

## No. IV.

An Act to increase the Rates of Pilotage and to impose certain Harbour Dues and to provide further for the Pilot Establishments of New South Wales. [21st July, 1858.]

PILOTS.

WHEREAS the Pilotage Rates as at present levied are insufficient Preamble.  
to maintain the Pilot Establishments of New South Wales and it is expedient to increase the same and to impose certain Harbour Dues and to make other provisions for regulating the Pilot Establishments of the Colony Be it therefore enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative  
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*Pilots.*

- tive Council and Legislative Assembly of New South Wales in Parliament assembled and by the authority of the same as follows:—
- Existing Pilotage Rates repealed. 1. The Schedule marked A annexed to the Act of Council seventh Victoria number twelve and so much of the said Act as relates thereto shall be repealed.
- New Pilotage Rates per ton. 2. There shall be payable and paid at every port at which there shall be a Pilot Establishment a Pilotage Rate upon every vessel except as hereinafter excepted of four-pence per ton on her arriving at and on her departing from such port and one moiety of such rate in any case of her being compelled to return into such port after having put out to sea. Provided that in respect of any such vessel the amount of such rate shall not in any case be less than five pounds for the Port of Sydney Newcastle or Moreton Bay nor less than two pounds ten shillings for any other port of the Colony.
- Minimum rate. 3. All steam vessels coasters or other vessels actually trading between any port in this Colony and any other such port or between any such port and any port in any of the Colonies of Victoria South Australia Western Australia Tasmania or New Zealand or in the whaling trade and being registered in this or one of such Colonies or in the United Kingdom shall except in cases where the master thereof shall actually require and employ the services of a Pilot be subject to one payment only of the Pilotage Rate of four-pence per ton fixed by this Act for each whole year in respect of any port in this Colony. Provided that such payment be made to the Collector of Customs of any such port before the end of March in such year. Provided also that every such vessel shall from the time of her approaching within three leagues of the shore up to the time of her anchoring in the port keep flying at her mast or main-mast head such distinguishing flag as the Governor shall from time to time for that purpose direct. Provided also that the master of such trader shall possess and shall shew to the Collector of the port if required by him a certificate of competency as hereinafter mentioned.
- Certain vessels liable to one annual payment only on certain conditions. 4. In lieu of the Harbour Dues and Charges contained in the Schedule C annexed to the Act of Council third William the Fourth number six there shall be paid in respect of every such vessel for the purposes expressed in the eighteenth section of the last recited Act the several dues set forth in the Schedule annexed to this Act.
- New removal dues. 5. The Pilot Board may grant to the master of any vessel mentioned in the third section a certificate of competency for any port or ports of the Colony upon being satisfied that such master is so qualified as to be entitled to such certificate and there shall be paid to such Board for every such certificate a fee of five pounds and no more.
- Pilot Board may grant certificates of competency. 6. As to every vessel registered at any port in the United Kingdom or any British possession the amount of tonnage specified in the certificate of registry shall for the purposes of this Act be deemed to be the tonnage of such vessel.
- Tonnage of British vessels. 7. In case the tonnage of any vessel entering any port shall not have been registered or any dispute shall arise as to the tonnage thereof the Collector of Customs shall measure such vessel according to the regulations in that behalf contained in the Imperial Act of Parliament seventeenth and eighteenth Victoria chapter one hundred and four.
- Provision for disputed tonnage. 8. All Rates and Dues authorized by this Act shall be paid to the Collector of Customs and if at any port there shall be no such Collector then the Pilot may demand and receive the same. And all such Rates and Dues shall be accounted for and paid to the Colonial Treasurer to be by him paid into the Consolidated Revenue Fund.
- To whom rates &c. to be paid. 9. The Governor may grant licenses to persons to act as Pilots for any port and may revoke such licenses at his pleasure. And every person
- Governor to grant licenses and make regulations.

*Public Loan.*

person who except in some case of urgent necessity shall act as a Pilot without such license or after his license shall have been so revoked shall for every such offence be liable to a penalty of fifty pounds to be recovered before any two Justices of the Peace.

10. The Governor in Council may make regulations for carrying into effect all the provisions of this Act And may by such regulations determine how any Pilots to be appointed hereunder shall be remunerated and whether by fixed salary or partly by salary and partly by any and what proportion of the Rates and Dues authorized by this Act or whether solely by the receipt of the whole of such Rates and Dues or of any and what part or proportion thereof And all such regulations when published in the *Government Gazette* shall have the force of law. Governor may make Pilotage Regulations.

11. No vessel shall be cleared at any Custom House until all Rates and Dues authorized by this Act shall have been duly paid in respect thereof and a certificate shall have been granted to the master thereof by the Collector of Customs or Pilot as the case may be that such payment has been duly made. Vessels not cleared till rates &c. paid.

12. This Act shall be styled and may be cited as the "Pilotage Amendment Act of 1858." Short title.

SCHEDULE.

HARBOUR DUES.

A TABLE of the Dues payable to the Harbour Master for repairing on board and appointing the place of anchorage of Ships or Vessels entering any Port or Harbour in New South Wales and for each removal of the same from one place of anchorage or mooring to another not being for the purpose of leaving the Port Vessels registered in Sydney under 50 tons or while employed in the coasting trade from one Port of New South Wales to another excepted.

For every Vessel	£	s.	d.
Under 300 Tons	1	0	0
Of 300 Tons and under 400 Tons	1	5	0
„ 400 do. 500	1	10	0
„ 500 do. 600	1	15	0
„ 600 do. 800	2	0	0
„ 800 do. 1,000	2	5	0
Over...	3	0	0