

Customs collects from ships that pass in the night

The Australian Customs Service has a long and interesting history with the many lighthouses that dot our coastline.

Chelsea Trubody tells how that association began and how it continues to the present day.

Customs' history with Australia's coastal lighthouses began, at least formally, with Federation of the Australian states on 1 January 1901 and the creation of a national customs service.

Responsibility for coastal lighthouses, lightships, beacons and buoys was transferred from the states to the new Commonwealth. But unresolved issues between the states and the Commonwealth meant that the official date of Commonwealth responsibility was not until 1 July 1915, although the Department of Trade and Customs was administratively responsible from 1906.

The shift in responsibility to the Commonwealth had prompted Prime Minister Andrew Fisher's government to commission Commander CRW Brewis in 1911 to report to the Minister for Trade and Customs on the lighthouse situation along Australia's coastline. Brewis' state-by-state reports generally reflected a need for more lighthouses and improvements to existing ones

The Commonwealth Lighthouse Service was established in 1913, administered by the Department of Trade and Customs under the *Lighthouses Act 1911*. Mr Joshua Ramsbotham was the director until 1926.

To help officers of the newly formed Commonwealth Lighthouse Service to understand their responsibilities and their relationship with the customs service, the Comptroller-General of Customs, Mr Stephen Mills, and

Dent Island light in the Whitsunday Passage, Queensland, completed in 1879, is still in operation, using solar power.



PHOTO: NATIONAL ARCHIVES OF AUSTRALIA

Joshua Ramsbotham, issued an instruction manual in 1917. This prescribed the duties and procedures of the officers, and some policies of the Department of Trade and Customs. It covered the day-to-day running of a lighthouse station and legal responsibilities, social restrictions which included prohibiting sons over 18 years of age from remaining at the lighthouse station.

Some lighthouse officers were also Customs officers. In 1926, for example, the Comptroller-General of Customs, Mr Robert Oakley, recommended that the master of the Cape York lighthouse, Captain Henry Hildebrand, be appointed as a customs officer because his observations would be of benefit in combating the opium problem in northern Queensland. Oakley asked that the gazettal of Hildebrand's appointment be delayed for three months to keep it secret from those involved with illegal opium imports. As part of Captain Hildebrand's appointment, it was suggested that the lighthouse be equipped with an up-to-date service rifle, as the old rifle used to shoot sharks was not suitable.

In 1924, a Public Service Board report recommended amalgamating the lighthouse and navigation branches of the Department of Trade and Customs to form a new Department of Marine. Instead, the Commonwealth amalgamated the navigation and lighthouse branches into the Marine Branch of the Department of Trade and Customs.

In 1928, the newly formed Department of Markets and Transport was allocated lighthouses, lightships, beacons, buoys, navigation and shipping. However, the Navigation and Lighthouses Acts specified that they were to be administered by the Minister for Trade and Customs. This entailed a legislative change so that the Administrative Arrangement Orders would take precedence over the Commonwealth *Acts Interpretation Act 1901*. Ironically, assent was not granted until 1930, by which time the Department of Markets and Trade had ceased to exist. It was not until a new Administrative Arrangement Order was passed in September 1930 that the responsibility of the Marine Branch moved to the then Department of Transport.

Although Customs ceased to be legislatively responsible for lighthouses after 1930, the involvement did not end. Customs continued, and continues, to act on behalf of other agencies, including collecting light dues.

Light dues

Initial Commonwealth policy was for the lighthouse system to be self-funded. The Commonwealth had specified in the *Lighthouses Act 1911* that it was to be the sole collector of light dues. Some states did not refrain from collecting dues although it was against the Act. Comptroller-General Stephen Mills, said in a letter to the Prime Minister's secretary in 1916, that he was concerned with the Commonwealth's continued loss of expected revenue from light dues because of some state's actions. In 1918, the Comptroller-General wrote to Joshua Ramsbotham again voicing these concerns.



Tipara Reef light, South Australia. Built on a reef in 1877, it was later struck by a tanker and partially destroyed. The upper part of the lighthouse is now outside the old Customs House in Port Adelaide.

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Macquarie Lighthouse, named after Governor Lachlan Macquarie, was the first lighthouse built in Australia, around 1816. Macquarie imposed light dues on ships entering Port Jackson to pay for it. The photograph shows the present building which replaced the original structure in 1881.

The Commonwealth increased light dues to cover the loss, which was still evident in 1923 when the Acting Comptroller-General urged the Commonwealth to take over the remaining harbour lights in a bid to prevent the states from charging dues.

Customs collected light dues from the owner, master or consignee of a ship. Failure to pay meant Customs could board the ship and detain goods, which could then be sold to recover the light dues and expenses. In 1915, the

rate was set at 4 pence a ton per quarter for ships visiting only one port, while others were to pay 8 pence a ton per quarter. This increased in 1918 to 6 pence and 9 pence respectively.

More recently, the 1954-65 General Orders and the 1980 Officers edition of the Customs General Orders stated that light dues were payable when a ship passed any navigational aid under Commonwealth control during a quarter and that clearance could be withheld until they were paid. The legislative authority was still derived from the original *Lighthouses Act 1911*. Light dues were collected according to the Lighthouses and Light Dues Regulations, a copy of which was held by the Collector of Customs and were calculated from a scale based on net tonnage. Receipts had to be produced as part of clearance documentation. The Officers Edition of the General Orders of 1980 lists Australian home ports for collection of light dues.

Customs has also been responsible for collecting light dues on behalf of the United Kingdom government under the *Merchant Shipping Act 1894*. The *Colonial Light Dues Collection Act 1932-36* and the *Colonial Light Dues (Rates) Act 1932-36* gave Customs officers authority to collect light dues when a ship derived benefit from any lighthouse on the coast of a British possession. These light dues were still being collected in 1960.

Nowadays the light dues are officially coded as the marine navigation levy, although often still referred to as light dues, and are calculated for a three-monthly period based on net tonnage. The Australian Customs Service continues to collect light dues, on behalf of the Department of Transport and Regional Services which, through the Australian Maritime Safety Authority, administers the lighthouses.

Sources

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