

NORTHERN TERRITORY OF AUSTRALIA

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Regulations 1982, No. 83\*

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Regulations under the *Ports Act*

In pursuance of the powers conferred upon it by the *Ports Act*, the Northern Territory Port Authority, at a meeting held on fifteenth day of December 1982, made the following by-laws.

Dated this fifteenth day of December, 1982.

M.H. HARDY  
Executive Chairman

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AMENDMENT OF THE PORT BY-LAWS

1. COMMENCEMENT

These Regulations shall come into operation on 1 January, 1983.

2. FORM AND PERIOD OF CERTIFICATE

By-law 36A(1) of the Port By-laws is amended by omitting "the First Schedule" and substituting "Schedule 1".

3. NEW BY-LAW

The Port By-laws are amended by inserting in Chapter VI, before by-law 50, the following:

"49A. CALCULATION OF TONNAGE

"(1) In this by-law "U.K. Rules" means the Merchant Shipping (Tonnage) Regulations 1967 (as amended by Statutory Instruments No. 1093 of 1967 and No. 656 of 1972) of the United Kingdom.

"(2) For the purposes of this Chapter, the tonnage of a vessel or lighter is the sum of -

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\* Notified in the *Northern Territory Government Gazette* on 31 December, 1982.

Price: 70 cents.

- (a) its gross tonnage ascertained in accordance with regulations 4, 5, 6 and 7 of the U.K. Rules; and
- (b) the tonnage, ascertained in accordance with paragraph 4 or 5 of Rule I of Schedule 1 to the U.K. Rules, whichever is applicable, of all dry cargo space which, by virtue of paragraph (a) of regulation 7 of the U.K. Rules, is not included in the gross tonnage ascertained under paragraph (a) of this clause.

"(3) The Port Authority may determine or calculate the tonnage of a vessel or lighter, or of any space thereon, either wholly or in part from or by reference to the particulars of tonnage or other information appearing in the Certificate of Registry or Tonnage Certificate of the vessel or lighter or by reference to the measurement of the vessel or lighter appearing in the latest edition of Lloyd's Register in the possession of the Port Authority.

"(4) Where the tonnage of a vessel or lighter cannot conveniently be ascertained in accordance with clause (3), or where, in the opinion of the Authority, the tonnage so ascertained is inaccurate, the Authority may determine the tonnage in such reasonable manner as it thinks fit, including by estimation.

"(5) For the purpose of ascertaining the tonnage of a vessel or lighter, or of any space thereon, a person authorized for that purpose by the Port Authority may board, inspect, survey or measure the vessel or lighter, or any space or goods therein or thereon, and for that purpose may do all things reasonably necessary to enable him to carry out that function.

"(6) The owner, agent or master of a vessel or lighter, upon the request of a person referred to in clause (5), shall afford all reasonable necessary facilities to enable the vessel or lighter, or any space or goods therein or thereon, to be boarded, inspected, surveyed or measured for the purpose of ascertaining the tonnage of the vessel or lighter.

"(7) The Port Authority shall keep a copy of the U.K. Rules at its offices in Darwin and shall, on the request of the owner, agent or master of a vessel or lighter, make it available for inspection by him, or a person on his behalf, during the normal office hours of the Port Authority.

#### 4. SCHEDULES

The Schedules to the Port By-laws are amended -

- (a) by omitting from the First Schedule "FIRST SCHEDULE" and substituting "Schedule 1"; and

- (b) by omitting the Second, Third, Fourth and Fifth Schedules and substituting the Following:

"SCHEDULE 2

By-laws 50

BERTHAGE FEES

"1. Berthage fees are payable in respect of the period which commences when a vessel or lighter is secured at a berth and finishes when the last line from the vessel or lighter is cast off at a berth and, for the purposes of this Schedule, a vessel or lighter occupies the berth during that period.

2. The scale of charges for berthage fees is -

- (a) for a vessel or lighter (other than a fishing vessel or passenger or tourist ferry) - 1.3 cents per gross ton for each 6 hours or part thereof; and
- (b) for a fishing vessel or passenger or tourist ferry - 10 cents per metre length overall for each 6 hours or part thereof,

during which the vessel or lighter occupies a berth, with a minimum charge as for 24 hours occupation of a berth.

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"SCHEDULE 3

By-law 51

WHARFAGE FEES

"The scale of charges for wharfage, whether loading or unloading, is -

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| 1. | for petroleum products and oils in bulk | \$2.90 per kilolitre or tonne or part thereof, whichever is the greater charge |
| 2. | for animals                             | \$1.00 per animal  |
| 3. | for cement in bulk                      | \$2.33 per tonne or part thereof   |
| 4. | for L.P. gas                            | \$2.33 per tonne or part thereof   |

Amendment of the Port By-laws

5. for uranium products \$30.00 per tonne or cubic metre or part thereof, whichever is the greater charge
  6. for bulk sulphur, bulk lime or similar bulk products loaded or unloaded, as the case may be, otherwise than by pipeline \$2.55 per tonne or part thereof
  7. for refrigerated containers containing chilled or frozen meat, meat products or fish, prawns or other products of the sea \$15.00 per 20 foot equivalent unit (T.E.U.)
  8. for non empty dry containers a charge for the contents of which is not provided elsewhere in this Schedule other than in item 10 \$75.00 per 20 foot equivalent unit (T.E.U.)
  9. for empty containers \$15.00 per 20 foot equivalent unit (T.E.U.)
  10. for goods a charge for which is not provided elsewhere in this Schedule \$2.74 per tonne or cubic metre or part thereof, whichever is the greater charge, and, in addition, for every heavy lift other than a lift of a container or a unitized cargo, \$6.90 per tonne, or part thereof, in excess of 20 tonnes.
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"SCHEDULE 4

By-law 52

PILOTAGE FEES

"The pilotage fees payable under by-law 52 are -

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| (a) | where a vessel is piloted from Charles Point Patches Buoy to Channel Rock Buoy or vice versa | \$200  |
| (b) | where a vessel is piloted from Channel Rock Buoy to Quarantine Anchorage or vice versa       | 2 cents per gross ton or \$100, whichever is the greater fee |
| (c) | where a vessel is piloted from Quarantine Anchorage to a berth or vice versa                 | 3 cents per gross ton or \$150, whichever is the greater fee |
| (d) | where a vessel is piloted from a berth at a wharf to another berth at the same wharf         | \$100  |
| (e) | where a vessel is piloted from one wharf to another wharf                                    | \$150  |

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"SCHEDULE 5

By-law 53

PORT DUES

"The port dues payable under by-law 53 are 18 cents per gross ton per 6 months or \$125, whichever is the greater amount.

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