repaired, by the Council, and the cost thereof shall be recoverable by

the Council from the master and owner of any such vessel, or either of them, in any Court of competent jurisdiction.

6. All goods landed on any wharf, or brought thereon for shipment, shall be placed as the Wharfinger or other authorized person directs, and so as to keep all mooring posts or rings free and all rails or tramways clear.

7. Before any vessel or boat is removed from any wharf, the master or other person in charge of the said vessel or boat shall cause all dirt or rubbish to be thoroughly cleared from the portion of the said wharf occupied by such vessel or boat, and to be deposited at such places as may be appointed by the Wharfinger or other person in charge.

8. No boat shall be made fast to any steps or landing-place or so near thereto as to obstruct the approach of other vessels, nor shall any boat lie longer alongside than is required for landing passengers.

9. (a.) No person shall drive, take, or work, or cause to be driven, taken, or worked, any cart, vehicle, or horse on any wharf on which carts, vehicles, or horses are permitted by the Wharfinger or person in charge to be taken at other than a walking-pace.

(b.) If such cart or vehicle is drawn by one horse, the person in charge shall walk at the head of and lead the horse; and no person shall ride on any wharf, but shall dismount and lead his horse.

(c.) Every person driving or taking any vehicle on any such wharf shall remain in attendance thereon, so as to have control of his horse or horses.

10. All watermen, stevedores, carters, and other persons employed on any wharf or any public landing-place shall be under the control of the Wharfinger or other person in charge, and shall obey all orders given by such person in charge.

11. No person shall in any way obstruct or impede traffic on any wharf, nor make use of any provoking, abusive, obscene, or other improper language thereon.

12. (a.) No person shall, otherwise than as specifically permitted by these regulations, obstruct or impede ingress to or egress from any wharf by any vessel, boat, or cable, or in any other way.

(b.) If in breach of this clause any person obstruct or impede ingress or egress as aforesaid, and does not, upon being ordered so to do by the Wharfinger or other person in charge, remove such obstruction, then, irrespective of the penalty to which such person is liable for such obstruction, the officer in charge may remove, cast off, or cut any such obstruction, and may recover the cost of so doing from such person.

13. The Wharfinger shall have power, on authority of the Chairman of Council, to close the wharves, or any of them or any portion thereof, whenever in his opinion it is advisable to do so, and no person shall enter upon any wharf or portion of the wharf so closed without the consent of the Wharfinger.

14. The master of every vessel lying at a wharf shall give way to any mail-steamer, whether discharging cargo or passengers, and shall either vacate his berth or assist the master of the mail-steamer to moor alongside his vessel, and allow the cargo and passengers to be shipped or unshipped over and across the deck of his vessel, as the case may require, under such conditions as the Wharfinger may impose.

15. The master of every vessel, whether carrying passengers or not, when lying alongside any wharf shall fix, and at all times keep fixed, a safe and proper gangway from such vessel to the wharf. Such gangway shall have side rails and stanchions, with ropes rove taut through same, the top rail or rope being not less than 3 ft. high; and he shall also keep a gangway-net properly secured beneath the gangway, and shall at all times throughout the night—that is to say, from sunset to sunrise—show and exhibit a proper light fixed at each gangway, and shall conform to and obey all orders the Wharfinger may give regarding the position, size, and kind of such gangways and lights.

16. The master, owner, or agent of every vessel shall produce the certificate of registry of his vessel, and shall give to the Wharfinger or other person in charge a copy of the bill of lading, freight list, or manifest of the cargo, or other proper accounts of the weights and measurements of all goods according as freight is payable, intended to be unshipped from the vessel on to a wharf, and also of all goods shipped from the wharf on to his vessel.

17. Every person, firm, or company who uses any wharf, jetty, or landing reserve under the control of the Council, and any other wharf that may hereafter come under the control of the Council, for landing or shipping any goods, shall pay to the Council wharf dues as follows:—

	s.	d.
Ballast (ships), per ton .. .. .	1	0
Bricks, per 100 bricks .. .. .	0	3
Butter, up to 3 boxes, per box .. .. .	0	1
Butter, over 3 boxes, per box .. .. .	0	0½