



ANNO TRICESIMO SEPTIMO ET TRICESIMO OCTAVO

VICTORIÆ REGINÆ.

A.D. 1874.

No. 23.

An Act to amend the "Kerosine Storage Act, 1873," to make provision for Regulations respecting the Exportation of Kerosine, and for other purposes.

[Assented to, 6th November, 1874.]

WHEREAS it is expedient to amend the "Kerosine Storage Act, 1873," and to provide for the making of regulations respecting the exportation of Kerosine—Be it therefore Enacted by the Governor of the Province of South Australia, with the advice and consent of the Legislative Council and House of Assembly of the said Province, in this present Parliament assembled, as follows: Preamble.

1. This Act may be cited as the "Kerosine Storage Amendment Act, 1874." Short title.

2. This Act shall come into operation on the first day of January, in the year one thousand eight hundred and seventy-five, and the enactments described in the Schedule to this Act shall be, and the same are hereby, repealed, from the time when this Act shall come into operation, to the extent and subject to the exceptions and qualifications in the Schedule mentioned; and this Act shall not affect the validity, invalidity, effect, or consequence of anything done or suffered before the said time. Date at which Act shall come into operation. Repeal.

3. In the "Kerosine Storage Act, 1873," the word "municipality" shall, in addition to the meanings ascribed to it by that Act, mean and include every part of the Province to which the Governor shall hereafter, in the manner provided by the nineteenth section of that Act, declare that all or any of the provisions of that Act shall extend; Interpretation clause.
and

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and in the said nineteenth section the words "this Act" shall mean the "Kerosine Storage Act, 1873," and the "Kerosine Storage Amendment Act, 1874."

Time within which kerosine is to be landed.

4. On and after the first day of January, in the year one thousand eight hundred and seventy-five, the person for the time being in command of any ship which, having kerosine on board, comes alongside of, or within five hundred yards of, any wharf, pier, or jetty in the Province (other than a wharf, pier, or jetty on the River Murray, or Lake Alexandrina), shall cause so much of such kerosine as is in excess of two hundred gallons to be landed within the seven days which shall ensue next after she shall have so come alongside, or within such five hundred yards: Provided, nevertheless, that if, at the time when she shall so come alongside, or within such five hundred yards, she shall have on board fifty tons, at the least, of cargo other than kerosine, the time within which all kerosine in excess of two hundred gallons must be landed shall be nine days instead of seven. Any such person who wilfully omits to comply with, or who wilfully violates, any of the provisions of this section shall be liable to a penalty not exceeding One Hundred Pounds nor less than Ten Pounds for each such omission and for each such violation; and all kerosine in excess of two hundred gallons which shall be on board such ship after the expiration of the time allowed by law for landing it shall be liable to be forfeited, and may while on board be seized and landed by, or by the directions of, the Inspector of Kerosine or any Assistant Inspector of Kerosine.

Chief Secretary may extend time for landing kerosine.

5. The Chief Secretary for the time being of the Province, whenever it appears to him that the kerosine on board any ship which has come alongside or within five hundred yards of any wharf, pier, or jetty in the Province, cannot conveniently be landed within the time allowed for that purpose by the fourth section of this Act, may, before the expiration of that time, but not afterwards, by any order under his hand, extend that time to any number of days not greater than three additional days: Provided that any such extension of time shall be granted upon such terms and subject to such conditions (specified in such order) as he may think fit to impose in each particular instance, for the purpose of more effectually carrying out the "Kerosine Storage Act, 1873," and this Act, and securing the shipping and other public and private property from risk of injury: Provided also that if any of such terms shall not be complied with, or any of such conditions shall be broken, or so much of such kerosine as shall be in excess of two hundred gallons shall not be landed within such extended time, then such order shall be absolutely void as from the time when the same was made.

Harbormaster to cause ships having kerosine on board to be anchored, &c., in accordance with Acts.

6. Whenever a ship, having on board kerosine in excess of two hundred gallons, arrives at any port in the Province, and the person for the time being commanding her desires to anchor or moor her therein, the Harbormaster, or his assistant, shall cause her to be anchored or moored in such a position as shall be in accordance with the

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the provisions of the “Kerosine Storage Act, 1873,” and of this Act.

7. On and after the first day of January, in the year one thousand eight hundred and seventy-five, the words “situate outside of any such boundary, but within five hundred yards thereof” shall be, and the same are, hereby substituted for, and in the place of, the words “within one hundred yards of any such boundary,” in the fifth section of the “Kerosine Storage Act, 1873.”

Distance fixed by fifth section of the “Kerosine Storage Act, 1873,” extended to five hundred yards.

8. Kerosine, in excess of two hundred gallons, shall not be received or put on board any sea-going or other ship at or in any port or harbor in the Province, except for the purpose of being exported thence to some other port or place; and the person for the time being in command of any ship having on board, for any such purpose, kerosine in excess of two hundred gallons, shall, within nine days from the time at which any kerosine in excess of that quantity shall have been received or put on board her, cause her to be removed to a distance greater than five hundred yards from every wharf, pier, and jetty in the port or harbor at or in which she shall be when such kerosine shall be received or put on board her, and shall not cause or permit her return within such five hundred yards while any such kerosine is on board her. Any person who wilfully violates any of the provisions of this section shall be liable to a penalty not exceeding One Hundred Pounds nor less than Ten Pounds for each such violation, and all kerosine in excess of two hundred gallons, which, having been received or put on board any such ship for any purpose, shall be on board her when any such violation shall be committed, shall be liable to be forfeited, and may, while on board, be seized and landed by, or by the direction of, the Inspector of Kerosine or any Assistant Inspector of Kerosine.

Ships having on board, for exportation, kerosine in excess of two hundred gallons to be removed within nine days beyond five hundred yards from wharf, &c.

9. The Governor may make all such regulations touching the keeping on board ship and the exportation of kerosine as shall seem to him necessary or expedient for securing shipping and other public and private property from any danger which might, in his opinion, be caused or occasioned thereto by kerosine which (whether it has been landed or not) is about to be exported, and in particular he may, by any such regulation, prescribe the hours during which, the places at which, and the mode in which, kerosine may be exported from any port or other place in the Province, and the length of time during which kerosine may, before being placed on board any ship, remain on the wharf, pier, or jetty from which it is to be taken on board her, and the precautions for the prevention of danger and injury to shipping and other public and private property which the owner, or the person having the charge of such kerosine, shall take and adopt, and cause to be taken and adopted, while such kerosine remains on and is being removed from such wharf, pier, or jetty, and which the person for the time being in command of any sea-going or other ship which, having on board kerosine (whether it has been landed or not) in excess of two hundred gallons, shall take and

Governor may make regulations touching keeping on ship-board and exportation of kerosine.

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and adopt, and cause to be taken and adopted, while such ship remains in any port or harbor in the Province.

Regulations to be published, and copies laid before the Legislature.

10. Every such regulation shall be published in the *Government Gazette*, and every such published regulation made, or expressed, or purporting to have been made under or in pursuance of this Act, shall, from the date fixed in that behalf by any such regulation, or, if no date be fixed thereby, then from the date of such publication, have the force and effect of law; and a copy of each such regulation shall, within fourteen days after the publication thereof, be laid before the Legislative Council and before the House of Assembly of the Province, if the Parliament of South Australia shall be in Session at the time of such publication; but if such Parliament shall not be in Session at that time, then within fourteen days after it shall next meet.

Penalty for breach of regulations.

11. Every person who wilfully does, or causes to be done, any act in contravention of any such regulation, shall be liable to a penalty not exceeding One Hundred Pounds nor less than Ten Pounds for each such act.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

A. MUSGRAVE, Governor.

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SCHEDULE.

Title of Act.	Extent of Repeal.
"Kerosine Storage Act, 1873."	{ Section three; section five (in part), namely, the words "within one hundred yards of any such boundary."