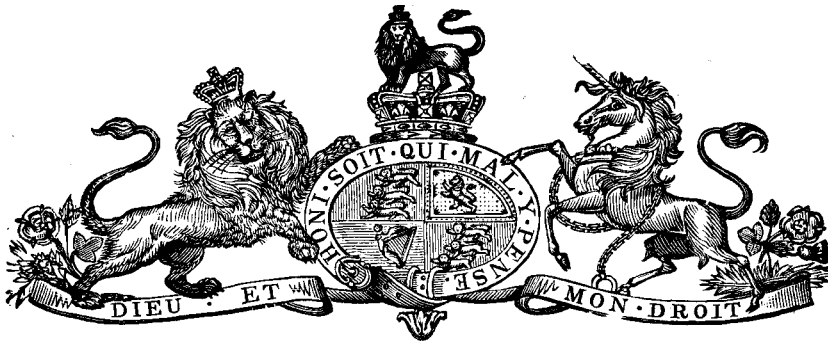


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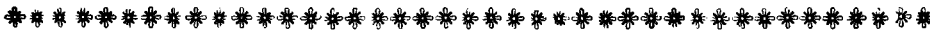


1903.

ANNO TERTIO

EDWARDI VII. REGIS,

No. 20.



AN ACT to further amend "The Marine Boards Act, 1889," and for other purposes. A.D. 1903.
[23 December, 1903.]

WHEREAS it is expedient to further amend "The Marine Boards Act, 1889," in manner hereinafter appearing: PREAMBLE.

Be it therefore enacted by His Excellency the Governor of *Tasmania*, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows: —

1 This Act may be cited as "The Marine Boards Act, 1903." Short title.

2 In the construction of this Act the expression "the said Act" shall mean "The Marine Boards Act, 1889." Interpretation. 53 Vict. No. 34.

3 On or from the third *Thursday* in the month of *December*, One thousand nine hundred and three, Sections Fourteen to Twenty-three inclusive, of "The Marine Boards Amendment Act, 1898," and "The *Strahan* Marine Boards Election Act" shall be repealed. Repeal of Sects. 14 to 23 of 62 Vict. No. 36, and 63 Vict. No. 14.

4—(1.) On the Third *Thursday* in the month of *December* One thousand nine hundred and three, the present Members of the Marine Board of *Strahan* shall cease to hold office, and thereafter the Marine Board of *Strahan* shall be constituted as follows:— Constitution of the Marine Board of *Strahan*.
6d.]

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Board of *Strahan* shall consist of Three Members to be appointed by the Governor, who shall hold office during pleasure.

(2.) Any Two Members of such Board shall form a quorum.

Master Warden of Marine Board of *Strahan* to be appointed by Governor.

5 Notwithstanding anything contained to the contrary in the said Act, the Governor shall appoint, during pleasure, which of the Members of the Marine Board of *Strahan* shall be Master Warden, and who shall be entitled to receive as compensation for his services such sum of money per annum as the Governor may from time to time determine; and such sum shall be paid to such Master Warden out of funds at the disposal of such Board.

Marine Board of *Hobart* to pay interest on cost of Lighthouse at *Cape Pillar*.

6 It shall be lawful for the Marine Board of *Hobart*, from time to time, to appropriate and pay to the Treasurer of *Tasmania*, out of the Lighthouse Rates Fund, such sums of money by way of Interest not exceeding Four Pounds per centum per annum upon the amount of money from time to time expended by the State of *Tasmania* in the construction of a Lighthouse in the vicinity of *Cape Pillar*.

Amendment of Section 58 of 1 Ed. VII. No. 54.

7 The words "entered to be" in the first line of Section Fifty-eight of "The *Leven* Harbour Trust Act" are hereby expunged.

Further Amendment of same Section.

8 The words "entered for export at any port," in the third line of Section Fifty-eight of "The *Leven* Harbour Trust Act," are hereby expunged, and the word "shipped" inserted in lieu thereof, and the words "for any other port within or without the State of *Tasmania*" are inserted after the word "Trustees" in the fourth line of the same Section.

Amendment of Schedule (4.) of 1 Ed. VII. No. 45.

9 The following words are added to Schedule (4.) of "The *Leven* Harbour Trust Act":—"On all goods not otherwise enumerated, a wharfage rate not exceeding One Penny per hundredweight."

Amendment Sect. 58 of 53 Vict. No. 34.

10 Section Fifty-eight of the said Act is hereby repealed, and in lieu thereof the following shall be and be deemed to be and may be cited as Section Fifty-eight of the said Act, that is to say:—

Wharfage Rates to be received by Collector of Customs or other Officer for purposes of this Act.

"**58** Such Wharfage Rates on goods landed at any Port, not exceeding those specified in Schedule (4.), as may from time to time be fixed by the Board by any By-law made under the authority of this Act, shall be payable and paid to the Collector of Customs at such Port, or any Officer appointed by the Board, for the purposes of this Act."

Amendment of Sect. 130 of 53 Vict. No. 34.

11 Section One hundred and thirty of the said Act is hereby repealed, and in lieu thereof the following shall be and be deemed to be and may be cited as Section One hundred and thirty of the said Act, that is to say:—

General powers.

"**130** The Boards respectively, besides the special powers and duties hereinbefore vested in and imposed on them, are hereby empowered and required to perform the following general functions and duties:—

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- To fix and regulate the Wharfage Rates to be paid on goods landed at any Port, not exceeding those specified in the Schedule : A.D. 1903.
Wharfage Rates.
- To fix and regulate the fees or charges to be paid by any vessel not landing or loading any cargo liable to pay Wharfage Rates which embarks or disembarks passengers, or loads or lands any goods within the jurisdiction of the Board : Fees in lieu of Wharfage Rates.
- To remit all or any portion of the Wharfage Rates paid on goods landed at any Port for transshipment to any Port or place beyond *Tasmania* : Provided that notice shall be given at the time that such goods are to be landed for transshipment only : Power to remit Wharfage Rates.
- To fix and regulate the fees to be paid for services performed by Harbour Masters, not exceeding those specified in the Schedule : Harbour Master's Fees.
- To regulate and determine, subject to the rates specified in the Schedule, the nature of the service for which Pilotage Rates and charges shall be payable; the amount, payment, and remission of such rates and charges; and the amount to be paid for detention of Pilots on board vessels under Quarantine or otherwise : Pilotage Rates.
- To superintend and maintain sea or harbour marks, buoys, and beacons now or hereafter erected or placed : Buoys, &c.
- To prescribe and regulate the use by ships and boats of lights, life-buoys, and life-jackets, or other means of saving life at sea : Lights, &c.
- To prevent the overloading of either steam or sailing ships, other than steam or sailing ships engaged in whale fishing, and of overcrowding of steam or sailing ships and steam ferry boats with passengers, and for regulating the carrying of gunpowder and other explosives : Steamers overloading.
- To prescribe and regulate the limits within which any steamship conveying passengers or goods for hire within any river or harbour shall ply for hire, or convey passengers or goods for hire within such river or harbour : Steamers' limits.
- To grant Certificates of Competency to Masters of steamships or of sailing ships trading on any river or to, in, or between any Port or Ports in *Tasmania*, and not required by any other Act of the Parliament of *Tasmania* to be commanded by a Master having a Certificate of Competency or Service granted by any other authority, and also to suspend or cancel any such Certificate : Provided, however, that every such grant, suspension, or cancellation of any such Certificate shall be in accordance with regulations made by the Governor in Council : Certificates of Masters.
- To make all necessary regulations for securing a speedy report of any casualty to any steamship or to any such sailing ship as aforesaid, or of any collisions occurring between any two or more such steamships or sailing ships as aforesaid : Casualty or collision.

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Boatmen's
Licences.

To license Boatmen plying for hire in any Port, and fix the fees to be paid for such Licences, and also the penalties on persons plying for hire with boats, or keeping boats for the purpose of plying for hire without being licensed; to regulate the fares to be charged by licensed Watermen plying for hire within the Ports in their jurisdiction; to fix places at which licensed Watermen, or persons employed by them, shall ply, and otherwise regulate their conduct and proceedings; and to regulate and control steam or other ferry boats plying for hire at wharves or public thoroughfares. And the Board may issue Boat Licences or Water Licences on such fixed days or otherwise as may be deemed desirable by the Board:

To license Tugs.

To license Tugs, if necessary, for conducting vessels into and out of Port; and to fix the fees to be paid for such Licences and the rates to be charged for the services of such Tugs:

Cleaning Ports.
Berthing of
vessels.

To clean and deepen the Ports:

To regulate the berthing of vessels at wharfs and in docks, and the mooring, unmooring, and removal of vessels, and the number of days during which a vessel shall be permitted to occupy any berth, and to fix and determine the depth of water to which vessels in any dock may be loaded whilst in such dock:

Ballast.

Duties of Pilots,
Harbour Masters,
&c.

To license Ballast-boats, and as far as possible to regulate the supply of ballast to the shipping:

To regulate the duties and conduct of the Pilots, Harbour Masters, and other persons employed and acting in carrying out and effectuating the several objects of this Act; the duties and conduct of Masters of vessels and other persons frequenting the Port; the limits to which the powers and duties of Harbour Masters shall extend; the mode in which Masters of vessels shall apply for and obtain the services of the Pilots and Harbour Masters; the hours within which vessels about departing shall be cleared; and the lights to be exhibited by Masters of vessels to prevent collision:

Rules for regula-
tion of Ports.

To make and enforce rules for the convenience of persons walking upon or landing on or embarking from any wharf; for regulating the shipping or landing of goods, merchandise, or other commodities at or from any dock or wharf; the nature of the goods, merchandise, or other commodities which may or may not be shipped or landed, and the mode and time of shipping and landing the same; for the effectual preservation of docks and wharfs; for the governing and regulating of porters, carters, carmen, and others carrying goods or using or driving horses, waggons, carts, drays, trucks, or other carriages for conveying passengers, goods, merchandise, or other commodities to or from docks or wharfs; for the convenience of persons using or resorting to the same; and otherwise generally for the better governance, regulation,

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and management, safety, and protection of the Ports, Docks, Wharfs, and Shipping as to such Boards respectively seem necessary or desirable."

A.D. 1903.

12 The Schedule hereto shall be and be deemed to be and may be cited as the Schedule (7.) to the said Act.

Amendment of Schedule (7.) to the said Act.

13 Section Five of "The Marine Boards Amendment Act, 1891," the Schedule to the latter Act, Sections Sixteen and Nineteen of "The Marine Boards Amendment Act, 1895," and Section Seven of "The Marine Boards Amendment Act, 1898," are hereby repealed.

Repeal of Sect. 5, and Schedule to 55 Vict. No. 44 Sects. 16 and 19 of 59 Vict. No. 27 and Sect. 7 of 62 Vict. No. 36.

14 Section Five of "The Marine Boards Act, 1896," is hereby repealed, and in lieu thereof the following shall be and be deemed to be and may be cited as Section Five to such Act; that is to say:—

Amendment of Sect. 5 of 60 Vict. No. 33.

"**5** In every case in which goods are landed at any port of entry for transshipment or transport overland to any other port in *Tasmania*, the Wharfage Rates payable in respect of such goods shall be paid at the port to which such goods are transported or transhipped, and one-half of such Wharfage Rates shall be paid by the Treasurer to the Board having jurisdiction at the port of entry at which such goods are landed as aforesaid, and the other half of such Wharfage Rates shall be paid by the Treasurer to the Board having jurisdiction at the port to which such goods are transported or transhipped as aforesaid: Provided that notice shall be given at the time of landing that such goods are to be landed for transshipment or transport only.

Distribution of Wharfage Rates.

15 Section Thirty of "The Marine Boards Amendment Act, 1898," is hereby repealed, and in lieu thereof the following shall be and be deemed to be and may be cited as Section Thirty of such Act; that is to say:—

Amendment of Sect. 30 of 62 Vict. No. 36.

"**30** Such Wharfage Rates on goods shipped at any port as may from time to time be fixed by the Board by any By-law made under the authority of this Act shall be payable and paid to the Collector of Customs at such port or any Officer appointed by the Board for the purposes of this Act."

Wharfage Rates payable to Collector of Customs or other Officer.

16 This Act and the said Act and every Act amending the same shall, save as amended by this Act, be read and construed together as one and the same Act.

Acts to be read together.

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SCHEDULE.

(A.)

LIGHTHOUSE RATES.

For every Steamship, Threepence per Ton.

For every Coast-trade ship, Threepence per ton: Provided that a Transire to enter any Port in *Tasmania* free of Lighthouse Rates for a period of Six months may be granted to any Coast-trade ship while engaged solely as such, upon payment of One Shilling per Ton.

For every other ship, Fourpence-halfpenny per Ton.

Provided that such Rates shall not exceed in the case of any one steamship or ship the sum of Twenty-five Pounds, and that such Rates for any one steamship or ship for a period of Six months shall not exceed in the aggregate the sum of One hundred and Fifty Pounds, notwithstanding the tonnage of such steamship or ship.

Every Coast-trade ship which passes any Lighthouse on any voyage shall be liable to pay Light Dues in the same manner as any other ship, although such first-mentioned ship may not go beyond the limits of the Port in which the starting-place is situate.