New South Wales.

ANNO QUINTO

GEORGII V REGIS.

* *

Act No. 12, 1914.

An Act to provide for fixing and collecting inward and outward wharfage rates, and inward and outward harbour rates in the port of Sydney; to amend the Sydney Harbour Trust Act, 1900, the Sydney Harbour Rates Act, 1904, and the Sydney Harbour Trust and Navigation (Amendment) Act, 1908; and for other purposes. [Assented to, 16th April, 1914.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

Preliminary.

1. This Act may be cited as the "Sydney Harbour Trust (Wharfage and Harbour Rates) Act, 1914." Short title.

Repeal.

2. Sections sixty-eight, sixty-nine, and seventy-nine of the Sydney Harbour Trust Act, 1900, and sections three, four, and nine of the Sydney Harbour Rates Act, 1904, are repealed.

Wharfage rates.

New sections.

3. The following sections are inserted in the place of sections sixty-eight and sixty-nine of the Sydney Harbour Trust Act, 1900 :—

Collection of inward and outward wharfage rates.

68. The commissioners shall demand, collect, and receive, subject to the exemptions and deductions hereinafter in this Act specified, inward and outward wharfage rates to be fixed as hereinafter provided, upon all goods—

(a) unshipped from any vessel berthed at a wharf, dock, pier, jetty, landing-stage, slip, or platform in the port, vested in the commissioners ; or

(b) received on any such wharf, dock, pier, jetty, landing-stage, slip, or platform, for shipment on a vessel.

Exemptions, refunds, and deductions.

69. The following exemptions, refunds, and deductions shall be made and allowed :—

(a) Goods of His Majesty and passengers' luggage shall be exempt from all wharfage rates.

(b) Goods, unshipped from any vessel to any other vessel for conveyance to another port shall not be subject to inward or outward wharfage rates if a transhipment entry in respect thereof is duly passed at the custom-house within forty-eight hours after the time at which the discharging vessel has reported at the custom-house ; but in the case of vessels engaged in the State or Interstate coastal trade, and in respect of which transhipment entries are not so passed as aforesaid, it shall be a sufficient compliance with this paragraph if such entry is, within the said time, lodged with the commissioners.

(c)

(c) Any amount paid as inward harbour rates on any goods may be deducted from any inward wharfage rates payable in respect of the same goods.

(d) Any amount paid as outward harbour rates on any goods may be deducted from any outward wharfage rates payable in respect of the same goods.

(e) Where outward wharfage rates are paid on goods received for shipment but not shipped, the commissioners may refund the amount so paid.

(f) The commissioners may exempt any goods or classes of goods from inward or outward wharfage rates, and may reimpose and fix, under this Act, wharfage rates on such goods

The amount of rates.

69A. The commissioners shall, by regulations which they are authorised with the approval of the Governor to make, fix the amount of such wharfage rates.

Such rates, whether inward or outward, may be by weight or measurement, in the discretion of the commissioners, but inward wharfage rates shall not exceed four shillings per ton by weight or three shillings per ton of forty cubic feet measurement, and outward wharfage rates shall not exceed half that sum.

Fixed rates may also be imposed by such regulations on specified articles or packages, and in such case the rate on any article or package shall be so as not to exceed the maximum rate above prescribed by weight or measurement, whichever is the larger:

Provided that a minimum rate, not exceeding threepence, may be fixed for any article.

Sinking fund.

No payments to sinking fund.

4. Section seventy-five of the same Act is amended by omitting the words "and so far as funds are available, a further sum equal to three and a half per centum per annum

annum on such value and cost to form a sinking fund to pay off any loans contracted in respect of all such and subsequent works, property, and improvements, according as the Governor may think fit."

The above amendment shall take effect as from the thirtieth day of June, one thousand nine hundred and thirteen; and on that day section three of the Sydney Harbour Trust and Navigation Amendment Act, 1908, shall be deemed to have been repealed.

Harbour rates.

New sections.

5. The following sections are inserted in the place of sections three and four of the Sydney Harbour Rates Act, 1904:—

Collection of inward and outward harbour rates.

3. Towards meeting the expenditure annually incurred in dredging, lighting, improving, and maintaining the port of Sydney, the commissioners may demand, collect, and receive inward harbour rates on all goods brought by sea into the said port, and outward harbour rates on all goods shipped on any vessel in the said port:

Provided that goods of His Majesty and passengers' luggage shall be exempt from such rates.

Amount of rates.

4. The inward harbour rates on any goods shall not exceed the inward wharfage rates which would be payable on the same goods if unshipped from a vessel berthed at a wharf of the commissioners.

The outward harbour rates on any goods shall not exceed the outward wharfage rates which would be payable on the same goods if received on any wharf vested in the commissioners for shipment on a vessel berthed at any such wharf.

Provided that on goods transhipped in the said port an amount, to be fixed by the commissioners, not exceeding one-half of the inward harbour rates shall be payable, unless the goods are landed on a wharf or other place, and the transhipment does not take place within fourteen days after the landing, in which case double the amount so fixed shall be payable.

On goods so transhipped no outward harbour rates shall be payable.

4A. Inward and outward harbour rates shall be paid by the owners of the goods as defined in the Sydney Harbour Trust Act, 1900. Payment of rates.

Inward harbour rates shall be paid before the landing or transhipment of the goods.

Outward harbour rates shall be paid before the vessel leaves the port.

If any such rates are not so paid, the person liable to pay the same shall be liable to a penalty not exceeding fifty pounds.

6. Section five of the same Act is amended by adding thereto the following provision :— Amendment of s. 5.

"If default is made in the payment of harbour rates on such goods, the commissioners may retain and sell them or any of them, and, after reimbursing themselves for the payment of any customs duties and charges, and any freight due on the goods, and any expenses of sale, shall retain and pay the said harbour rates, rendering, on demand, the surplus (if any) and such of the goods as are unsold to the person entitled thereto. Power to sell goods for rates.

7. The following section is inserted next after section five of the same Act :—

5A. The commissioners may, with the approval of the Governor, make regulations for the collecting of harbour rates under this Act and for carrying out the provisions of this Act in relation to such rates. Regulations.

8. (1) Section eleven of the same Act is amended by omitting the words "copy of his" before the word "manifest." Amendment of s. 11, inward manifest.

(2) The following section is inserted next after the said section :—

11A. The master of a vessel shall, before such vessel leaves the port of Sydney, lodge at the offices of the commissioners a true and complete outward manifest; and if he fails to do so he shall be liable to a penalty not exceeding one hundred pounds. Master to lodge outward manifest.

By Authority :
WILLIAM APPLEGATE GULLICK, Government Printer, Sydney, 1914.
[6*d*.]

I certify that this PUBLIC BILL, *which originated in the* LEGISLATIVE ASSEMBLY, *has finally passed the* LEGISLATIVE COUNCIL *and the* LEGISLATIVE ASSEMBLY *of* NEW SOUTH WALES.

RICHD. A. ARNOLD,
Clerk of the Legislative Assembly.

Legislative Assembly Chamber,
Sydney, 8 *April,* 1914.

New South Wales.

ANNO QUINTO

GEORGII V REGIS.

* *

Act No. 12, 1914.

An Act to provide for fixing and collecting inward and outward wharfage rates, and inward and outward harbour rates in the port of Sydney; to amend the Sydney Harbour Trust Act, 1900, the Sydney Harbour Rates Act, 1904, and the Sydney Harbour Trust and Navigation (Amendment) Act, 1908; and for other purposes. [Assented to, 16th April, 1914.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

Preliminary.

1. This Act may be cited as the "Sydney Harbour Trust (Wharfage and Harbour Rates) Act, 1914." Short title.

2.

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

THOS. H. THROWER,
Chairman of Committees of the Legislative Assembly.

Repeal.

2. Sections sixty-eight, sixty-nine, and seventy-nine of the Sydney Harbour Trust Act, 1900, and sections three, four, and nine of the Sydney Harbour Rates Act, 1904, are repealed.

Wharfage rates.

New sections.

3. The following sections are inserted in the place of sections sixty-eight and sixty-nine of the Sydney Harbour Trust Act, 1900 :—

Collection of inward and outward wharfage rates.

68. The commissioners shall demand, collect, and receive, subject to the exemptions and deductions hereinafter in this Act specified, inward and outward wharfage rates to be fixed as hereinafter provided, upon all goods—

(a) unshipped from any vessel berthed at a wharf, dock, pier, jetty, landing-stage, slip, or platform in the port, vested in the commissioners ; or

(b) received on any such wharf, dock, pier, jetty, landing-stage, slip, or platform, for shipment on a vessel.

Exemptions, refunds, and deductions.

69. The following exemptions, refunds, and deductions shall be made and allowed :—

(a) Goods of His Majesty and passengers' luggage shall be exempt from all wharfage rates.

(b) Goods, unshipped from any vessel to any other vessel for conveyance to another port shall not be subject to inward or outward wharfage rates if a transhipment entry in respect thereof is duly passed at the custom-house within forty-eight hours after the time at which the discharging vessel has reported at the custom-house ; but in the case of vessels engaged in the State or Interstate coastal trade, and in respect of which transhipment entries are not so passed as aforesaid, it shall be a sufficient compliance with this paragraph if such entry is, within the said time, lodged with the commissioners.

(c)

(c) Any amount paid as inward harbour rates on any goods may be deducted from any inward wharfage rates payable in respect of the same goods.

(d) Any amount paid as outward harbour rates on any goods may be deducted from any outward wharfage rates payable in respect of the same goods.

(e) Where outward wharfage rates are paid on goods received for shipment but not shipped, the commissioners may refund the amount so paid.

(f) The commissioners may exempt any goods or classes of goods from inward or outward wharfage rates, and may reimpose and fix, under this Act, wharfage rates on such goods

The amount of rates.

69A. The commissioners shall, by regulations which they are authorised with the approval of the Governor to make, fix the amount of such wharfage rates.

Such rates, whether inward or outward, may be by weight or measurement, in the discretion of the commissioners, but inward wharfage rates shall not exceed four shillings per ton by weight or three shillings per ton of forty cubic feet measurement, and outward wharfage rates shall not exceed half that sum.

Fixed rates may also be imposed by such regulations on specified articles or packages, and in such case the rate on any article or package shall be so as not to exceed the maximum rate above prescribed by weight or measurement, whichever is the larger:

Provided that a minimum rate, not exceeding threepence, may be fixed for any article.

Sinking fund.

No payments to sinking fund.

4. Section seventy-five of the same Act is amended by omitting the words "and so far as funds are available, a further sum equal to three and a half per centum per annum

annum on such value and cost to form a sinking fund to pay off any loans contracted in respect of all such and subsequent works, property, and improvements, according as the Governor may think fit."

The above amendment shall take effect as from the thirtieth day of June, one thousand nine hundred and thirteen; and on that day section three of the Sydney Harbour Trust and Navigation Amendment Act, 1908, shall be deemed to have been repealed.

Harbour rates.

New sections.

5. The following sections are inserted in the place of sections three and four of the Sydney Harbour Rates Act, 1904:—

Collection of inward and outward harbour rates.

3. Towards meeting the expenditure annually incurred in dredging, lighting, improving, and maintaining the port of Sydney, the commissioners may demand, collect, and receive inward harbour rates on all goods brought by sea into the said port, and outward harbour rates on all goods shipped on any vessel in the said port:

Provided that goods of His Majesty and passengers' luggage shall be exempt from such rates.

Amount of rates.

4. The inward harbour rates on any goods shall not exceed the inward wharfage rates which would be payable on the same goods if unshipped from a vessel berthed at a wharf of the commissioners.

The outward harbour rates on any goods shall not exceed the outward wharfage rates which would be payable on the same goods if received on any wharf vested in the commissioners for shipment on a vessel berthed at any such wharf.

Provided that on goods transhipped in the said port an amount, to be fixed by the commissioners, not exceeding one-half of the inward harbour rates shall be payable, unless the goods are landed on a wharf or other place, and the transhipment does not take place within fourteen days after the landing, in which case double the amount so fixed shall be payable.

On goods so transhipped no outward harbour rates shall be payable.

4A. Inward and outward harbour rates shall be paid by the owners of the goods as defined in the Sydney Harbour Trust Act, 1900. Payment of rates.

Inward harbour rates shall be paid before the landing or transhipment of the goods.

Outward harbour rates shall be paid before the vessel leaves the port.

If any such rates are not so paid, the person liable to pay the same shall be liable to a penalty not exceeding fifty pounds.

6. Section five of the same Act is amended by adding thereto the following provision :— Amendment of s. 5.

"If default is made in the payment of harbour rates on such goods, the commissioners may retain and sell them or any of them, and, after reimbursing themselves for the payment of any customs duties and charges, and any freight due on the goods, and any expenses of sale, shall retain and pay the said harbour rates, rendering, on demand, the surplus (if any) and such of the goods as are unsold to the person entitled thereto. Power to sell goods for rates.

7. The following section is inserted next after section five of the same Act :—

5A. The commissioners may, with the approval of the Governor, make regulations for the collecting of harbour rates under this Act and for carrying out the provisions of this Act in relation to such rates. Regulations.

8. (1) Section eleven of the same Act is amended by omitting the words "copy of his" before the word "manifest." Amendment of s. 11, inward manifest.

(2) The following section is inserted next after the said section :—

11A. The master of a vessel shall, before such vessel leaves the port of Sydney, lodge at the offices of the commissioners a true and complete outward manifest; and if he fails to do so he shall be liable to a penalty not exceeding one hundred pounds. Master to lodge outward manifest.

In the name and on behalf of His Majesty I assent to this Act.

G. STRICKLAND,
Governor.

State Government House,
Sydney, 16th April, 1914.

This PUBLIC BILL *originated in the* LEGISLATIVE ASSEMBLY, *and, having this day passed, is now ready for presentation to the* LEGISLATIVE COUNCIL *for its concurrence.*

RICHD. A. ARNOLD,
Clerk of the Legislative Assembly.

Legislative Assembly Chamber,
Sydney, 7 *April,* 1914.

New South Wales.

ANNO QUINTO

GEORGII V REGIS.

* *

Act No. , 1914.

An Act to provide for fixing and collecting inward and outward wharfage rates, and inward and outward harbour rates in the port of Sydney; to amend the Sydney Harbour Trust Act, 1900, the Sydney Harbour Rates Act, 1904, and the Sydney Harbour Trust and Navigation Amendment Act, 1908; and for other purposes.

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10 *Harbour rates.*

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30 wharf vested in the commissioners for shipment on a vessel berthed at any such wharf.

Provided that on goods transhipped in the said port an amount, to be fixed by the commissioners, not exceeding one-half of the inward harbour rates
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Sydney : William Applegate Gullick, Government Printer.—1914.

[6*d*.]

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