

No. XV.

PILOTAGE AND
HARBOUR DUES.

An Act to amend the Laws for the payment of Pilotage on Shipping and to secure the payment of Harbour and other Dues on Shipping. [31st August, 1847.]

Preamble.

8 Vic. No. 16.

7 Vic. No. 12.

Vessels entitled to exemption from pilotage or reduction thereof to have a white flag flying at main-mast head.

No vessel to be cleared at the Custom House until all wharfage and light-house rates and clearance fees shall have been paid.

WHEREAS by an Act passed by the Governor and Council of New South Wales in the eighth year of the reign of Her present Majesty intituled "*An Act to make further provision for payment of Wharfage Rates and to amend the Laws for the regulation of Shipping in certain cases*" it was amongst other things enacted that the master or commander of every ship or vessel entitled to any reduction or exemption of pilotage under that Act or a certain other Act in the said Act recited shall on arriving within one league of the entrance of any port which he shall intend to enter cause a white flag to be hoisted at the main-mast head and keep the same flying until he shall have entered such port and that the master or commander of any such ship or vessel who shall neglect to have such flag flying as aforesaid and whose ship or vessel shall be boarded by a licensed Pilot in consequence of such neglect shall be subject to the payment of Pilotage Rates in respect of such ship or vessel in the same manner as if a Pilot had been required and employed by him any law or regulation to the contrary notwithstanding And whereas the payment of such pilotage by masters and commanders who neglect to have such flag flying as aforesaid is sometimes evaded by keeping their ships or vessels under sail so as to prevent any Pilot who may have put to sea for the purpose from boarding such ship or vessel Be it therefore enacted by His Excellency the Governor of New South Wales with the advice and consent of the Legislative Council thereof That when and so often as a licensed Pilot shall put to sea or shall proceed towards any such ship or vessel as aforesaid the master or commander whereof shall neglect to have such flag flying as by the said recited Act is required for the purpose of boarding such vessel in consequence of such neglect the said master or commander shall be subject to the payment of Pilotage Rates in respect of such ship or vessel in the same manner as if a Pilot had boarded the said ship or vessel in consequence of such neglect as aforesaid.

2. And whereas certain rates dues and penalties are by various Acts of the Governor and Legislative Council of New South Wales relating to the harbours of the said Colony and the shipping thereat and by the Harbour Regulations framed thereunder by the said Governor and the Executive Council imposed upon vessels entering and departing from the ports and harbours of the said Colony or upon the masters thereof but the payment of such rates dues and penalties

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is inadequately secured Be it therefore enacted That from and after the passing of this Act no vessel shall be cleared at any Custom House within the said Colony until all wharfage and light-house rates and clearance fees payable in respect of such vessel have been paid into the hands of the Collector or other Principal Officer of Customs at the port from which it is intended to clear out such vessel and until the Harbour Master or other officer acting as such thereat shall have granted a certificate which he is hereby required to grant accordingly (which certificate shall be produced to and left at such Custom House) certifying that to the best of his knowledge and information all pilotage and water rates and all harbour dues payable in respect of such vessel have been duly paid and that no penalties have been incurred by the master of such vessel under the provisions of any of the Harbour Acts or Harbour Regulations for the time being in force in the said Colony and applicable to the said port or else that the same have been fully paid or have been secured to be paid in the event of the same being adjudged by due course of law to be payable by such master.

3. And be it enacted That no British ship or vessel which is now exempt by law from the payment of pilotage shall after the first day of October next be entitled to claim such exemption unless upon the arrival of such ship or vessel within one league of the entrance of any port or harbour within this Colony the master or person in charge of such ship or vessel shall in addition to a white flag at the main-mast head hoist on some other conspicuous part of the rigging of the same a signal indicating the port or place from which such ship or vessel shall have arrived according to the numeral pendants used for such purpose by the pilots of the port or place at which such ship or vessel shall arrive.

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