



1845.

No. 4.

By His Excellency GEORGE GREY, Esquire, Governor and Commander-in-Chief of Her Majesty's Province of South Australia and its Dependencies, and Vice-Admiral of the same, by and with the advice and consent of the Legislative Council.

AN ORDINANCE to abolish all Harbour Rates and Port Dues and Charges, and certain Ad Valorem Duties, and to substitute for the same certain fixed Duties of Customs.

*Repealed by
No. 16. 1846.*

WHEREAS by certain Ordinances of the Governor, with the advice and consent of the Legislative Council of South Australia, the following Pilotage Rates, Harbour Dues, Entrance and Clearance Charges, Wharfage Rates, Ballast Dues, and Duties of Customs have been imposed, that is to say :

Preamble.

By an Ordinance passed on the twenty-second day of February, 1 Vict., No. 3, sec. 12. one thousand eight hundred and thirty-eight, intituled "An Act for the better preservation of the Ports, Harbours, Havens, Roadsteads, Channels, Navigable Creeks, and Rivers in Her Majesty's Province of South Australia, and for the better regulation of shipping and their crews in the same," it was enacted among other things (Section 12), "that the Rates of Pilotage among other things (Section 12), "that the Rates of Pilotage
Pilotage Rates.
"into

“into or out of Port Adelaide from or to a distance which shall
 “be regulated by the Harbour Master shall be those specified in
 “Schedule B annexed; but no Pilotage shall be chargeable on
 “any vessel registered in this Colony, or on any steam vessel
 “while respectively employed on the coasting trade of this Province,
 “unless the assistance of a Pilot be actually received, and
 “it shall be lawful for the Governor, and he is hereby empowered
 “from time to time as occasion shall require, to fix a lower scale
 “of Rates and Charges of Pilotage for Port Adelaide, or for any
 “particular Port or Harbour of the Province, and to give notice
 “thereof in the Government Gazette; and it is hereby declared
 “that from and after the publication of any such notice in the
 “Government Gazette, the particular Rates and Charges described
 “and set forth in such notice, and no other, shall be payable for
 “the particular Port or Harbour specified therein:”

**Section 13.
 Pilotage.**

And by Section 13—“That no Pilot shall be in any wise bound
 “to conduct any vessel to sea, until the full amount of the Pilotage
 “of such vessel shall be first paid, or secured to be paid, to the
 “satisfaction of such Pilot:”

**Section 14.
 Extra Pilotage.**

And by Section 14—“That any Pilot detained on board any
 “vessel of which he had been in charge longer than forty-eight
 “hours, whether by stress of weather, quarantine or otherwise
 “shall be entitled to demand and be paid eight shillings *per die*
 “in addition to the regular Pilotage:”

**Section 16.
 Harbour Pilotage.**

And by Section 16—“That all vessels shall cast anchor in the
 “place pointed out by the Harbour Master, and shall also be re-
 “moved from one anchorage to another, under his direction, for
 “which removal Harbour Pilotage shall be paid according to the
 “sums specified in Schedule C, except in cases of vessels regis-
 “tered in the Colony and employed in the coasting trade thereof:”

**Section 22.
 Entrance and Clearance Charges.**

And by Section 22—“That the Master or Commander of every
 “vessel arriving at or departing from any Port, Harbour, or Road-
 “stead in the said Province, where an Officer for that purpose
 “appointed by the Governor may be stationed, shall pay into the
 “hands of such Officer the several Charges for entry inwards and
 “clearance outwards of every vessel, as the same are respectively
 “inserted in figures in the Schedule to this Act annexed marked
 “with the letter D:”

**Section 23.
 Wharfage Rates.**

And by Section 23—“That the several Rates and Charges for
 “Wharfage on goods, merchandise, and packages landed in any of
 “the Ports of the Province, shall be paid into the hands of the
 “Collector

"Collector, or other authorised Officer, as the same are respectively set forth in figures in the Schedule to this Act annexed, marked with the letter C :"

And by an Ordinance passed on the first day of June, one thousand eight hundred and forty-two, to amend and extend the before recited Ordinance, it is enacted among other things Section 4—"That so much of the said recited Act as relates to Rates of Pilotage, and to the table thereof, in the Schedule to the said Act annexed marked B, and also so much of the said recited Act as relates to Harbour Dues, and to the table thereof, in the Schedule to the said Act annexed marked C, shall be, and the same is hereby repealed, excepting always as is herein provided :"

And by Section 5—"That the Rates and Charges of Pilotage on all ships or vessels arriving in Port Adelaide from any distance not less than two leagues at sea, or departing therefrom to a like distance at sea, shall be the same as are respectively inserted, described, and set forth in the Schedule to this Act annexed marked A: Provided always, that it shall be lawful for the Governor as aforesaid, from time to time as occasion may require by Proclamation of His Excellency, published in the Government Gazette one month before the same shall take effect, to vary and reduce, and again to advance the said Rates, not exceeding the maximum Rates specified in the said Schedule :"

And by Section 6—"That the Rates and Charges of Pilotage on all ships and vessels arriving in the Roadstead called Holdfast Bay, from any distance not less than two leagues at sea, or departing therefrom to a like distance at sea, and not proceeding into or from Port Adelaide, shall be one-half the amount of the Rates and Charges in force for the time being on vessels arriving in or departing from Port Adelaide: Provided always, that it shall be lawful for the Governor by Proclamation, published for the period and in manner aforesaid, to vary, reduce, and again increase the said Rates and Charges not exceeding the said maximum amount of one-half the Rates and Charges, payable for Port Adelaide:"

And by Section 7—"That instead of the sums payable as Harbour Pilotage, under the provisions of the aforesaid Act, and of the Schedule C thereof, the Harbour Dues payable on all ships or vessels entering Port Adelaide, or removing from one place of anchorage or mooring to another, not being for the purpose of leaving the Port, shall be the same as are respectively inserted,

5 Vict., No. 16.

Section 5.

New Rates of Pilotage for Port Adelaide

Section 6.

Half Pilotage for Holdfast Bay.

Section 7.

New Harbour Dues for Port Adelaide.

“serted, described and set forth in the Schedule to this Act
 “annexed, marked B: Provided always, that it shall be lawful
 “for the Governor from time to time, as occasion may require,
 “by Proclamation, published for the period and in manner aforesaid,
 “said, to vary and reduce, and again to advance, the said Harbour
 “Dues, not exceeding the maximum Dues specified in the said
 “Schedule:”

**Section 8.
 For other Ports.**

And by Section 8—“That it shall be lawful for the Governor
 “from time to time, whenever it may appear expedient, by Pro-
 “clamation published for the period and in manner aforesaid, to
 “make and ordain such Rates and Charges of Pilotage as may seem
 “fitting to be levied for and in respect of all ships or vessels
 “arriving in or departing out of any other Port or Harbour or
 “Roadstead in the said Province, from or to a distance which
 “shall from time to time be regulated by the Harbour Master
 “and also to make and ordain such Harbour Dues as may seem
 “fitting to be levied, for and in respect of all ships or vessels
 “entering any other Port, Harbour, or Roadstead in the said
 “Province, or removing from one place of anchorage or mooring
 “to another, not being for the purpose of leaving such Port
 “Harbour, or Roadstead; and to vary and reduce, and again to
 “advance the said Pilotage Rates and Harbour Dues, not ex-
 “ceeding the maximum Dues specified in the said Schedules A
 “and B respectively:”

**Section 10.
 Tonnage Dues.**

And by Section 10—“That the several Dues specified in the
 “Schedule C hereto annexed, shall be leviable and paid in respect
 “of all vessels arriving in or departing from the Port of Adelaide
 “or the Roadstead of Holdfast Bay, as the case may be: Pro-
 “vided always, that it shall be lawful for the Governor, by Pro-
 “clamation published for the period, and in manner aforesaid,
 “from time to time to vary, reduce, and again to advance the said
 “Tonnage Dues, in such manner as may be deemed advisable, not
 “exceeding the maximum Dues hereby imposed:”

**New Wharfage
 Rates.**

And by Section 11—“That in lieu of the Rates and Charges
 “for Wharfage fixed by the recited Act, and set forth in the
 “Schedule thereto annexed, marked E, it shall be lawful for the
 “Governor, by Proclamation published for the period and in the
 “manner aforesaid, from time to time to authorise and appoint
 “such other Rates and Charges to be levied for Wharfage as may
 “seem fit and expedient, not exceeding the maximum Wharfage
 “Rates specified in the Schedule hereto annexed, marked D:”

**Section 13.
 Ballast Dues.**

And by Section 13—“That for and in respect of the supply of
 “ballast

Act
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"ballast, there shall and may be levied for and in respect of every
"ship or vessel supplied with ballast a Rate or Due of five shillings
"for each and every ton of ballast so supplied, or such other Rates
"and Dues as may from time to time be appointed by the Governor,
"by proclamation published for the period and in manner afore-
"said :"

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And by an Ordinance passed on the twelfth day of August, one ^{6 Vict No. 2.}
thousand eight hundred and forty-two, intituled "An Act to amend
"the Laws for the regulation of the Customs and Trade in South
"Australia," it is enacted among other things :

Section 3—"That from and after the commencement of this Act, <sup>Section 3 and Sched-
dule.</sup>
"in lieu and instead of all other Duties of Customs, there shall be
"raised, levied, collected, and paid unto Her Majesty for the public
"uses of the Province and support of the Government thereof,
"(amongst others) the several Duties of Customs hereinafter men-
"tioned, to wit : On tea, sugar, coffee, and rice imported, a Duty of ^{Duties of Customs.}
"five pounds sterling on every hundred pounds in value thereof,
"and so in proportion for every greater or less value :"

And whereas it is expedient that all Harbour Rates, Port Dues,
and Charges, and the aforesaid Duties of Customs on tea, sugar,
coffee, and rice, and the several enactments and provisions respecting
the same should be repealed, and that certain fixed Duties ofcus-
toms should be substituted :

BE IT THEREFORE ENACTED BY HIS EXCELLENCY THE GOVERNOR
of South Australia, by and with the advice and consent of the Le- ^{Repeal.}
gislative Council thereof—That from and after the passing hereof,
the several Rates and Dués before mentioned, and all Port Dues
and Charges heretofore levied in South Australia ; and the several
Duties of Customs on tea, sugar, coffee, and rice hereinbefore enu-
merated, shall cease and be no longer payable ; and the before
recited and all other enactments and provisions respecting the same,
shall be and are hereby repealed ; excepting always in so far as the
said enactments repeal any former Act or any part thereof, and
except so far as relates to anything lawfully done before the com-
mencement hereof ; and provided that the several Ordinances before
recited shall be and remain in force in so far as not herein expressly
repealed.

II. And be it enacted, that in lieu of the aforesaid Dues, Rates, <sup>New fixed Duties of
Customs.</sup>
and Port Charges, and of the Duties of Customs herein enumerated,
there shall be raised, levied, collected, and paid unto Her Majesty
for the public uses of the Province and support of the Government
thereof

thereof, on the several goods, wares, and merchandise set forth in the Schedule to this Ordinance annexed, the several Duties of Customs set forth in figures in the said Schedule.

Ordinance to be a
Law relating to Customs
and Trade.

III. And be it enacted, that this Ordinance shall be deemed a Law relating to the Customs and Trade, and shall be construed as one Act with the said recited Ordinance passed on the twelfth day of August, one thousand eight hundred and forty-two, "to amend the Laws for the regulation of the Customs and Trade in South Australia."

G. GREY,

Governor and Commander-in-Chief

*Passed the Legislative Council this Third
day of July, One Thousand Eight
Hundred and Forty-five.*

W. L. O'HALLORAN,

Clerk of Council.

SCHEDULE

SCHEDULE REFERRED TO.

TABLE OF DUTIES payable under this Ordinance.

	£	s.	d.
1. On Tea, per pound weight	0	0	2
2. On Sugar, not refined, per hundred weight.....	0	2	0
" refined or candy, ditto	0	4	0
3. Coffee, per hundred weight	0	4	0
4. Rice, per hundred weight.....	0	1	6
5. Porter, ale, beer, cider, and perry, imported bottled, per gallon...	0	0	4
" " " draught	0	0	3