

No. 14. *Harbours and Wharves (Dues and Management)*. 1942.

No. 14—1942.

Harbours and Wharves (Dues and Management).

AN ORDINANCE relating to the imposition of harbour dues and other dues and providing for the control and management of Government wharves and goods traffic in Port-of-Spain harbour.

Commencement.

[1st October, 1942.]

Short title.

1. (1) This Ordinance may be cited as the Harbours and Wharves (Dues and Management) Ordinance, 1942.

(2) Any provisions of this Ordinance which shall conflict with the provisions of any Defence Regulation from time to time in force shall, in so far as they so conflict, be deemed to be suspended during the operation of such Defence Regulation.

Interpretation.

2. (1) In this Ordinance—

“agent” in relation to any vessel, includes the person or firm doing the business of the vessel;

“Basin” means the dredged portion of the harbour of Port-of-Spain abutting on King’s Wharf but does not include the dredged channel leading to such dredged portion;

“cargo” includes all kinds of goods, wares, minerals, merchandise and live stock, but does not include fuel or ship’s stores loaded in or carried by a vessel for use on board such vessel;

“coasting trade” means all trade by sea from any part of the Colony to any other part thereof;

“Comptroller” means the Comptroller of Customs and Excise and includes any officer of the Customs and Excise Department acting under the general or special orders of the Comptroller;

“drogher” means a vessel licensed under the Droghers Ordinance;

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“dues” includes harbour dues, wharf dues, and Basin dues ;

“foreign trade” means all trade by sea other than coasting trade, local trade, or the trade carried on by droghers when carrying cargo between a vessel in any harbour of the Colony and the shore or *vice versa* ;

“goods” includes all kinds of goods, wares, minerals, merchandise and live stock ;

“Grier Channel” means the dredged channel in Port-of-Spain harbour leading to the Basin and extending in a north-easterly direction from a beacon in latitude N. 10° 38' 00" longitude W. 61° 33' 05" and marked out by other beacons ;

“harbour” means any harbour established by Proclamation of the Governor and Vice Admiral under subsection (2) of section 3 of the Harbours Ch. 18. No. 1. Ordinance ;

“King’s Wharf” means the deep water wharf known as King’s Wharf lying to the south of Wrightson Road, Port-of-Spain ;

“local trade” means all trade by sea between any port of the Colony and any port outside the Colony between the equator and latitude 28° North and East of longitude 90° West and West of longitude 50° West ;

“master” includes any person (except a pilot) having or taking the command or charge of any vessel ;

“owner” of a vessel includes any joint or part owner, and a person who, though only the hirer of a vessel, appoints the master and other persons working such vessel, and also includes the agent of the owner ;

“tonnage” means the net tonnage of a vessel as registered or ascertained in accordance with the tonnage regulations of the Merchant Shipping Act, 1894 ;

“tranship” with its grammatical variations and cognate expressions means to forward by or in a vessel cargo which has arrived in the Colony consigned to or addressed to any port or place outside the Colony;

“vessel” includes a boat, ship or vessel of any description;

“wharf premises” means any building or place which—

(a) adjoins or is adjacent to a wharf, quay, dock, pier, jetty, or landing place, situate at Port-of-Spain and controlled or managed by or on behalf of the Government; and

(b) is in the use or occupation of the Government; and

(c) has been declared to be a customs area for the purposes of the Customs Ordinance or is part of any area so declared;

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“wharf” means any wharf, quay, dock, pier, jetty or landing place, situate at Port-of-Spain and controlled or managed by or on behalf of the Government; and “wharf” and “King’s Wharf” include all wharf premises used in connection therewith;

“Wharf Superintendent” means the officer appointed by the Governor to control and regulate the wharves and includes any person acting under the general or special orders of the Wharf Superintendent.

(2) (a) A vessel shall not be deemed to be engaged in coasting trade at any particular time unless such vessel has been solely engaged in such trade during the preceding six months.

(b) A vessel shall not be deemed to be engaged in local trade at any particular time if, during the preceding six months, it has remained out of the territorial waters of the Colony for more than sixty days on any one occasion or if it has called at a port outside the area referred to in the definition of the expression “local trade”.

3. Harbour dues shall be paid in accordance with the provisions of this Ordinance in respect of any vessel, not being a drogher or a vessel the tonnage of which does not exceed ten tons, which enters or uses any harbour in the Colony or which loads or unloads cargo at any harbour, port or place in the Colony. Harbour dues to be paid.

4. (1) Harbour dues shall be calculated as follows:— Calculation of harbour dues.

(a) where no cargo is loaded or unloaded, the harbour dues shall be one dollar if the tonnage of the vessel does not exceed sixty tons and two dollars and forty cents if the tonnage of the vessel exceeds sixty tons;

(b) where cargo is loaded, or unloaded, the harbour dues shall be at the rates set forth in Schedule I hereto in the case of cargo described in that Schedule and at the rate of eight cents per ton in the case of other cargo: Provided that the minimum harbour dues under this paragraph shall be one dollar in the case of vessels the tonnage of which does not exceed sixty tons and two dollars and forty cents in the case of vessels the tonnage of which exceeds sixty tons. Schedule 1.

(2) In the case of vessels the tonnage of which exceeds ten tons but does not exceed two hundred tons, commuted harbour dues may, at the option of the owner or master thereof, be paid at the time of arrival in any harbour, port or place in the Colony in accordance with the scale set out below, and the payment of such commuted harbour dues shall be in lieu of any other harbour dues leviable in such harbour, port or place, in respect of such vessel until the time of its departure therefrom.

The Scale.

Vessels exceeding 10 tons and not exceeding	20 tons	shall pay	\$1.50
„ 20	„ 30	„	2.00
„ 30	„ 40	„	2.50
„ 40	„ 50	„	3.00
„ 50	„ 60	„	4.00
„ 60	„ 75	„	6.00
„ 75	„ 100	„	7.50
„ 100	„ 125	„	10.00
„ 125	„ 150	„	12.50
„ 150	„ 175	„	15.00
„ 175	„ 200	„	17.50

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to be paid.

5. (1) Wharf dues (in addition to harbour dues) shall be paid in accordance with the provisions of this Ordinance in respect of any vessel in Port-of-Spain harbour the tonnage of which exceeds ten tons and which loads or unloads cargo passing over, or deposited on, a wharf. Save as otherwise provided in this section, the wharf dues leviable and payable under this subsection shall be calculated in accordance with Schedule I hereto in the case of cargo described therein and in accordance with Schedule II hereto in the case of other cargo.

Schedule I.

Schedule II.

(2) When a vessel (the tonnage of which exceeds ten tons but does not exceed one thousand tons) berthed at any wharf would not be liable to wharf dues under subsection (1) or would be liable in respect of wharf dues computed in accordance with the provisions of that subsection for a lesser sum than that indicated in the scale set out below, wharf dues shall be paid in accordance with that scale.

The Scale.

Vessels exceeding 10 tons but not exceeding	20 tons shall	pay	\$3.00
„ 20 „ „ „	40 „ „	„	5.00
„ 40 „ „ „	60 „ „	„	7.00
„ 60 „ „ „	100 „ „	„	9.00
„ 100 „ „ „	150 „ „	„	10.00
„ 150 „ „ „	300 „ „	„	15.00
„ 300 „ „ „	400 „ „	„	20.00
„ 400 „ „ „	500 „ „	„	30.00
„ 500 „ „ „	750 „ „	„	50.00
„ 750 „ „ „	1,000 „ „	„	75.00

(3) When a vessel (the tonnage of which exceeds one thousand tons) berthed at King's Wharf would not be liable to wharf dues under subsection (1) or would be liable in respect of wharf dues computed in accordance with the provisions of that subsection for a lesser sum than one hundred dollars, minimum wharf dues of one hundred dollars shall be paid and will entitle such vessel to occupy a berth for not more than twenty-four hours. Additional wharf dues of ten dollars per hour or part thereof shall be paid for every hour, or part thereof, in excess of twenty-four hours, in respect of vessels liable for the payment of the minimum wharf dues under this subsection.

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(4) When a vessel in Port-of-Spain harbour loads or unloads, from or into a drogher or other craft, cargo passing over or deposited on any wharf, the wharf dues in respect of such cargo shall be due and payable by the said vessel and not by the drogher or other craft.

6. (1) In the case of any vessel (not being a drogher) berthed at King's Wharf or moored or anchored in the Basin, Basin dues (in addition to harbour dues and to any wharf dues which may be payable) shall be paid on—

- (a) cargo loaded into the vessel from another vessel or loaded from the vessel into another vessel, being cargo which has passed or passes over a wharf; and
- (b) oil (to be used for the propulsion of the vessel) loaded into the vessel from another vessel; and
- (c) water taken into the vessel from water boats or other vessels.

(2) The Basin dues payable under paragraph (a) of subsection (1) shall be calculated in accordance with Schedule I hereto in the case of cargo described in that Schedule and at the rate of twenty-five cents per ton in the case of other cargo.

(3) The Basin dues payable under paragraph (b) of subsection (1) shall be calculated at the rate of ten cents per ton but subject to a maximum of fifteen dollars on any occasion.

(4) The Basin dues payable under paragraph (c) of subsection (1) shall be calculated at the rate of twenty-five cents per ton.

7. (1) No dues under this Ordinance shall be payable on live poultry or game, or on Post Office letter and parcel mail.

(2) Whenever harbour or wharf dues have been paid in respect of an importing vessel on cargo unloaded for transshipment in pursuance of a transshipment entry, or whenever cargo is re-exported under bond in pursuance of an entry for warehousing for exportation only, no harbour or wharf dues shall be charged to the exporting

vessel in respect of the loading of the whole or any part of that cargo: Provided that, in the case of molasses unloaded for transshipment or re-exported as aforesaid, harbour dues and wharf dues shall be payable in respect of the loading of the molasses for shipment or re-export and not in respect of the unloading of the molasses from the importing vessel and shall be charged to the exporting vessel.

(3) If any vessel in respect of which harbour dues have been paid be obliged from stress of weather or other sufficient cause, after leaving a harbour, port or place in the Colony, to return with the same cargo to a harbour, port or place in the Colony, harbour dues shall not, by reason of such return, again be payable by the vessel in respect of that cargo: Provided that this subsection shall be without prejudice to the obligation to pay the minimum harbour dues specified in section 4.

(4) It shall be lawful for the Governor in Council by order, in any special case or class of case, to remit, reduce, direct refunds of, or grant exemptions from, the whole or any part of any dues, fees or charges payable under this Ordinance or any bye-laws made thereunder.

Method of
assessment of
tonnage.

Schedule III.

8. (1) Tonnage of goods for the purpose of the calculation of dues, and for the purpose of the calculation of charges payable under the bye-laws made under this Ordinance unless otherwise provided therein, shall be assessed at forty cubic feet or twenty hundredweights (avoirdupois) to the ton, whichever method yields the higher figure: Provided that, in the case of cargo described in Schedule III hereto, the tonnage may, in the absolute discretion of the Wharf Superintendent, be calculated in accordance with that Schedule; and provided further that the tonnage assessment for the purposes of the payment of freight may, in the absolute discretion of the Wharf Superintendent, be accepted by him if the amount of the dues or charges, as the case may be, calculated on that basis would, in his opinion, be not less than seventy-five per centum of the amount of the dues or charges, as the case may be, calculated under the preceding provisions of this subsection,

(2) In estimating tonnage for the calculation of dues, a fraction of a ton which is not less than half a ton shall count as a ton and a fraction of a ton which is less than half a ton shall be disregarded.

9. The master of every registered or licensed vessel shall, on demand, produce the certificate of registry or licence, as the case may be, of such vessel to the Wharf Superintendent; and if any such master refuse or neglect so to do, he shall be liable, on summary conviction, to a fine of one hundred dollars.

Master to produce certificate of registry.

10. (1) All dues shall be paid to the Wharf Superintendent and the owner and master of the vessel in respect of which they are payable shall be jointly and severally liable to pay the same.

General provisions as to dues and charges.

(2) Unless, in the case of a vessel engaged in foreign or local trade, the Wharf Superintendent shall have granted extension of time, a dues account, in the form approved by the Wharf Superintendent for use from time to time and certified by the owner or master of the vessel, shall be rendered to the Wharf Superintendent in triplicate by the owner or master of every vessel which enters or uses any harbour, port or place in the Colony before the vessel is ready to clear, and all dues shall be paid before clearance is effected: Provided that, as regards commuted harbour dues payable under subsection (2) of section 4, the dues account shall be rendered, and the commuted dues shall be paid, forthwith on the arrival of the vessel at any harbour, port or place; and provided further that, subject to the immediately preceding proviso, when a vessel remains in a harbour, port or place for twenty-one days or more, a dues account of the dues calculated up to the end of the first and each succeeding period of twenty-one days in which the vessel so remains shall be rendered as aforesaid, and the dues so calculated shall be paid, on the day following the end of each such period.

(3) No clearance or authority for departure shall be granted under the Customs Ordinance in respect of any vessel unless the Wharf Superintendent has stated in writing that all dues, and all charges leviable under the bye-laws

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made under this Ordinance, which are payable to him in respect of that vessel have been paid or that, in the case of a vessel engaged in foreign or local trade, arrangements have been made in that connection which are acceptable to him.

(4) Without prejudice to any other method of recovery, all dues and all charges leviable under the bye-laws made under this Ordinance shall be recoverable by the Wharf Superintendent by action in any court of competent jurisdiction.

Penalty.

11. (1) If, in the case of any vessel, a dues account shall not be rendered in accordance with section 10, the owner or master thereof shall be liable on summary conviction to a fine of four hundred and eighty dollars.

(2) If any dues account be false or incorrect in any material particular, then the person who certified the account shall, unless he proves that he had taken all reasonable steps to guard against such falsity or incorrectness, be liable on summary conviction to a fine of four hundred and eighty dollars; or to imprisonment for six months, or to both such fine and imprisonment.

Disputes as to kinds, quantities, or tonnage of goods.

12. (1) If any difference shall arise between the Wharf Superintendent and the owner of any goods or other person liable under this Ordinance or the bye-laws made thereunder to pay dues or charges in respect thereof concerning the kinds, quantities, or tonnage of the goods, the Wharf Superintendent may cause such goods to be weighed, measured or examined, as the case may be, and for this purpose the goods shall, if required by either party to the difference, be landed at a convenient wharf or place.

(2) If the tonnage or quantity of any goods in respect of which dues or charges are payable as aforesaid is greater than that alleged by the owner of the goods or other person liable to pay the dues or charges or set forth in any manifest, bill of lading, dues account or other document delivered to the Wharf Superintendent by the owner of the goods or by such other person, or if the description of the goods is other than that so alleged or set forth, the expenses of the landing and delivery, weighing, measuring or examination,

as the case may be, shall be paid to the Wharf Superintendent by the owner of the goods or by such other person and shall be recoverable by the Wharf Superintendent by action in any court of competent jurisdiction. If the tonnage or quantity of such goods shall be the same as or less than that so alleged or set forth, or if the description of the goods is the same as that so alleged or set forth, the Wharf Superintendent shall pay the expenses of such landing and delivery, weighing, measuring or examination and shall also pay to the owner of the goods or to such other person the expenses occasioned by such landing and delivery, weighing, measuring or examination, as the case may be.

13. There shall be paid to the issuing officer for each certificate issued under section 4 of the Droghers Ordinance in respect of a drogher of ten tons and upwards a fee calculated at the rate of eighty cents per ton or part of a ton.

Fee for drogher's certificate, Ch. 18. No. 8.

14. All dues, fees, charges and other sums collected or received under this Ordinance and the bye-laws made thereunder, shall be paid by the officers collecting or receiving the same into the Treasury to the credit of the Port-of-Spain Wharves.

Dues, &c., to be paid into Treasury to account of Port-of-Spain Wharves.

15. (1) The owner of any vessel shall be and is hereby made answerable for all damage done by such vessel or by any person employed in or about the same by any means whatsoever to any of the wharves or to the Grier Channel or Basin, and the master of any such vessel through whose wilful act or negligence any such damage is done shall also be answerable for the same. The Wharf Superintendent may detain any such vessel until sufficient security has been given for the amount of damage done.

Persons answerable for damage to wharves, &c.

(2) The amount of any such damage may be recovered by the Wharf Superintendent from the owner, or in appropriate cases from the master, of any such vessel by action in any court of competent jurisdiction but without prejudice to the right of the owner to recover the amount of all damage and costs paid by the owner under the provisions of this section from any person so employed by whom such damage was done.

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Government

16. (1) Save as hereinafter provided, Government shall be under the same liability as if it were a private individual for any loss, damage or injury caused by any act or default of the Wharf Superintendent or of persons employed under him and subject to his exclusive control or of persons employed on board any tug in the service of Government : Provided that—

- (a) Government shall in no case be liable for any loss, damage or injury which is not proved to have resulted directly from some wilful act or negligence of the Wharf Superintendent or of such other person as aforesaid ;
- (b) Government shall in no case be liable for any loss, damage or injury occasioned, in the course of the use of a tug in the service of Government, by accident, collision of tug or tow, defect or imperfection in machinery or ropes, or stoppage or slackness of speed however occasioned ;
- (c) Government shall in no case be responsible for any loss of, or damage or delay to vessels or goods caused by deficiency or inadequacy of structures, equipment or labour ;
- (d) the liability of Government under this section shall be subject to such limitations and restrictions as may be generally or specially prescribed by bye-laws made under this Ordinance.

(2) Neither the Wharf Superintendent nor any person employed under him and subject to his exclusive control nor any person employed on board any tug in the service of Government shall be liable for loss, damage or injury caused by his act or default unless, in the terms of this section, Government would also be liable for that loss, damage or injury.

Obstructions.

17. Whenever any vessel is sunk or stranded in the Grier Channel or in the approaches thereto or in the Basin or near any wharf, the Wharf Superintendent may cause such vessel to be raised or to be blown up or otherwise destroyed so as to clear the said Channel or the approaches thereto or the Basin or the approaches to any wharf, as the case may be, and the Wharf Superintendent may

recover by action in any court of competent jurisdiction from the person being the owner of such vessel at the time of the sinking or stranding thereof all expenses incurred by him in or in connection therewith or in raising or saving any furniture, tackle and apparel of the said vessel or any goods, chattels and effects raised or saved from such vessel or in watching or controlling such vessel: Provided always that the Wharf Superintendent may, if he thinks fit, and shall if so required by such owner, cause any such vessel, furniture, tackle, apparel, goods, chattels and effects, or any part of the same, respectively so raised or saved as aforesaid to be sold in such manner as he thinks fit and out of the proceeds of such sale may deduct any such expenses and shall hold the surplus, if any, of such proceeds in trust for the persons entitled thereto, and in case such proceeds shall be insufficient to cover such expenses the deficiency shall be paid to the Wharf Superintendent by such owner upon demand and in default of payment may be recovered as aforesaid: Provided further that the powers herein conferred on the Wharf Superintendent shall be in addition to and not in derogation of any power vested in the Harbour Master by the Harbours Ordinance, or any other enactment. Ch. 18. No. 1.

18. (1) Any offence against this Ordinance or against the bye-laws made thereunder may be prosecuted by the Attorney General, or by a member of the Police Force or by the Wharf Superintendent or by any officer deputed by the Wharf Superintendent; and proceedings in respect of any such offence may, notwithstanding anything to the contrary in the Summary Courts Ordinance, be commenced at any time within seven years or one year respectively after the date of the offence, according as the offence is an offence against the Ordinance or an offence against the bye-laws made thereunder. Legal proceedings. Ch. 3. No. 4.

(2) Where any Magistrate by virtue of this Ordinance, or of the bye-laws made thereunder, makes an order directing payment of any fine by the owner or master of a vessel, and payment is not duly made, the Magistrate who made the order, or any other Magistrate having the same jurisdiction, may (in addition to any power which he

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may have for the purpose of compelling payment) direct the amount unpaid to be levied by distress and sale of the vessel, and the tackle, apparel and furniture belonging thereto, or any part thereof.

(3) Without prejudice to any other method of recovery, all dues, fees, charges and other sums, whether ascertained or otherwise, which may be payable under this Ordinance and the bye-laws made thereunder shall be recoverable as claims of the Crown.

(4) Any summons or other document in any proceeding instituted under or by virtue of this Ordinance or the bye-laws made thereunder may, in addition to any other mode of service, be served by being left for the person to be served on board any vessel to which he belongs with the person being or appearing to be in command or charge of the vessel.

Recovery of
dues, &c.,
by distraint
and sale.

19. Without prejudice to any other provisions of this Ordinance or the bye-laws made thereunder—

- (a) If the owner or master of any vessel in respect of which, or of services to which, dues, charges or other sums are payable under the provisions of this Ordinance or the bye-laws made thereunder refuse or neglect to pay the same, or any part thereof, the Wharf Superintendent may, with such assistance as he may deem necessary, go on board of such vessel and demand such dues, charges or other sums and, on non-payment thereof or of any part thereof, take, distraint, or arrest, of his own authority, such vessel, and the tackle, apparel, and furniture belonging thereto, or any part thereof, and detain the matters so distrained or arrested until the dues, charges or other sums are paid; and in case any of the said dues, charges or other sums shall remain unpaid for the space of seven days next after any distress or arrestment so made, the Wharf Superintendent may cause the matters so distrained or arrested to be appraised by two or more appraisers, and afterwards cause the matters

distrained or arrested, or any part thereof, to be sold, and with the proceeds of such sale may satisfy the dues, charges or other sums so unpaid, and the expenses of taking, keeping, appraising, and selling the matters so distrained or arrested, rendering the surplus (if any) to the owner or master of such vessel upon demand ;

- (b) if default be made in the payment of any charges or other sums (not being dues) payable under this Ordinance or the bye-laws made thereunder in respect of any goods or of any services rendered in relation to any goods, the Wharf Superintendent may distrain or arrest, of his own authority, such goods, and for that purpose may enter any vessel in which the goods may be, with such assistance as he shall deem necessary, or, if the said goods have been removed without payment of such charges or other sums as aforesaid, he may distrain or arrest any other goods belonging to the person liable to pay such charges or other sums as aforesaid, and may sell the goods so distrained or arrested, (first paying the Customs duties, if any, payable in respect of the goods) and out of the proceeds of such sale, after retaining the amount so paid, may satisfy the amounts due under the bye-laws and the expenses of taking, keeping, and selling the goods so distrained or arrested, and in the next place, if the Wharf Superintendent has received notice in writing that the freight due on the goods is unpaid, he shall retain and pay on demand to the person entitled thereto the amount of the freight due on the goods or so much thereof as the money in his hands will admit, rendering on demand the surplus (if any) of the proceeds and the unsold goods (if any) to the person appearing to him to be entitled thereto ;
- (c) if any dispute shall arise concerning the amount of any dues, charges or other sums as aforesaid, or the charges occasioned by any

distress or arrestment, the Wharf Superintendent may, after making such distress or using such arrestment, detain the goods distrained or arrested until the amount due be ascertained by a Magistrate who, upon application made to him for that purpose, shall determine the same and award such costs to be paid by either of the parties to the other of them as he shall think reasonable, and such costs, if not paid on demand, shall be levied by distress and sale, and such Magistrate shall issue his warrant accordingly.

Sale of
perishable
goods.

20. (1) With respect to all goods of a perishable nature deposited and lodged with him, the Wharf Superintendent may, if he thinks fit, sell any such goods at any time when in his judgment the goods would be materially lessened in value by being retained by him and whether or not he has notice of the non-payment of freight claimed on the goods or notice to retain the same.

(2) When the Wharf Superintendent so sells any such perishable goods, he shall apply the proceeds of the sale so far as they suffice, in the first place in payment of the Customs duties (if any) payable in respect of the goods and in the next place in payment of the amounts due and payable to the Wharf Superintendent in respect thereof or of any services rendered in relation thereto, and the expenses of the sale, and in the next place, if the Wharf Superintendent has been duly served with notice in writing of the claim for freight in respect of the goods (but not otherwise) in payment of the freight, rendering on demand the surplus (if any) of the proceeds of the unsold goods (if any) to the person appearing to him to be entitled thereto.

Notice of
intention to
sell vessels
or goods.

21. Before selling (except in case of emergency) any vessel or goods under the powers contained in this Ordinance or the bye-laws made thereunder, the Wharf Superintendent shall give to the owner of any vessel or the owner or consignee of any goods forty-eight hours' notice of his intention to sell the same by posting a prepaid letter addressed to such owner or consignee at the place (if any)

in the Colony where he carries on business or at his last known place of abode in the Colony or if such owner or consignee or his last place of business or abode should not be known to the Wharf Superintendent then before selling any vessel or goods as aforesaid a like notice shall be exhibited by the Wharf Superintendent for forty-eight hours at the head office of the said Superintendent.

22. (1) It shall be lawful for the Governor in Council to make bye-laws for the better carrying out of the provisions of this Ordinance, for regulating and controlling the use of any wharf, and for the due government of any wharf. Power to make bye-laws.

(2) Without prejudice to the generality of the powers conferred by subsection (1), bye-laws under this section may be made to—

- (a) prescribe any matters authorised by this Ordinance to be prescribed ;
- (b) provide for regulating the berthing of vessels at wharves and prescribe conditions for such berthing ;
- (c) prescribe the rules to be observed by the owners or masters or both of vessels, and by the crews of vessels, and by persons on board vessels, when approaching or leaving wharves or when berthed at wharves ;
- (d) prescribe the measures to be taken, and the rules to be observed, by the owners, masters and crews of vessels when in any harbour or in any specified part of any harbour or when berthed at a wharf, to ensure protection of life and safety ;
- (e) regulate the loading, unloading, handling, receiving, storing and delivery of goods at wharves ;

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- (f) classify dangerous goods and regulate, and prescribe conditions attaching to, the carriage, loading, unloading, handling, receiving, storing and delivery of the goods so classified, and of other goods possessing dangerous properties, at wharves or on board vessels berthed at any wharf ;
- (g) regulate access to wharves or any parts of wharves and provide for making charges for admission to wharves or parts of wharves ;
- (h) ensure good order and the protection of life and property on wharves ;
- (i) prescribe the circumstances in which vessels shall shift or change their berths or leave their berths and provide for making charges by the Wharf Superintendent against vessels which fail to leave their berths in circumstances in which they should do so ;
- (j) prescribe charges for towage and other services rendered by Government tugs and other craft ;
- (k) prescribe charges for all services whatsoever rendered by the Wharf Superintendent whether in respect of vessels or goods or the supply of labour or the supply of fresh water or other commodities or the use of equipment ;
- (l) prescribe circumstances in which expenses incurred by the Wharf Superintendent can be recovered ;
- (m) prescribe the persons liable to pay charges and expenses and regulate the incidence of such liability and the method of recovering charges and expenses.

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(3) Bye laws under this section may make provisions of general or special application and may make different provisions in different classes of cases.

(4) Bye-laws made under this section may provide for the imposition on offenders against the same of penalties not exceeding a fine of two hundred and forty dollars or imprisonment for three months or both such fine and imprisonment to be imposed on summary conviction.

(5) Bye-laws made under this section shall have effect notwithstanding anything to the contrary in the Petroleum Ordinance or the Explosives Ordinance. Ch. 26. No. 2. Ch. 30. No. 4.

(6) Bye-laws made under this section shall not have force and effect until they have been approved by resolution of the Legislative Council: Provided that until varied or revoked by other bye-laws, the bye-laws set forth in Schedule IV hereto shall be in force and shall be deemed to have been duly made and approved in accordance with the provisions of this Ordinance. Schedule IV.

23. The provisions of the Customs Ordinance in relation to the liability of Government, or of any officer or servant of Government, for loss of, or damage to, goods shall not apply in relation to goods while handled by, or in the custody of, the Wharf Superintendent, but, save as above, nothing in this Ordinance or the bye-laws made thereunder shall prejudice the operation of the Customs Ordinance. Operation of the Customs Ordinance. Ch. 32. No. 2.

24. Upon the coming into force of this Ordinance, the Harbour Dues Ordinance and the Quays and Wharves Regulation Ordinance shall be deemed to be repealed and all bye-laws and proclamations under the said Ordinances shall be deemed to be rescinded. Repeal and rescission. Ch. 18 No. 2. Ch. 18. No. 4.

No. 14. *Harbours and Wharves (Dues and Management).* 1942.SCHEDULE I. (Sections 4, 5 and 6)
LIVE ANIMALS AND BIRDS.

Description of cargo.	Harbour Dues per head.	Wharf Dues per head passing over King's Wharf.
	\$ c.	\$ c.
Horses	20	1 00
Ponies	20	1 00
Mules	20	1 00
Donkeys	20	1 00
Cattle	05	24
Wild animals	10	50
Sheep	02	10
Goats	02	10
Pigs	02	10
Dogs	02	10
Cats	02	10
Birds other than poultry ...	02	10

One-half of the Wharf Dues enumerated in this Schedule shall be payable in the case of animals or birds mentioned in this Schedule which pass over any wharf in Port-of-Spain other than King's Wharf.

Basin Dues, in the case of animals or birds mentioned in this Schedule shall be one-half of the Wharf Dues leviable under this Schedule in respect of such animal or bird.

SCHEDULE II. (Section 5)

WHARF DUES.

- (1) In the case of vessels unloading cargo into or loading cargo from droghers or other craft, when such cargo passes over or is deposited on any wharf, the dues shall be 25c. per ton of cargo.
Provided that in the case of vessels loading molasses from droghers or other craft, the dues shall be 15c. per ton of molasses.
- (2) In the case of vessels engaged in foreign trade berthed at the King's Wharf, the dues shall be as follows:—
Unloading direct from vessel to Wharf or vehicles:
General cargo 40c. per ton of cargo.
Coal, coke or patent fuel 30c. do.
Lumber (500 board feet to ton) 40c. do.
Transshipment cargo 40c. do.
Loading direct from Wharf or vehicles to vessel:
General cargo and lumber 25c. per ton of cargo.
Transshipment cargo Free.
Molasses 25c. per ton of cargo.
- (3) In the case of vessels engaged in foreign trade loading or unloading when berthed at any wharf at Port-of-Spain, except King's Wharf, the dues shall be 25c. per ton of cargo.
- (4) In the case of vessels engaged in coasting or local trade loading or unloading when berthed at any wharf at Port-of-Spain, the dues shall be 25c. per ton of cargo.

SCHEDULE III.

(Section 8)

WHARF DUES, HARBOUR DUES AND BASIN DUES.

Description of animal or merchandise.	Unit.	No. of Unit per ton.
Charcoal (in bags)	1 bag	20
Cocoa (in bags)	1 bag	10
Coconuts (loose)	1 nut	1,000
(in bags of 80 nuts)	1 bag	12
Copra (in bags)	1 bag	12
Corn (in bags)	1 bag	14
Cylinders (empty gas)	1 cylinder	15
Drums (empty gasolene)	1 drum	8
Fruit : Grapefruit (per crate)	1 crate	25
Oranges (per crate)	1 crate	20
Oranges (per tierce)	1 tierce	8
Bananas	1 count	50
Garlic : in crates	1 crate	18
in bags	1 bag	30
Ground Provisions (in tierces)	1 tierce	6
Hides (dry)	1 hide	100
Horse Box (empty)	1 box	1
Liquids of any description	1 gallon	240
Mineral waters	1 bottle	240
Molasses	1 gallon	160
Rice (in bags)	1 bag	14
Vegetables (Fresh) :		
Plantains (in bunches)	1 bunch	75
(in tierces)	1 tierce	6
(loose)	1 plantain	3,000
Onions : Madeira (in crates)	1 crate	18
Other (in crates)	1 crate	30
In bags	1 bag	40

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SCHEDULE IV.

(Section 22)

BYE-LAWS MADE BY THE GOVERNOR IN EXECUTIVE COUNCIL UNDER THE PROVISIONS OF THE HARBOURS AND WHARVES (DUES AND MANAGEMENT) ORDINANCE, 1942.

- Short title. 1. These bye-laws may be cited as the Management of Wharves Bye-Laws, 1942.
- Interpretation. 2. (1) In these bye-laws, unless the context otherwise requires :—
- “ballast” includes any kind of stone, gravel, sand, soil and any material commonly used for the ballasting of vessels ;
 - “berth” means a position alongside any wharf, and any vessel fastened or moored alongside any wharf shall be deemed to be occupying a berth ;
 - “berthing” includes any act or operation which is performed or carried out in connection with the occupation of a berth by any vessel ;
 - “dangerous goods” means any goods mentioned in Schedule B hereto ;
 - “goods” includes all kind of goods, wares, merchandise, minerals and live stock ;
 - “Government” includes any officer or servant of the Government ;
 - “Harbour Master” means the Harbour Master of Port-of-Spain and includes any person acting under the instructions of the Harbour Master ;
 - “list of dangerous goods” means the list in Schedule B hereto ;
 - “Ordinance” means the Harbours and Wharves (Dues and Management) Ordinance, 1942 ;
 - “owner” in relation to goods includes any person who is for the time being entitled, either as owner or as agent for the owner, to the possession of those goods ;
 - “package” includes any form of container ;
 - “Tariff” means the table of charges set forth in Schedule C hereto ;
 - “vehicle” has the meaning assigned to it in the Motor Vehicles and Road Traffic Ordinance.
- Ch 16. No. 3.

(2) The terms defined in the Ordinance shall, when used in these bye-laws, have the respective meanings assigned to them by the Ordinance.

Management and Berthing of Vessels.

Application for allocation of berth.

3. (1) No vessel shall be berthed at any wharf unless a written application has been made in Form 1 of Schedule A hereto by the owner or master of such vessel to the Wharf Superintendent and the provisional allotment of a berth has been notified by the Wharf Superintendent in Form 2 of Schedule A hereto and confirmed on arrival of the vessel.

(2) Any incomplete, false or incorrect declaration contained in an application for a berth shall be deemed a contravention of these bye-laws.

(3) Should it be required to berth a vessel after 6 p.m. on any day, due notice shall be given to the Wharf Superintendent by the owner or master of the vessel before 4 p.m. : Provided that if the berthing is to be effected on a Sunday or public holiday, due notice shall be given before 4 p.m. on the week day (not being a public holiday) next preceding such Sunday or public holiday.

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(4) The allotment of a berth to a vessel may be made subject to the condition, to be stated therein, that specified dangerous goods or goods possessing dangerous properties be removed from the vessel before it berths, and any such condition shall be duly complied with as regards the vessel.

4. The master of any vessel berthed at any wharf shall lift anchor or slacken cable when required to do so by the Harbour Master or the Wharf Superintendent. Anchors to be lifted when required.

5. A vessel shall be berthed, and taken from a berth, at a wharf and moved at a wharf, by the master and crew thereof, assisted in appropriate cases by a pilot. Vessel to be berthed by master.

6. All vessels using the wharves shall use their own hauling lines, hawsers, mooring chains and mooring gear, and shall, on being required by the Wharf Superintendent to do so, provide suitable fenders of such material as will float. Moorings and fenders.

7. Masters of vessels berthed at any wharf shall not allow fires to be drawn without the permission of the Wharf Superintendent and shall keep such vessels so equipped, provided, loaded or ballasted, as to allow of their being moved at six hours' notice. Vessels to be ready to move.

8. All vessels at or near any wharf shall be deemed to be in charge of their owners and masters. No order, instruction or direction given by the Wharf Superintendent shall in any case place any responsibility upon Government or any officer or servant of the Government with respect to the security or safety of any such vessel. Vessels in charge of masters.

9. The Wharf Superintendent may order the master of a vessel at any wharf to remove such vessel from any berth at which such vessel lies to any other berth, or to alter the position of a vessel at any berth at which such vessel lies, and such order shall be carried out by the master as directed unless he establishes that the carrying out of such an order would endanger the safety of the vessel or of other vessels. Alteration of berths.

10. (1) A vessel berthed at any wharf shall work to capacity from 7 a.m. to 11.30 a.m. and from 12.30 p.m. to 5 p.m. on all days except Sundays and public holidays, and, if called upon so to do by the Wharf Superintendent, such vessel shall continue work at the same rate from 6 p.m. to 10 p.m. In default of compliance with this paragraph the master of the vessel may be ordered by the Wharf Superintendent to vacate the berth occupied by the vessel and shall carry out such order within six hours after the giving thereof unless he establishes that the carrying out of the order as aforesaid would endanger the safety of the vessel or of other vessels. Vessel may be ordered to leave wharf.

(2) When a vessel which is berthed at any wharf has completed or suspended loading or unloading cargo, the master thereof shall, if ordered so to do by the Wharf Superintendent, vacate the berth occupied by the vessel within six hours after the giving of the order unless he establishes that the carrying out of the order as aforesaid would endanger the safety of the vessel or of other vessels; and in default of so doing, without prejudice to any other penalty, the vessel shall be liable to a charge of one-fourth of a cent per net registered ton per hour or part of an hour during which the vessel remains at the berth after the expiration of such six hours: Provided that the charge aforesaid shall not apply in respect of vessels liable to pay wharf dues at the rate set out in section 5 (3) of the Ordinance.

11. Exhaust steam, water or other discharge from a vessel shall be led down the side of such vessel by a hose or other effective appliance to below the coping of the wharf at which such vessel is berthed. All water and steam Exhaust steam, filth,

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pipes shall be efficiently screened. No refuse, filth or excreta shall be discharged from any discharge pipe, water closet or latrine upon any portion of a wharf. Without prejudice to any other liability, any damage caused by any such act shall be recoverable by the Wharf Superintendent from the owner, or master of such vessel by action in any court of competent jurisdiction.

Pumping oil,
spirits.

12. No oil, spirit or inflammable liquid shall be pumped or discharged from any vessel or tank into the waters of any harbour or in the vicinity of any wharf, or upon any wharf.

Disposal of
rubbish,
ashes.

13. No dirt, ashes or rubbish of any description shall be deposited on any wharf. Without prejudice to any other liability, any expenses incurred by the Wharf Superintendent in removing any dirt, ashes or rubbish, or in cleansing the wharf, may be recovered by him from the owner or master of the vessel depositing the same on the wharf by action in any court of competent jurisdiction.

Projections
to be
removed.

14. The master of any vessel with any of its boats swung outwards or having its anchors or other projections so placed as to be likely to interfere with such vessel or any other vessel loading, discharging or berthing at any wharf, shall take such steps as may be directed by the Wharf Superintendent to prevent any such interference.

Gangway,
lights,
hatchway,
guards.

15. (1) Owners and masters of vessels berthed at any wharf shall provide—

- (a) all gangways with manropes, lifebuoys and lines, and, from sunset to sunrise, with suitable lanterns or lights;
- (b) all hatchways and openings with manropes or such appliances as may be necessary for the convenience and safety of persons;
- (c) all chains, hawsers or ropes extending from vessel to wharf with effective rat-guards.

(2) The master of a vessel shall secure the proper and efficient lighting of those parts of the vessel where work is proceeding.

Inflammable
material used
for repairs,
&c.

16. No combustible matter such as pitch, tar oil, resin, or other inflammable materials shall on any account be melted on board any vessel at any wharf, except in such manner and in such place as may be appointed by the Wharf Superintendent; nor shall any pitch, tar, flax, oakum, straw, shavings or other inflammable or combustible article be allowed to remain on the deck of any vessel, or to be deposited on the wharves or approaches thereto.

Trying
engines.

17. The master shall not try the engines of a vessel berthed at any wharf unless he has—

- (a) obtained permission of the Wharf Superintendent; and
- (b) given reasonable notice to the masters of other vessels berthed at or manoeuvring in the vicinity of such wharf.

Commencing
work.

18. The owner or master of every vessel shall give notice to the Wharf Superintendent of his intention to load or unload before such work is commenced. The master of any vessel berthing at a wharf shall not cause or allow the work of loading or unloading to commence until such vessel is securely berthed at the berth allotted by the Wharf Superintendent.

Special pro-
vision as to
vessels berthed
at King's
Wharf.

19 (1) All vessels berthed at King's Wharf shall unload all goods destined for Port-of-Spain on King's Wharf: Provided that the Wharf Superintendent may in his discretion grant permission to unload at any other place in Port-of-Spain harbour pieces or packages of standard weights or measurements, or consignments of goods all of which are covered by one bill of lading, or pieces or packages which the wharf cranes are not capable of lifting.

(2) Applications for permission to unload goods from vessels berthed at King's Wharf otherwise than on that wharf shall be made to the Wharf Superintendent in writing, before any such unloading is effected.

(3) Such application shall be accompanied by a description of the goods to which the application refers, and on completion of the unloading of the vessel a certified list detailing name of vessel, bill of lading number, marks, numbers, weights, measurements and quantity of such goods shall be furnished to the Wharf Superintendent by the owner or master of the vessel.

(4) In the absence of the Wharf Superintendent's permission granted under the provisions of paragraph (1) of this paragraph, goods unloaded from a vessel berthed at King's Wharf shall be deemed to have been unloaded on the said wharf and all charges shall be paid in accordance with the scale in force for King's Wharf.

20. No master of any vessel at a wharf shall have on board, or permit any dangerous or ferocious animal or bird or dangerous or poisonous reptile to be on board such vessel unless such animal, bird, or reptile is properly secured. Animals, birds and reptiles.

21. If any goods are by accident or otherwise dropped or let fall overboard from a vessel berthed at any wharf, the owner or master of such vessel shall forthwith report the same to the Wharf Superintendent and the Wharf Superintendent shall be at liberty to take such steps as may seem to him advisable to recover and land such goods; and all expenses of such recovery and landing shall be recoverable by the Wharf Superintendent from the owner or master of the vessel, or from any person responsible for such occurrence, by action in any court of competent jurisdiction. Goods falling overboard.

22. (1) Subject to the provisions of these bye-laws, no labour other than labour supplied by the Wharf Superintendent shall work or be employed— Supply of labour.

- (a) in handling goods on King's Wharf; or
- (b) in handling goods in any shed or warehouse on any other wharf; or
- (c) without the permission of the Wharf Superintendent (which shall not be withheld in the case of lumber, cement in drums, iron or steel pipes or structural iron or steel) in handling goods on any other wharf outside the sheds and warehouses.

(2) Passengers embarking or disembarking at a wharf shall be responsible for the conveyance of their small hand baggage and jewellery between the place appointed for Customs examination and the vessel.

Dangerous Goods.

23. (1) No vessel having on board goods marked with an asterisk (*) in Class I of the list of dangerous goods, or goods possessing dangerous properties not included in the list of dangerous goods, shall occupy any berth except on the following conditions which shall be complied with as regards that vessel— Vessels carrying dangerous goods.

- (a) that the goods be kept in a place which is—
 - (i) inaccessible to persons not authorised by the master to have access to them;
 - (ii) readily accessible to persons authorised by the master to have access to them;
 - (iii) kept covered if on deck;
 - (iv) protected from sparks, lighted cigarettes, lighted matches, naked lights or other ignited material;

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- (b) that the consent of the Harbour Master has been obtained ;
- (c) that the owner or master of the vessel has signed an undertaking in Form 3 of Schedule A hereto and that the undertaking is duly complied with as regards the vessel ;
- (d) that the total quantity of goods in Class I and Class II of the list of dangerous goods and of all chlorates, explosives and matches, on board the vessel be less than one ton net weight.

(2) No vessel having on board goods marked with an asterisk (*) in Class II of the list of dangerous goods shall occupy any berth except on the following conditions which shall be complied with as regards that vessel—

- (a) that such goods be barricaded off and kept clear of the hatches and, if carried on deck, be covered up to the satisfaction of the Wharf Superintendent ;
- (b) that the vessel's officers exercise strict and continuous supervision over each hold, compartment or place used for the stowage of such goods, and take reasonable precautionary measures for dealing promptly with any outbreak of fire ;
- (c) that a competent watchman be in charge of any such goods contained in any open hatch or on deck ;
- (d) that any directions in the "Remarks" column of the list of dangerous goods be complied with.

(3) No vessel having on board goods in Class III of the list of dangerous goods shall occupy any berth except on the condition that any directions in the "Remarks" column of the list of dangerous goods be complied with as regards that vessel.

Handling of
dangerous
goods at
wharves.

24. (1) No dangerous goods other than those in Class III of the list of dangerous goods, and no goods possessing dangerous properties not included in the list of dangerous goods, shall, without the written permission of the Wharf Superintendent, be—

- (a) loaded from, or unloaded onto, or brought on, any wharf ;
- (b) loaded or unloaded at any wharf between the hours of 5 p.m. and 7 a.m. ;
- (c) unloaded into droghers or other craft from a vessel occupying a berth ;
- (d) loaded from droghers or other craft into a vessel occupying a berth.

(2) When any such goods as are described in paragraph (1) have been unloaded onto a wharf or into a drogher or other craft from a vessel occupying a berth, they shall forthwith be removed by the owner of the goods from the wharf, or, as the case may be, the drogher or other craft shall forthwith leave the vessel.

(3) The owner of goods described in paragraph (1) shall not bring them on a wharf for shipment, and shall not bring them in a drogher or other craft alongside a vessel occupying a berth for shipment, unless the vessel in which they are to be shipped is ready to receive them ; and any such goods brought onto a wharf or brought in a drogher or other craft alongside a vessel occupying a berth shall forthwith be loaded by the owner of the goods into the vessel in which they are to be shipped.

(4) If there shall be any failure or omission to comply with the provisions of paragraphs (2) or (3), the Wharf Superintendent may, without prejudice to any penalty which may be incurred, guard, remove or destroy the goods and recover the expenses of such guarding, removing or destroying from the owner of the goods or from the consignor or consignee of the goods,

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as the case may be, or, where a drogher or other craft has contravened paragraph (2), from the owner or master of the drogher or other craft, by action in any court of competent jurisdiction.

(5) No defective package or container of dangerous goods or of goods possessing dangerous properties shall be landed or brought on any wharf without the written permission of the Wharf Superintendent.

(6) No dangerous goods or goods possessing dangerous properties shall be landed or brought on any wharf unless the nature of such goods and the fact that they are dangerous goods or goods possessing dangerous properties has first been brought to the notice of the Wharf Superintendent.

(7) Any permission granted under this bye-law may be so granted subject to conditions which shall be duly complied with.

(8) If any goods are loaded into or unloaded from any vessel in contravention of paragraph 1 of this bye-law, then, without prejudice to any other liability, this bye-law shall be deemed to have been contravened as respects that vessel.

Receiving, storing and delivering goods.

25. (1) No goods shall be deposited on, or pass over, any wharf unless Receipt of the permission of the Wharf Superintendent has first been obtained; and if goods. any goods are deposited on, or pass over, any wharf without such permission having been obtained, Government shall in no case be responsible for loss or damage in respect of such goods.

(2) In the case of goods for shipment, the Wharf Superintendent shall be entitled, without prejudice to the generality of his powers under paragraph (1), to require that—

- (a) prior notice of intention to store the goods on the wharf be given by the owner of the goods;
- (b) any vehicle, drogher or other craft bringing the goods to the wharf be accompanied by a note (in duplicate) signed by the owner of the goods and specifying—
 - (i) the marks and numbers of the goods;
 - (ii) their weight and measurement;
 - (iii) the quantity and description of the goods;
 - (iv) the name of the vessel in which the goods are intended to be shipped.

(3) In the case of goods inwards which are brought to the wharf in any drogher or other craft, the Wharf Superintendent shall be entitled, without prejudice to the generality of his powers under paragraph (1), to require that such goods be accompanied by a note (in duplicate) signed by the owner or master of the importing vessel and specifying—

- (a) the marks and numbers of the goods;
- (b) the weight and measurement;
- (c) the quantity and description of the goods;
- (d) the name of the importing vessel.

(4) If any such note as is mentioned in paragraph (2) (b) and paragraph (3) is false in any material particular, the person signing the same shall be deemed to have contravened these bye-laws.

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(5) Receipts given by the Wharf Superintendent for goods entrusted to him shall be based on the outward appearance only of goods or packages and shall be taken to imply—

- (a) that the goods or packages received are in apparent good order and condition unless otherwise stated and subject in the case of goods inwards to any endorsement as to their condition on the relevant bill of lading ;
- (b) that the Wharf Superintendent makes no admission as to the weight, measurement, contents or value of the packages or goods.

Goods bonded for want of entry or warehoused by Comptroller.

26. The owner of a vessel which has landed at any wharf any goods which are required to be bonded for want of entry or to be warehoused in accordance with the Customs Ordinance (Ch. 32. No. 2.), shall perform such bonding or warehousing.

Inward manifest.

27. A copy of each bill of lading and two copies in English of the manifest certified by the owner or master of an importing vessel as being complete, containing all particulars as to weight or measurement, marks, numbers and contents of each package shall be deposited in the Wharf Superintendent's office by the owner or master before any goods are landed at any wharf. A certified statement of any alterations made in the manifest by reason of re-measurement of goods included therein or otherwise shall be furnished by the owner or master immediately on completion of unloading.

Documents to be produced.

28. The owner or master of a vessel shall produce to the Wharf Superintendent any book, voucher or other document which may be required in connection with the landing or shipping of cargo at any wharf.

Damaged packages.

29. (1) Whenever goods or packages are landed in a damaged condition—
- (a) the owner or master of the importing vessel shall take immediate steps to have a preliminary survey of such goods, or of such packages and their contents, effected in the presence of the Wharf Superintendent, and until such survey has been effected Government shall not be responsible for the safe custody or the condition of the damaged goods or packages, or the contents of the damaged packages ;
 - (b) not later than seven days after the date of completion of the unloading of the importing vessel, and in any case before the goods or packages leave the custody of the Wharf Superintendent, the owner or master thereof shall cause the Wharf Superintendent and consignees of goods, or of packages and their contents, landed in a damaged condition from such vessel to be notified of the date and time at which a final survey will take place, calling upon the consignees to produce the relative invoices ; and after such final survey, consignees shall take immediate delivery and Government shall in no case be responsible for the safe custody or condition of the damaged goods or of the damaged packages or their contents.

(2) Unless the provisions of paragraph (1) (b) are complied with, Government shall in no case be responsible for any loss or damage subsequent to the initial survey under paragraph (1) (a).

(3) No evidence of any survey or examination held after the final survey contemplated by paragraph (1) (b) shall be admissible on the hearing of any claim against Government.

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30. In any case in which a claused receipt is to be given by the officer of a vessel receiving goods for shipment, such goods shall be surveyed, before shipment is effected, at the instance of the shipper and in the presence of the Wharf Superintendent. If the provisions of this bye-law be not complied with, no claim shall in any case be made against Government in respect of the safe custody or condition of the goods.

Survey in cases of claused receipts.

31. Without prejudice to any other provision of these bye-laws, if any goods or packages are in a damaged condition at any time while they are in the custody of the Wharf Superintendent, the Wharf Superintendent shall have the right (but shall not be under an obligation) to call on the owner or master of the importing vessel or the shipper, as the case may be, to take immediate steps to have a survey of such goods, or of such packages and their contents, made in his presence; and from the time on which the Wharf Superintendent exercises the right conferred by this bye-law until the survey is completed, Government shall not be responsible for the safe custody or condition of the goods, or of the packages and their contents.

Damaged goods generally.

32. Government shall in no case be responsible for any deficiency in the weight, measurement or quantity of any goods unless it is proved that such deficiency has arisen otherwise than from natural or unavoidable causes.

Deficiencies.

33. Where packages are opened for customs examination, the owner thereof shall take delivery immediately after the examination is completed. Government shall in no case be responsible for the safe custody or condition of packages which have been opened for customs examination.

Packages opened for customs examination.

34. In no case shall Government be responsible, in respect of goods which require special care in handling or warehousing, for any failure to take such special care unless the fact that the goods require such special care has been brought to the notice of the Wharf Superintendent.

Goods requiring special care.

35. Government shall in no case be responsible for loss of personal effects or passengers' baggage unless a receipt for the same has been given by the Wharf Superintendent.

Passengers' baggage.

36. (1) The Wharf Superintendent may store in the open—

Storage in the open.

- (a) goods listed in Schedule D hereto, unless he has received the goods with specific instructions that they shall not be stored in the open;
- (b) goods which, in the opinion of the Wharf Superintendent are likely to create a nuisance if stored under cover;
- (c) other goods by agreement with the owner thereof.

(2) When goods are stored in the open, Government shall in no case be responsible for any damage or deterioration arising from the fact that the goods are stored in the open.

37. (1) The Wharf Superintendent may decline further storage for any goods on any wharf (either in the open or under cover) when the space occupied by the goods is, in his opinion, required for other more pressing purposes or when the goods create, or are liable to create, a nuisance.

Power of Wharf Superintendent to refuse further storage of goods in certain cases.

(2) Where, after receiving goods, the Wharf Superintendent is entitled under this bye-law to decline further storage of the goods, he may give written notice to the owner or master of the importing vessel (if he be the owner of the goods or if the owner of the goods be not known to the Wharf Superintendent) or to the owner of the goods in other cases (whether of goods

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inwards or outwards) requiring the removal of the goods from the wharf within the time specified in the notice, and if such requirement be not complied with—

- (a) the person to whom the notice was addressed shall be deemed to have contravened this bye-law ;
- (b) Government shall in no case remain responsible for the safe custody or condition of the goods ;
- (c) goods which create or are liable to create a nuisance may be removed from the wharf and destroyed by the Wharf Superintendent and the expenses of such removal or destruction and any damage caused by such goods may be recovered by the Wharf Superintendent from the person to whom the notice was addressed by action in any court of competent jurisdiction.

Special provisions as to specie, stamps and currency.

38. Government shall in no case be responsible for the safe custody or condition of any specie, stamps, or currency.

Working hours.

39. (1) The ordinary working hours at any wharf on week days other than public holidays shall be from 7 a.m. to 11.30 a.m. and from 12.30 p.m. to 5 p.m.

(2) The Wharf Superintendent may permit work outside ordinary hours or on Sundays or public holidays : Provided that—

- (a) applications to work on Sundays or public holidays shall be made to the Wharf Superintendent before noon on the week day (not being a public holiday) immediately preceding ;
- (b) applications to work between the hours of 5 p.m. and 7 a.m. on any week day other than a public holiday shall be made to the Wharf Superintendent before 4 p.m. on that day.

(3) Notwithstanding the above provisions, the loading or unloading of vessels and the delivery of goods shall cease ten minutes before the time for cessation of work, and the delivery of goods shall cease at 4 p.m. on week days and 11.30 a.m. on Saturdays unless the Wharf Superintendent permits such delivery after those hours.

Weighing, sorting and selection of goods on wharves.

40. The Wharf Superintendent may require the owner of any goods which are weighed, sorted or selected on any wharf (or in the case of goods inwards, the owner of the importing vessel) to be present, or to send a representative to be present, at the weighing, sorting or selection of the goods and every such requirement shall be complied with by the person to whom it is addressed.

Removal of goods from one place of storage to another.

41. Subject to the provisions of bye-law 42, the Wharf Superintendent may remove goods from one place of storage to another. If the goods have remained in one place of storage for more than three months and the Wharf Superintendent has given 48 hours notice of his intention to remove the goods to another place of storage to the owner of the goods, the Wharf Superintendent may recover the expenses of the removal from the owner of the goods by action in any court of competent jurisdiction.

Delivery of goods inwards.

42. (1) When application is made to the Wharf Superintendent for delivery of goods inwards, there shall be surrendered to him either a copy of the relevant bill of lading rendered negotiable or a delivery order in English signed by the owner or master of the importing vessel, and Government shall in no case be responsible for the wrong delivery of goods if they are delivered to a person surrendering such documents.

(2) A bill of lading surrendered under this bye-law which does not describe the goods in English and give their weights and measurements in English may be required by the Wharf Superintendent to have such particulars endorsed in English, and such endorsement to be signed by the owner or master of the importing vessel, and if any such endorsement shall be materially false the person signing such endorsement shall be deemed to have contravened these bye-laws. The Wharf Superintendent may decline to accept a bill of lading if it is made or negotiated in favour of more than one person.

(3) A delivery order surrendered under this bye-law shall specify the like particulars as are mentioned in paragraph (2) and also the name of the importing vessel and the date of its arrival in Port-of-Spain and, if any such particulars shall be materially false, the person signing such delivery order shall be deemed to have contravened these bye-laws. The Wharf Superintendent may decline to accept a delivery order in favour of more than one person.

(4) The Wharf Superintendent may decline to deliver goods inwards except against a receipt signed by or on behalf of the person surrendering the bill of lading or delivery order.

43. The Wharf Superintendent may decline to deliver goods for shipment unless—

- Delivery of goods outwards.*
- (a) he has received reasonable notice from the shipper of his intention to ship the goods, accompanied by a shipping order; and
 - (b) a representative of the vessel in which the goods are to be shipped is present on the wharf to receive the goods into the vessel's slings and signs a receipt for the goods shipped.

44. (1) When, in pursuance of these bye-laws, any signed document, endorsement or receipt is tendered to the Wharf Superintendent in connection with the delivery of goods, the Wharf Superintendent may decline to accept such document, endorsement or receipt unless reasonable proof is given to him of the identity of the person signing and his authority to sign.

(2) The Wharf Superintendent may decline to deliver any goods until all charges payable in respect thereof prior to delivery have been paid.

45. (1) Where the owner of goods inwards desires that they shall be loaded direct into a railway truck or vehicle he shall—

- Loading direct into railway trucks or vehicles.*
- (a) give notice of such fact to the Wharf Superintendent and to the owner or master of the importing vessel before the goods are unloaded from the importing vessel;
 - (b) complete arrangements, to the satisfaction of the Wharf Superintendent, before the goods are unloaded from the importing vessel, for the loading into the railway truck or vehicle forthwith on arrival of the goods at the wharf.

(2) If, in any such case, goods are deposited on the wharf before the arrival of the truck or vehicle, the Wharf Superintendent shall be entitled, notwithstanding the provisions of bye-law 36, to store the goods in the open or under cover, as he shall think fit.

(3) The owner of the goods shall give a receipt for the goods to the Wharf Superintendent before the railway truck or vehicle leaves the wharf.

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- Content outwards. 46. The owner or master of any vessel loading cargo at any wharf shall either before, or within ninety-six hours after departure of the vessel, deposit with the Wharf Superintendent two copies in English of the manifest (content outwards) certified as being complete, containing all particulars as to weight or measurement, marks, numbers and contents of packages, together with a copy of each bill of lading certified by such owner or master.
- Returns to Comptroller of Customs. 47. Returns of goods received at or stored at or in, or delivered from, any wharf shall be furnished by the Wharf Superintendent to the Comptroller at such times and in such form as the Comptroller may require.
- Insufficiently marked goods. 48. Government shall in no case be responsible for the wrong delivery or non-delivery or wrong shipment of—
 (a) goods which are inadequately or insufficiently marked, or which have numerous old, erased, or imperfectly erased, marks thereon; or
 (b) goods which are marked with labels only.
- Exclusion of liability of Government in connection with gear and hand cranes. 49. Government shall in no case be liable for any loss, damage or injury resulting from the condition or use of any gear or hand cranes mentioned in items 12 and 13 of the Tariff.
- Limitation of responsibility of Government. *General limitations on the liability of Government.*
 50. (1) In no case shall Government be responsible for a greater damage in regard to any goods than the value thereof stated upon the relevant vessel's receipts, bills of lading, manifests or other shipping documents, and for this purpose Government shall be entitled to rely upon, and the owners of the goods shall be bound by, all statements, exceptions and conditions endorsed upon such documents as aforesaid.
 (2) Government shall in no case be liable in respect of any claim concerning goods or packages unless—
 (a) written notice of intention to make the claim, specifying all proper particulars, is given to the Wharf Superintendent within sixty days after the latest date on which the loss, damage or injury which is the subject of the claim could have occurred; and
 (b) a formal written claim, specifying all proper particulars, is delivered to the Wharf Superintendent within thirty days after the date on which the notice is given under paragraph (a).
- Maximum liability in respect of goods. 51. Government will in no case be responsible to a greater extent than four hundred and eighty dollars for loss of, or damage to, any package imported or received for shipment if such package exceeds in value four hundred and eighty dollars or, in relation to the cubic measurement, exceeds in value two hundred and forty dollars per cubic foot: Provided that this bye-law shall not apply in cases in which, prior to delivery of such package into the custody of the Wharf Superintendent, written notice of the marks, number, contents and value thereof has been received and acknowledged by the Wharf Superintendent and the special charges specified in the Tariff for receiving and storing such package have been paid.
- Strikes, &c. 52. Government shall in no case be responsible for any consequences arising from strikes, lock-outs or other labour disputes of any description whatever.

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53. Government shall in no case be responsible for the acts or omissions of any labour supplied by the Wharf Superintendent while under the control of any person not in the service of Government.

Exclusion of liability of Government in connection with labour under control of private person.

Tariff and payment of charges.

54. The charges set forth in the Tariff shall be payable for the services specified therein.

Charges of Tariff.

55. The charge under bye-law 10 (2) shall be payable to the Wharf Superintendent on demand by the owner or master of the vessel concerned.

Charge under bye-law 10.

56. (1) All charges in the Tariff shall be payable to the Wharf Superintendent in accordance with the provisions of this bye-law.

Liability for payment of charges in tariff.

(2) The charges under item 6 of the Tariff shall be payable by the person liable to pay the charge for the work performed and as part of that charge.

(3) The charges under item 7 of the Tariff shall be payable by the person accountable for the charges in respect of the service in connection with which the men were standing by and as part of that charge: Provided that if such service is not in fact performed such charges shall be payable by the person who would have been accountable for the charges in respect of the service if it had been performed, and in such case shall be payable immediately after the men cease to stand by, unless other arrangements are made to the satisfaction of the Wharf Superintendent.

(4) The owner and master of the vessel concerned shall be accountable for all charges incurred under items 8, 9 and 19 of the Tariff, and such charges shall be payable immediately on completion of the supply of water ordered, or the completion of the towage or service of tugs, or the termination of the hiring of the telephone, as the case may be.

(5) The charges under items 12, 13, 14, 16, 21 (as regards sorting and selecting), and 23 of the Tariff shall be payable by the person accountable for the charges in respect of the services in connection with which the gear or cranes are hired, or the cased motor vehicles or trailers are unpacked and assembled, or the goods are sorted or selected, and shall be payable as part of those charges.

(6) The charges under items 15, 17, 20, 21 (as regards weighing), 22 and 24 of the Tariff shall be payable by the person requesting the service, or on whose behalf the service is rendered, immediately on completion of the service.

(7) The charges under item 18 of the Tariff shall be payable by the person accountable for the relevant charges under item 10 of the Tariff, and as part of such charges.

(8) The charges under items 1, 10 and 11 of the Tariff in respect of goods which are required to be bonded for want of entry, or to be warehoused, under the Customs Ordinance (Ch. 32. No. 2), shall be payable at the time of delivery for bonding or warehousing by the owner of the importing vessel or other person requesting the service or on whose behalf the service is rendered.

(9) In the case of goods inwards, the owner and master of the importing vessel shall be accountable for the charges under item 1 of the Tariff which shall be payable immediately on completion of the service, and the owner of the goods shall be accountable for the charges under items 5 and 10 of the Tariff which shall be payable immediately on completion of the service.

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(10) In the case of transhipment goods, the owner and master of the importing vessel shall be accountable for the charges under Item 4 of the Tariff and for the charges (if any) under item 10 of the Tariff. The charges under item 4 of the Tariff shall be payable as soon as the landing of the goods on the wharf has been completed, and the charges under item 10 of the Tariff shall be payable immediately on completion of the service.

(11) In the case of goods outwards, the shipper and consignor shall be accountable for the charges under items 2, 3 and 10 of the Tariff except in so far as the owner and master of the exporting vessel, or either of them, has agreed with the Wharf Superintendent to pay such charges, in which case the owner and master of the exporting vessel shall be accountable for such charges. Such charges shall be payable immediately on completion of the service.

(12) Where under the provisions of any paragraph or paragraphs of this bye-law, more than one person is accountable for charges, all persons so accountable shall be jointly and severally liable to pay such charges.

(13) Notwithstanding any previous provision of this bye-law, the apportioned part of any charges for storage of goods calculated up to the end of the first and each or any succeeding period of seven days of the storage after the Free storage period shall be payable to the Wharf Superintendent on demand and the apportioned part of any charges for the storage of goods calculated up to the end of the first and each succeeding period of 30 days of the storage after the Free storage period shall be payable to the Wharf Superintendent whether demanded or not.

Miscellaneous Provisions.

Provisions as to engines, vehicles and animals.

57. (1) Every driver or person in charge of any engine, or of any vehicle, or of any animal, shall, at all times while such engine, vehicle, or animal is on a wharf, obey all directions given by the Wharf Superintendent with respect to the loading, unloading, placing, moving, management, control or removal of such engine, vehicle; or animal.

(2) No driver or person in charge of any such engine, vehicle or animal shall allow the same to be or remain on a wharf unattended or for longer than is necessary and, in particular, no driver or person in charge of any engine, vehicle or beast of burden (used as such) shall allow the same to be or remain on any wharf for longer than is necessary for the loading or unloading of goods or for the taking up or setting down of passengers.

Miscellaneous offences on wharf premises.

58. No person shall, on any wharf—

- (a) tout for or solicit any person to proceed as a passenger in any vessel or vehicle or to take up his residence at, or proceed to, any hotel or boarding house, or to entrust the loading, unloading or portorage of goods or luggage to any person;
- (b) hawk or trade without the permission of the Wharf Superintendent;
- (c) exhibit, or cause to be exhibited, any advertisement of any matter, or otherwise advertise, or cause to be advertised, any matter;
- (d) commit a nuisance;
- (e) hold any meeting or assembly or deliver any speech or address;
- (f) open, sort, pack, re-pack or repair any goods (save as provided for by the Customs Ordinance) without the permission of the Wharf Superintendent;
- (g) smoke within or near any building shed or other structure, or near or amongst any goods, if requested not to do so by the Wharf Superintendent or any Customs officer or constable or if requested not to do so by any notice conspicuously exhibited.

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59. No person shall break, get over or pass through or under, any boundary fences of any wharf or any fences on any wharf.

Breaking fences of wharves.

60. No person shall, either on board any vessel berthed at a wharf or on any wharf, supply intoxicating liquor to persons employed at the wharf.

Supplying intoxicating liquor to wharf employees.

61. No person shall place or leave, or cause to be placed or left, upon any wharf or near any lines of railways thereon, any vehicle, animal, or goods whereby the use of the said wharf may be impeded, or the transit over the lines of railway may be prevented or delayed, or free access to, or use of, any hydrant or other appliance whatsoever may be hindered.

Wharves and railways not to be obstructed.

62. No person shall obstruct, impede or molest the Wharf Superintendent, or any person employed under him, in the exercise or performance of their powers or duties.

Obstruction of Wharf Superintendent and persons employed under him.

63. (1) The Wharf Superintendent may board any vessel occupying a berth or any vessels made fast to any such vessel or any vessel in the Basin.

Powers of Wharf Superintendent.

(2) The Wharf Superintendent may decline to admit any person, vehicle or animal to any wharf or may require any person to leave a wharf or may require the driver or person in charge of any vehicle or animal forthwith to remove the same from a wharf and all such requirements shall be complied with.

(3) The Wharf Superintendent and any constable may give directions for the control of the movements of any persons, vehicles or animals on wharves and all such directions shall be complied with by the persons to whom they are given.

Penalty.

64. (1) Where any provision of these bye-laws is contravened or not complied with as respects any vessel and the obligation contravened or not complied with is not imposed on any specific person by these bye-laws, the owner and master of the vessel shall be deemed to have contravened these bye-laws.

Penalty for contravention of, or failure to comply with, bye-laws.

(2) Any person who contravenes, or is deemed to have contravened, or fails to comply with, any provision of these bye-laws shall be liable on summary conviction to a fine of two hundred and forty dollars or to imprisonment for three months or to both such fine and imprisonment.

SCHEDULE "A".

FORM 1.

The Wharf Superintendent,
Port-of-Spain.

Dated.....

APPLICATION FOR A BERTH.

I, the undersigned.....*owner/master/agent of
the *s.s./M.V.....request that a berth a
§.....be allotted to this vessel on the
.....19.....and hereby declare and certify as follows:—

- *(a) The vessel is not carrying any dangerous goods described in the list of dangerous goods other than those in Class III of the list.
- *(b) The vessel is not carrying goods possessing dangerous properties other than those described in the list of dangerous goods.
- *(c) The vessel is carrying dangerous goods other than those in Class III of the list of dangerous goods as shown on the back hereof.
- *(d) The vessel is carrying goods possessing dangerous properties other than those described in the list of dangerous goods as shown on the back hereof.
- *(e) The packing and stowage of all goods listed under (c) and (d) above is in accordance with the usual shipping practice except as shown on the back hereof.
- *(f) The packing and stowage of the goods listed under (c) and (d) has not been disturbed since being loaded at the port ofexcept as shown on the back hereof.

(Sgd.)

*Cross out inapplicable words.
§ State wharf, quay or jetty.

No. 14. *Harbours and Wharves (Dues and Management).* 1942.

PARTICULARS OF DANGEROUS GOODS AND GOODS POSSESSING DANGEROUS PROPERTIES.

s.s./M.V.....

Due at Port-of-Spain on.....19.....

PORT-OF-SPAIN AND TRANSHIPMENT CARGO.

Description of goods.*	Class of goods if goods included in list of dangerous goods.	Flashpoint of goods (when appropriate).	Net weight or gallonage of goods.	Where goods stowed†.	Remarks‡.

THROUGH CARGO.

Description of goods.*	Class of goods if goods included in list of dangerous goods.	Flashpoint of goods (when appropriate)	Net weight or gallonage of goods.	Where goods stowed†.	Remarks‡.

(Sgd.)

* In the case of goods mentioned in the list of dangerous goods, the description must be sufficient to identify the goods with some particular item in the list and to indicate the class to which the goods belong.

† State number of hold or "on deck", as case may be.

‡ In the case of goods not packed or stowed in accordance with the usual shipping practice, give particulars of the manner in which the goods are packed or stowed.

In the case of goods the packing or stowing of which has been disturbed since they were loaded, give particulars of such disturbance.

(Bye-law No. 3)

FORM 2.

WHARF SUPERINTENDENT'S OFFICE,
PORT-OF-SPAIN.

Dated.....19.....

With reference to your application dated.....
for a berth for s.s./M.V.....on the
.....19..... at.....

I am to inform you that a berth has been provisionally allotted to the vessel on the date and at the place named subject to the conditions set forth in bye-law 23 and to the further condition that the following dangerous goods or goods possessing dangerous properties be removed from the vessel before it berths :—

.....
.....

Yours faithfully,

.....
Wharf Superintendent.

(Bye-law No. 23.)

FORM 3.

UNDERTAKING.

s.s./M.V.....

I, the undersigned.....

*owner/master/agent of the above vessel, hereby undertake to arrange the strict and continuous supervision of the place where all goods described in the list of dangerous goods other than those in Class III of the list, and all goods possessing dangerous properties other than those described in the list, are stowed on board the above named vessel, to keep hoses rigged, to take reasonable measures for dealing promptly with any outbreak of fire, and to employ a competent watchman night and day to stand by the said place. I further undertake to observe the above precautions from the time the vessel berths until it is clear of †.....

Dated.....

(Sgd.)

* Cross out inapplicable words.
† State wharf, quay or jetty.

(Bye-laws Nos. 3, 23 and 24).

SCHEDULE "B."

DANGEROUS GOODS.

Names of Goods.	Classification.	Remarks.
Accellerene	III	
Acetaldehyde	I	
Acetic Acid—glacial	III	
strength 80%-90%	III	
* Acetone (inflammable liquid, flash point below 73° F. and miscible with water)	II	
Acetylene—liquid	I	
dissolved in cylinders	III	
Acid :		
acetic, glacial	III	
strength 80%-90%	III	
carbolic (including creylic and other acids)	III	If on deck to be covered with tarpaulins
chromic	II	
hydrobromic	II	
hydrochloric	II	
hydrocyanic	II	
hydrofluoric	II	
muriatic (hydrochloric acid)	II	
nitric	II	
nitric and sulphuric acid mixed	II	
nordhausen (sulphuric acid)	II	
oleum (fuming sulphuric acid)	II	
oxalic	III	
phosphoric	III	
picric—explosive	I	
non-explosive	II	<i>i.e.</i> if mixed with less than half its own weight in water.
prussic (hydrocyanic acid)	II	
sulphuric	II	
sulphuric and nitric acid mixed	II	
sulphurous	III	
* Aeroplane dope	II	
Alcohol, industrial	—	See Inflammable Liquids.
* Alkali metals (potassium and sodium metallic)	II	
Alkaline earth metals (barium metallic)	II	
* Alsimin (aluminium ferro silicon)	II	
packed in drums or in bags	I	

DANGEROUS GOODS—Continued

Names of Goods.	Classi- fication.	Remarks.
Aluminium :		
bronze	II	
* chloride	II	
* ferro silicon	II	
packed in drums or in bags	I	
granulated or powder... ..	II	
Ammonia :		
aqueous solutions of	III	
liquefied anhydrous	III	
liquefied for use in ice machines	III	
Ammonium :		
bichromate	III	
fluoride	III	
nitrate	II	If in drums or barrels Class III.
* perchlorate	II	
permanganate	III	
Ammunition	—	See Explosives.
* amyl acetate	II	
* amyl alcohol	II	
Aniline :		
oil	II	
salt	III	
Antimony and preparations thereof		
* Antimony chloride	II	
Aqua fortis (nitric acid)	II	
Argon (compressed "permanent" gas)	III	
Arsenic and its preparations	II	
Asphalt	III	
Asphalted cloth	III	
Barium :		
* chlorate	II	Maximum quantity in any opened hold limited to 15 tons. Maximum quantity in any closed hold 100 tons.
compounds of (excluding barium sulphate)		
metallic	II	
nitrate	II	If in drums or barrels Class III.
oxide	III	
permanganate	III	
peroxide	III	
Bengal matches :		
approved brands	II	
* unapproved brands	II	
* Benzine (petroleum spirit)	I	
* Benzol (petroleum spirit)	I	
* Benzolene (petroleum spirit)	I	
Bichromates	III	
* Bisulphide of Carbon	I	

DANGEROUS GOODS—Continued.

Names of Goods.	Classification.	Remarks.
Bituminous Paints :		
* Flash point below 20° F. or undeclared...	II	
Flash point below 73° F. ...	II	
Flash point above 73° F. ...	III	
Blasting powders ...	I	
Bleaching powders ...	III	
Boot Creams (polishes) ...	III	
Brattic Cloth ...	III	
Bromates ...	III	
Bromine ...	II	
Bronze powder ...	II	
Butyl acetate :		
* iso ...	I	
* normal ...	II	
* butyl alcohol ...	II	
Calcium :		
azide ...	I	
carbide		
(a) packed in sealed tins, packed with sawdust, wood-wool, or other suitable packing material and contained in a strong outer case ...	III	
(b) packed in iron or steel drums ...	II	In such cases maximum quantity landed or left in any opened hatch to be limited to 100 tons.
chlorate solution ...	III	
cyanamide ...	II	If containing not more than 0.5% of Calcium Carbide, Class III.
metallic ...	II	
phosphide ...	II	
silicide ...	II	
Carbide of Calcium ...	—	See Calcium Carbide.
Carbolic Acid ...	III	If on deck to be covered with tarpaulins.
Carbon dioxide (liquefied gas) ...		
for use in bars of ships ...	III	
"sparklets" ...	III	
* Carbon disulphide (Bisulphide of Carbon) ...	I	
Carbon monoxide (compressed "permanent" gas) ...	II	
Carbon papers ...	III	
Carbon tetrachloride ...	III	
Cartridges, safety ...	II	
Cartridges—other than safety ...	I	
Caustic Potash ...	III	
Caustic Soda ...	III	
* Celluloid ...	II	

DANGEROUS GOODS—Continued

Names of Goods.	Classification.	Remarks.
Celluloid, scrap or waste	I	
Celluloid solution	—	See Inflammable Liquids.
Cellulose enamels and lacquers	—	do.
Chaff	III	
* Chemicals and medicinal preparations in limited quantities in mixed consignments	II	
Chili-saltpetre (sodium nitrate)	II	If in drums or barrels Class III.
* Chlorates	II	Maximum quantity in any opened hold limited to 15 tons. Maximum quantity in any closed hold 100 tons.
Chlorate mixtures	I	
Chloride of Lime (bleaching powder)	III	
Chlorine (liquefied gas)	III	
Chloroform	III	
Chromic acid	II	
Coal gas (compressed "permanent" gas)	II	
Coal tar (inflammable liquid, flash point from 73° F. to 150° F.)	II	
Coal Starters	III	
Collodion Cotton :		
explosive	I	
in solution in, or wet with, inflammable liquids	I	
water wet, containing not less than 25% moisture	III	
Coloured fires	—	See Fireworks.
Copper sulphate	III	
Copra	III	
Corrosive sublimate (mercuric chloride)	III	
Crackers	II	
Creosote salts (naphthalene)	II	
Cresylic Acid (carbolic acid)	III	
Cyanides	III	
Do. Potassium and Sodium	II	
Dampcourses	III	
Detonators	I	
* Diacetone Alcohol (inflammable liquid, flash point below 73° F. and miscible with water)	II	
Dichlorethylene	III	
Dinitrobenzol	III	
Dinitrophenol :		
explosive	I	
declared as non-explosive	III	
Dinitrotoluol	III	
Disinfectant fluids	III	
Dye intermediates	III	

DANGEROUS GOODS.—*Continued.*

Names of Goods.	Classification.	Remarks.
Enamels and Lacquers, cellulose ...	—	See Inflammable Liquids.
Ethane Tetrachloride ...	III	
* Ether (Sulphuric) ...	I	
* Ethyl Acetate ...	I	
* Ethyl Alcohol ...	II	
Ethyl Chloride (liquefied gas) ...	III	If in steel cylinders.
	II	If not in steel cylinders.
Ethyl fluid ...	III	If in drums or casks, Class II.
Ethyl Lactate (inflammable liquid, flash point 73° to 150° F.) ...	II	
Ethylene (liquefied gas) ...	III	
Excelluloid, scrap or waste ...	I	
Explosives :		
gunpowder ...	I	
nitrate-mixtures ...	I	
nitro-compounds ...	I	
chlorate mixtures ...	I	
fulminates ...	I	
ammunition :		
safety ammunition ...	II	
other ammunition ...	I	
fireworks ...	I	
Felt ...	III	
Felt inodorous ...	II	
Ferro Silicon :		
30% to 75% ...	I	
0% to 29% and 76% and over ...	III	
Films ...	II	
Fuses for shells and friction tubes ...	I	
Gasolene (petroleum spirit) ...	I	
Glue Pieces ...	III	
Gun cotton :		
explosive ...	I	
in solution in, or wet with inflammable liquids ...	I	
water wet, containing not less than 25% moisture ...	III	
Gunpowder ...	I	
Gutta Percha and India Rubber solution ...	III	
Hay ...	III	
Helium (compressed "permanent" gas) ...	III	
Hydrobromic Acid ...	II	
Hydrochloric Acid ...	II	
Hydrocyanic Acid ...	II	
Hydrofluoric ...	II	
Hydrogen (compressed "permanent" gas) ...	II	
Hydrogen peroxide :		
(a) less than 6% ...	III	
(b) over 6% ...	II	

DANGEROUS GOODS.—Continued.

Names of Goods.	Classi- fication.	Remarks.
India rubber and gutta percha solution ...	III	
Inflammable liquids, including petroleums as cargo :		
(1) Flash point below 73° F.		
* (a) immiscible with water ...	I	
* (b) miscible with water ...	II	
(2) Flash Point from 73° F. to 150° F.	II	
(3) Flash point above 150° F.	III	
Inodorous felt ...	II	
Kerosene (inflammable liquid, flash point from 73° F. to 150° F.) ...	II	
Lacquers and enamels cellulose ...	—	See Inflammable liquids.
Lampblack ...	III	
Leadtetraethyl ...	III	If in drums or casks, Class II.
Lime :		
hydrated or slaked ...	III	
quick or unslaked ...	II	If used as packing, Class III.
Lucifer Matches :		
approved brands ...	II	
* unapproved brands ...	II	
* Lythene (petroleum spirit) ...	I	
Magnesium metal :		
ingots or sticks ...	II	
powder ...	II	
* powder (if in drums) ...	II	
ribbon ...	II	
Matches :		
approved brands ...	II	
* unapproved brands ...	II	
Mercuric Chloride ...	III	
Methaphenylenediamine (dye intermediate) ...	III	
Metatoluylenediamine (dye intermediate) ...	III	
Methane (compressed "permanent" gas) ...	III	
* Methyl alcohol (inflammable liquid, flash point below 73° F. miscible with water)...	II	
Methyl Chloride (liquefied gas) ...	III	
* Methylated Spirit (inflammable liquid, flash point below 73° F. miscible with water)...	II	
Mineral Oil (inflammable liquid flash point from 73° F. to 150° F.) ...	II	
Mirbané oil (nirtobenzol) ...	II	
* Mixed consignments of limited quantities of chemicals and medicinal preparations ...	II	
* Motor spirit (petroleum spirit) ...	I	
Muriatic Acid (hydrochloric acid) ...	II	
* Naphtha (petroleum spirit) ...	I	

DANGEROUS GOODS.—Continued.

Names of goods.	Classi- fication.	Remarks.
Naphthalene :		
* crude	II	
refined (whizzed or dry)	II	
Neon (compressed "permanent" gas)	III	
* Nickel carbonyl	II	
Nicotine	III	
Nitrates	II	
Nitrate mixtures	I	
Nitre cake	II	
Nitric acid	II	
Nitric acid and sulphuric acid mixtures	II	
Nitrobenzol	II	
* Nitrocellulose films	II	
Nitro-compounds	I	
Nitrogen (compressed "permanent" gas)	III	
Nitro-glycerine	I	
Nitrolim	—	See Calcium Cyanamide.
Nitrous oxide (liquefied gas)	III	
Nordhausen (sulphuric acid)	II	
Oiled material	III	
Oleum (fuming sulphuric acid)	II	
Orthonitrotoluol (dye intermediate)	III	
Orthotoluidine (dye intermediate)	III	
Oxalic Acid	III	
Oxide of iron, spent	III	
Oxygen :		
(compressed "permanent" gas)	III	
liquefied	I	
Paints :		
flash point below 20° F.	II	
flash point below 73° F.	II	
flash point above 73° F.	III	
Paraffin (inflammable liquid, flash point from 73° F. to 150° F.)	II	
Paranitrotoluol (dye intermediate)	III	
Paranitrosodimethylaniline	III	
Paranitrophenol (dye intermediate)	III	
Pastes and semi-solids	III	
Pentachlorethane	III	
Perborates	III	
Percarbonates	III	
* Perchlorates	II	
Perchlorethylene	III	
Permanganates	III	
Peroxides	III	
Phenol (carbolic acid)	III	
Phosgene (liquefied gas)	III	
Phosphide or calcium	II	
Phosphoric acid	III	

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DANGEROUS GOODS.—Continued.

Names of Goods.	Classi- fication.	Remarks.
Phosphorus :		
amorphous or red	III	
sulphides of	II	
white, yellow or stick... ..	II	
Photogravure printing inks :		
* flash point below 20° F.	II	
flash point below 73° F.	II	
flash point above 73° F.	III	
Picric acid :		
explosive	I	
non-explosive	II	<i>i.e.</i> if mixed with not less than half its own weight in water.
Polishes :		
boot creams, linoleum, and liquid metal polish, &c.	III	
Potassium :		
bichromate	III	
bromate	III	
* chlorate	II	Maximum quantity in any opened hold limited to 15 tons. Maximum quantity in any closed hold 100 tons.
cyanide	II	
hydroxide (<i>see</i> caustic potash)	III	
metallic	II	
nitrate	II	If in drums or barrels Class III.
* perchlorate	II	
permanganate	III	
sulphide of	II	
* Propyl alcohol (inflammable liquid, flash point below 73° F. miscible with water)... ..	II	
Prussic acid (hydrocyanic acid)	II	
* Pyridine (inflammable liquid, flash point below 73° F. miscible with water)	II	
Rockets, other than signal rockets for ships' use		
	I	
Roofing, saturated	III	
Rosin	III	
Rosin Oil:		
* flash point below 20° F.	II	
flash point below 73° F.	II	
flash point above 73° F.	III	
Safety ammunition	II	
Safety cartridges... ..	II	
Safety fuses for blasting, including Cardeau Bickford		
	II	
Safety matches :		
approved brands	II	
* unapproved brands	II	

DANGEROUS GOODS—Continued.

Names of Goods.	Classification.	Remarks.
Saltpetre (potassium nitrate)	II	If in drums or barrels Class III.
Shale Oil (inflammable liquid, flash point from 73°F. to 150°F.)	II	
Sheep dips	III	
Ships' compositions	—	See Inflammable Liquids.
* small quantities of chemicals in mixed consignments	II	
Sodium :		
azide	II	
bichromate	II	
bisulphide solution	II	
* chlorate	II	Maximum quantity in any opened hold limited to 15 tons. Maximum quantity in any closed hold 100 tons.
cyanide	II	
hydroxide (<i>see</i> caustic soda)	III	
metalisulphite	III	
metallic	U	
monoxide	II	
nitrate	II	If in drums or barrels Class III.
perborate	III	
percarbonate	III	
peroxide	II	
sulphide	II	
* Spirits of wine (ethyl alcohol)	II	
Stannic chloride (anhydrous) (tin tetra-chloride)	II	
Straw	III	
Sulphate of copper	III	
Sulphur	II	
Sulphur dioxide (liquefied gas)	III	
for use in ice machines	III	
glass syphons	III	
small cylinders	III	
Sulphur monochloride	II	
Sulphuric Acid	II	
Sulphuric acid and nitric acid mixtures	II	
Sulphurous Acid	III	
Sulphuryl chloride	II	
Tar oil compounds	II	
Tetrachlorethane (ethane tetrachloride)	III	
Tetra-nitro-methyl-aniline	I	
Thionyl chloride	II	
Tin Tetrachloride (anhydrous)	II	
Titanium Tetrachloride	II	

DANGEROUS GOODS—Continued.

Names of Goods.	Classification.	Remarks.
Toluol (inflammable liquid, flash point below 73°F. and immiscible with water) ...	I	
Trichlorethylene	III	
Tri-nitro-benzol	I	
Tri-nitro-napthalene	I	
Tri-nitro-phenol	I	
Tri-nitro-toluol	I	
Turpentine (inflammable liquid flash point from 73°F. to 150°F.)	II	
Varnishes, oil spirit	III	
Vestas (lucifer matches) :		
approved brands	II	
* unapproved brands	II	
Westron (ethane tetrachloride)	III	
Westrosal (trichlorethylene)	III	
White spirit (turpentine substitute)—(inflammable liquid, flash point from 73°F. to 150°F.)	—	See Inflammable Liquids.
Xanthate Potassium (sulphur compounds) ...	III	
Xylidine (dye intermediate)	III	
Xylol	—	See Inflammable Liquids.
* Xylonite	II	
Zinc, granulated, powder or dust	II	

(Bye-laws Nos. 54 and 56)

SCHEDULE "C".

TARIFF.

I. GOODS INWARD.

Per ton.

Receiving, Storing, delivering at Transit Shed door or Wharf face \$ c.
or loading direct to vehicles I 00

Exceptions :

In the following cases the charges per weight or volume shall be as hereunder :—

Per ton.

\$ c.

All goods classified as Class I and Class II in the list of Dangerous Goods I 50

Lumber 500 feet (Board Measurement)=1 ton I 00

Rails—over 35 feet in length I 25

Iron or Steel Work—over 35 feet in length I 25

Iron or Steel Bars—over 35 feet in length I 25

Lifts of 2 tons and over I 25

Cement 75

Barytes, Iron Oxide, Pyrites, Coal, Coke and Patent Fuel 80

Flour, salt, chemical fertilizers in bags 90

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2. GOODS OUTWARD.

Receiving, storing, delivering to Wharf face or shipping direct ex vehicles:—

		<i>Per ton.</i>	
		\$	c.
Locally manufactured goods and local produce	...	...	60
<i>Exceptions.</i>			
Bananas	... ..	1	00
Grape Fruit	... ..	...	40

3. RE-EXPORTS.

Shall be subject to the same charges for receiving, storing, delivering to Wharf face or shipping direct *ex* vehicles as are payable in respect of goods inward under item 1 for receiving, storing, delivering at transit shed door or Wharf face or loading direct to vehicles.

4. TRANSHIPMENT.

The charges (inwards and outwards) on goods landed on a wharf shall be as follows:—

		\$	c.
General goods	... ..	1	20
Produce of West Indies.	... ..	...	60

5. LOADING INTO VEHICLES, LIGHTERS OR OTHER VESSELS AFTER LANDING HAS BEEN EFFECTED.

		\$	c.
Per ton	... ..	...	25

When weights or measurements are not supplied by consignees or not otherwise ascertainable, charges for loading shall be as follows:—

Vessels—on full carrying capacity of the vessel.

Vehicles—(other than Railway wagons) on the full capacity of the Vehicles.

Railway wagons—on the full capacity of the waggon less 10 per cent.

6. ADDITIONAL COMMUTED CHARGES FOR WORK PERFORMED AT NIGHTS, ON SUNDAYS AND PUBLIC HOLIDAYS :

		Per labourer, cooper or foreman per hour or part thereof.
Day—(7 a.m. to 5 p.m.)		
Sundays and Public Holidays	... ..	20c.
Christmas, Good Friday and Corpus Christi	... ..	30c.
Night—(5 p.m. to 7 a.m.)		
Ordinary working days—(Monday shall be deemed to commence at midnight of the preceding Sunday and Saturday to end at midnight)		
... ..	...	20c.
Sundays and Public Holidays—		
From midnight of the preceding day to 7 a.m. and from 5 p.m. to midnight of any Sunday or public holiday...		
... ..	...	30c.
Christmas, Good Friday and Corpus Christi—		
From midnight of the preceding day to 7 a.m. and from 5 p.m. to midnight		
...	40c.

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7. MEN STANDING BY AWAITING ARRIVAL OF VESSEL OR FOR ANY OTHER REASON :

		Per labourer, cooper or foreman per hour or part thereof.	
Day	7 a.m. to 5 p.m. ... ..	...	20c.
Night	5 p.m. to 7 a.m. ... ..	...	30c.

NOTE.—With regard to the last two preceding headings—

- (a) when gangs are ordered, 15 men, 1 foreman and 1 cooper will be supplied and charged for in each gang unless the owner or agent of the vessel has made application at the time of ordering the gang for a lesser or greater number ;
- (b) no charge will be made for clerks.

8. FRESH WATER.

Water supplied direct from mains to vessels at King's Wharf.

1st 100 tons or part thereof	... ..	50c. per ton of 224 gals.
2nd 100 tons or part thereof	... ..	45c. ,, ,,
3rd and succeeding 100 tons or part thereof	... ..	40c. ,, ,,
Supplied to water boats	... ..	\$1.10 per 1,000 gals.
Minimum charge	... ..	\$2.00

Small quantities of water (*i.e.* less than 1 ton of 224 gals.) shall be supplied to droghers, schooners and other small craft at the rate of 10 cents per 50 gallons or part thereof.

When water is supplied on a Sunday or a public holiday, or between 5 p.m. and 7 a.m. on other days, an extra charge of 30 cents per hour shall be levied to cover the cost of the attendants' overtime.

9. TOWAGE AND OTHER SERVICES OF TUGS

A.—*Tugs in attendance or assisting when berthing or unberthing or in the Grier Channel or in the Basin.*

The charges for such attendance and/or assistance (Inwards and Outwards inclusive) shall be as follows :—

Per ton loaded and/or unloaded including bunkering	... ..	\$ c.
Maximum charge when one tug is in attendance	... ..	10
Minimum charge when one tug is in attendance	... ..	60 00
Extra charge, (<i>i.e.</i> over and above maximum or minimum) when additional tugs are ordered (per tug)	... ..	20 00

Vessels berthing and/or unberthing to embark or disembark passengers or for purposes other than or in addition to those of loading, unloading or bunkering shall be subject to the maximum charge.

Tugs when ordered by Master to stand by or assist vessel changing berth (per tug)	... ..	\$ c.
		10 00

B.—*Five Services.*

Tug employed as Fire Float—per hour or part thereof	... ..	30 00
Minimum charge	... ..	120 00

C.—*Tug used as tender for passengers, mails or baggage.*

Per hour or part thereof	15 00
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D.—*Towage of Lighters or Small Craft.*

Per hour or part thereof	15 00
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E.—*Overtime Rates.*

An additional charge of \$5.00 per hour or part thereof shall be levied when tugs are employed between the hours of 6 p.m. and 6 a.m. or on Sundays or public holidays.

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Overtime rates shall not be levied when tugs are in attendance on a vessel berthing or unberthing at King's Wharf.

Rates for services other than those detailed shall be subject to negotiation with the Harbour Master: Provided that if required to perform services outside harbour limits, the tug must be fully insured before departure and the cost of such insurance shall be met by the person or company hiring the tug.

10. STORE RENT.

A.—Free Storage.

Imported goods landed from vessels shall be stored "Free" for 96 hours (reckoned from the time when the vessels or droghers complete discharge): Provided that in the case of lumber the period of free storage shall be 192 hours. Quantities in excess of 50 tons, covered by one bill of lading, shall be allowed an extra 12 hours "Free" storage for every 50 tons or part thereof over and above that quantity. In calculating the "Free" storage period allowed, Sundays and public holidays on which delivery is suspended shall not be included.

Local produce and products which are stored awaiting shipment shall be stored "Free" for 21 days (inclusive of Sundays and public holidays).

Goods awaiting transhipment shall be stored "Free" for 42 days (inclusive of Sundays and public holidays).

Should the "Free" storage period be exceeded, full rates shall become operative at the expiration of the "Free" storage period.

B.—Goods stored in warehouse.

The rates shall be as follows:—

Goods imported (other than those classified as dangerous goods):

	<i>Per package per week or part thereof.</i>
Packages not exceeding 2 cubic feet in measurement or 112 lb. in weight	3c.
For each additional cubic foot measurement or 56 lb. in weight, or fraction thereof	1c.

Goods classified as dangerous goods (imported, exported or transhipped):—

Double the above rates.

Goods transhipped or exported (other than those classified as dangerous goods):—

Half the above rates.

C.—Goods stored in the open.

The above rates for store rent charges shall be applicable in respect of any goods stored in the open, but at half rates for the first two weeks after the "Free" storage period and thereafter at full rates.

11. REMOVAL OF GOODS TO BOND.

Weight or measurement shall be reckoned whichever yields the higher charge.

Packages not exceeding 2 cubic feet in measurement or 112 lb. in weight	6c. per pkg.
For each additional cubic foot measurement or 56 lb. weight, or fraction thereof	3c. do.
Minimum charge per package	6c. do.

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12. HIRE OF GEAR.

				<i>Per day or part thereof.</i>	
Cant Hooks	}	
Canvas Slings		
Chain Slings		
Lifting Clamps		
Rope Slings		
Wire Slings		
Hand Trucks	}	75c.
Wooden Platform Slings		

13. HIRE OF HAND CRANES.

				<i>Per hour or part thereof.</i>	
Small hand cranes	...	...	...	25c.	
Heavy lift hand cranes	...	...	...	\$2 00	

Note.—When hand cranes are hired the hirer shall supply labour for operating the cranes.

14. CHARGES FOR USE OF STEAM CRANES.

Lifts of over 2 tons \$1.00 per ton.

Provided that when goods are unloaded by labour employed by the Wharf Superintendent, no charge shall be levied for the use of cranes for the unloading of droghers or for cranes used to remove cargo from alongside or to place cargo alongside any vessel berthed at King's Wharf.

The charge for power-operated cranes hired for purposes other than those detailed in the Tariff shall be \$2.00 per hour or fraction thereof.

An extra 50 per cent. shall be charged when work is performed outside ordinary working hours or on Sundays or public holidays.

15. DIVER AND APPARATUS.

\$10.00 per hour or part thereof with a minimum charge of \$25.00.

16. UNPACKING AND ASSEMBLING CASED MOTOR VEHICLES AND TRAILERS.

Use of space inside shed per vehicle	...	...	...	\$2 50
Use of space outside shed per vehicle	...	...	...	1 25

17. SPECIAL CHARGE.

Rental of space (for special purposes subject to approval of the Wharf Superintendent).

In transit sheds 2c. per sq. ft. per week or part thereof.

Outside transit sheds 1c. do. do.

18. VALUABLE PACKAGES.

A charge of 10 cents per \$100 value will be levied in addition to store rent in respect of each week or part thereof during which packages of greater value than four hundred and eighty dollars, or two hundred and forty dollars per cubic foot, are stored.

19. HIRE OF TELEPHONE IF PLACED ON BOARD A VESSEL.

				\$	c.
First 24 hours or part thereof	...	...	...	2	00
Each succeeding 24 hours or part thereof	...	...	...	1	00
Maximum charge per vessel	...	...	...	5	00

NOTE.—The above does not provide for long distance calls, which must be paid for at ordinary telephone rates.

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20. REPAIRS TO DAMAGED PACKAGES.

The actual cost of labour and materials, with the addition of 10 per cent. shall be charged when packages are repaired.

21. WEIGHING AND SORTING.

An extra charge, to be assessed by the Wharf Superintendent, in accordance with the labour involved, shall, subject to item 23, be made for weighing (when ordered) or for sorting or selecting particular goods or packages.

22. CERTIFIED WEIGHTS AND MEASUREMENTS.

Certificates as to weight or measurement shall be issued by the Wharf Superintendent on receipt of an application in writing. A charge of 50 cents shall be levied for each certificate.

23. SORTING AND SELECTING OF LUMBER, IRON, STEEL, ANGLES, PLATES, PIPES AND SIMILAR CARGO.

When goods of the above description are brought on a wharf with marks and sizes mixed, an extra charge of 25 cents per ton shall be levied if sorting or selecting is necessary.

24. OTHER SERVICES NOT SPECIFICALLY PROVIDED FOR.

The actual cost of performing the service, with an addition of 10 per cent.

SCHEDULE "D". (Bye-law No. 36)

GOODS WHICH MAY BE STORED IN THE OPEN UNLESS THE WHARF SUPERINTENDENT HAS RECEIVED THEM WITH SPECIFIC INSTRUCTIONS THAT THEY SHALL NOT BE STORED IN THE OPEN.

The Store Rent charges shall be applicable in respect of any goods stored in the open of the kind specified in the list hereunder, but at half rates for the first two weeks and thereafter at full rates.

Acids.	Fencing.
Anchors.	Grindstone.
Asphalt.	Horse boxes.
Ballast.	Iron of all descriptions.
Boilers.	Ironware.
Bottles (empty) in crates or bags.	Lead.
Bricks in case.	Lumber.
Casks (empty).	Machinery.
Castings.	Oil (Lubricating and Paint).
Cement in drums.	Paints.
Chains.	Pipes (earthenware).
Charcoal.	Planks.
Cylinders (full or empty).	Quarry Products.
Drums.	Steel of all descriptions.
Engines.	Tar, Pitch, &c.
Expanded Metal.	Timber of all descriptions.