

LAWS OF THE GILBERT ISLANDS  
REVISED EDITION 1977

CHAPTER 40

HARBOURS

ARRANGEMENT OF SECTIONS

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5 of 1957  
8 of 1968  
8 of 1971  
3 of 1972  
(Cap. 88 of  
1973)  
14 of 1974

**An Ordinance relating to pilots, harbours and shipping therein**

*Commencement: 5th June 1957*

**PART I**

**PRELIMINARY**

- Short title      **1. This Ordinance may be cited as the Harbours Ordinance.**
- Interpretation      **2. In this Ordinance, unless the context otherwise requires—**  
     “ballast” includes any material or thing used for the ballasting of ships;  
     “boat” means every description of vessel propelled by oars only;  
     “buoys” and “beacons” include all marks and signs in aid of navigation;  
     “goods” means all kinds of movable personal property including animals;  
     “harbour dues” and “dues” means any due, rate, fee, toll, tax, pilotage rate, light due, port charge, or payment in the nature thereof payable or leviable under this Ordinance;  
     “harbour works” include generally any works for the improvement, protection, management or utilization of a harbour, and in particular without limiting the general import of the term every basin, graving dock, slip, dock, pier, quay, wharf, jetty, bridge, viaduct, breakwater, embankment or dam, or a reclamation of land from the sea or from any navigable river, and any excavation, deepening, dredging or widening of any channel, basin or other part of a harbour whether complete or incomplete, in the sea or any bay or arm thereof or of any navigable river flowing thereinto, and all buildings thereon and machinery used in connection with such harbour works;  
     “master” means the person in command or charge of any vessel not being a pilot;  
     “owner” when used in relation to goods includes any person being or holding himself out to be the owner, importer, exporter, consignee, agent or person possessed of or beneficially interested in or having any control of or power of disposition over the goods;  
     “owner” in respect of a ship includes every person acting as agent for the owner, or authorised to receive freights or other charges payable in respect of the ship;

- "pilot" means any person not belonging to a ship who has the conduct thereof;
- "ship" includes every description of vessel whether used in navigation or in any way kept or used as a hulk or store-ship or for any other purpose and not propelled exclusively by oars;
- "tidal lands" or "foreshore" means such parts of the bed, shore or banks of a tidal water as are covered and uncovered by the flow and ebb of the tide at ordinary spring tides;
- "tidal water" means any part of the sea or of a river within the ebb and flow of the tide at ordinary spring tides;
- "vessel" means anything made or used to carry by water or to hold or contain on water any human being or goods or property whatsoever;
- "warehouse" includes all warehouses, buildings or premises in which goods landed from or to be carried in vessels may be lawfully placed;
- "wharves" includes all wharves, quays, piers, jetties and premises in or on or from which passengers or goods may be taken on board of or landed from vessels.

## PART II

### HARBOURS

3. The Minister may by notice declare any such place as may be expedient to be a harbour for the purposes of this Ordinance, and may by notice revoke any such declaration. Minister may declare harbours
4. The Minister shall by notice define, and may by notice vary, the limits of any harbour. Minister to define limits of harbours

## PART III

### HARBOUR MASTERS AND PORT OFFICERS

5. The Minister may from time to time appoint a fit and proper person to be the harbour master of any port and such other officers as he may deem necessary, and may remove such harbour master or other officers, and such harbour master shall be the port officer of the port of which he is harbour master. Minister to appoint harbour masters and port officers

Minister  
may also  
appoint har-  
bour master  
for particular  
occasions

6. The Minister may appoint any person temporarily to act with a harbour master or in the place of a harbour master either generally or for some occasion only, and such person shall for the purposes of this Ordinance have the same powers as a harbour master duly appointed under authority of the preceding section.

Harbour  
master to fly  
flag when on  
duty

7. (1) The harbour master when on duty in any boat or vessel as harbour master shall fly on such boat or vessel such flag as may be prescribed.

(2) If any person not being a harbour master uses a flag of the prescribed description he shall be guilty of an offence against this Ordinance.

Powers of  
harbour mas-  
ter

8. Any harbour master or other officer appointed under this Ordinance shall be entitled at any time while in the execution of his duty to enter and remain on any ship; and the harbour master may give directions regulating the time and the manner in which any vessel shall enter into, go out of or lie in the port, and the position, mooring, unmooring, placing or removing of any vessel within the same:

Provided that no harbour master shall direct that any vessel shall lie or be within any part of the port where any law directs that no vessel shall lie or be or moor, or remove from any part of the port duly appointed as a boarding, landing or quarantine station any vessel moored or placed there under the authority of any other law for the time being in force, or to moor or place any vessel alongside any wharf, quay, custom-house, station or other place appropriated to the service of the Customs.

Masters to  
comply with  
harbour mas-  
ter's direc-  
tions

9. The master of every vessel within the port shall regulate such vessel according to the direction of the harbour master made in conformity with this Ordinance, and any master of any vessel who does not forthwith regulate such vessel according to such directions shall be liable to a fine of \$10 and in default of payment thereof to imprisonment for 1 month.

Penalty for  
non-  
compliance

Powers of  
harbour mas-  
ter to move  
vessels

10. If the master of any vessel within the port does not moor, unmoor, place or remove such vessel according to the directions of the harbour master, it shall be lawful for the harbour master to cause such vessel to be moored, unmoored, placed or removed according to the directions aforesaid, and to employ a sufficient number of persons and appliances for that purpose, and the expenses attending such mooring, unmooring, placing or removing shall be paid by the master or owner of the vessel and the vessel shall not be cleared at the Customs until such expenses have been paid.

11. If any person hinders or causes to be hindered the harbour master or any person employed by him in mooring or unmooring, placing or removing such vessel in the manner aforesaid, such person shall for every such offence be liable to a fine of \$40 and in default of payment thereof to imprisonment for 3 months.

Penalty for hindering harbour master

12. (1) The harbour master may issue such orders as to the striking of masts, yards and booms, veering and shortening of cable and other things which in his discretion he may deem fit for the security of any vessel or vessels in the harbour, and may cause to be received on board a vessel and made fast or cast off any line, warp, chain or hawser from any other vessel entering, leaving or shifting position in the harbour; and when any such line, warp, chain or hawser is received and made fast on any vessel as hereinbefore provided, no person shall let go, cut or unfasten the same unless authorised to do so by the harbour master.

Harbour master may order masts to be struck

(2) Any person who is guilty of a breach of this section shall be liable to a fine of \$40 and in default of payment thereof to imprisonment for 3 months.

#### PART IV

##### PILOTS

13. The master of any vessel approaching any harbour and requiring the services of a pilot shall make such signals as are prescribed by regulations.

Signals as prescribed to be made for pilot

14. The master of any vessel shall not, except under circumstances of unavoidable necessity, without the consent of the harbour master or pilot take such harbour master or pilot to sea or beyond the limits of the Gilbert Islands, and if the harbour master or pilot is so taken the master shall be liable to a fine of \$200 and the owner shall be liable to the payment of salary, subsistence and passage money of such harbour master or pilot until his return to the port.

Harbour master or pilot not to be taken to sea except under unavoidable necessity

15. The Marine Superintendent may grant certificates of competency to persons duly qualified and license pilots for the purpose of taking ships within such of the waters of the Gilbert Islands as may be specified in the licence:

Licensing of pilots

Provided that no person shall be granted a certificate of competency or be licensed as a pilot unless he has satisfied the Marine Superintendent that he is capable of performing such duties.

Employment of pilots not compulsory

16. Nothing in this Ordinance will be held to make the employment of pilots by masters and owners of ships compulsory.

Fee for licence

17. The Minister may by regulation prescribe rates of fees to be paid by pilots for licenses under this Ordinance.

No civil action to lie against pilot, harbour master or Government

18. Notwithstanding anything contained in this Ordinance no civil action for damages or otherwise shall lie against any harbour master or licensed pilot in respect of any damage occasioned by negligence or want of skill in the performance of his duties and no civil action for damages or otherwise shall lie against the Government or against any member thereof in respect of any such damage as aforesaid.

Power to cancel pilot's licence

19. Whenever the Marine Superintendent is satisfied that any licensed pilot is unfit to be licensed as such on the grounds of advanced age, physical disability, want of skill or neglect of duty, he may forthwith cancel the licence of such licensed pilot.

Pilotage how recoverable

20. Such sums as may be prescribed by regulations may be demanded by licensed pilots and shall be recoverable by proceedings against the master for the service of which the dues became payable, and on adjudication the sum declared to be due shall be leviable by distraint on the ship, her tackle and furniture.

Pilot shall not demand or accept either more or less than authorised

21. A licensed pilot shall not demand or receive and a master of a ship shall not offer or pay to any pilot any other rate in respect of pilotage services, whether greater or less, than the rate which is authorised by or under this Ordinance, and if a pilot or a master acts in contravention of this enactment he shall for each offence be liable to a fine of \$20 and the Marine Superintendent may, if he shall deem fit, cancel or suspend the licence of the pilot.

## PART V

### EXPLOSIVES

As to vessels carrying explosives or other dangerous materials

22. Any vessel arriving in any harbour having on board gunpowder or any other explosive material or any cargo or material of a dangerous or inflammable nature shall not berth at any wharf without the permission of the harbour master and, if so required, shall remain moored at a place apart from the main harbour traffic until such gunpowder or other explosive material or inflammable material has been removed from such vessel or, in



the opinion of the harbour master, shall have ceased to be dangerous, and from time of entering the harbour until such goods have been unloaded shall fly during the day time a red flag of not less than 6 feet by 4 feet from the mainmast head and during the night shall show a red light to be visible all round the horizon for a distance of at least 2 miles.

23. Any person using any explosive or discharging any firearm within the limits of a harbour without the permission of the harbour master shall be guilty of an offence against this Ordinance.

Use of explosives and firearms prohibited

## PART VI

### WRECKS, OBSTRUCTIONS, MOORINGS

24. Should any vessel or part thereof, raft, timber or other thing be sunk or stranded in any harbour, the master or owner thereof shall upon the receipt of an order to that effect from the harbour master, and within such time fixed in such order, clear the harbour of such vessel, raft, timber or other thing, and all parts of the same, and of the cargo or ballast of such vessel, and should the master or owner aforesaid fail to comply with such order the harbour master may direct the removal of such vessel or part of the same and cargo or ballast thereof or raft, timber or other thing at the expense of the owner thereof.

Obstructions to be removed

25. No person other than the owner shall destroy or demolish or interfere with any wrecked or stranded vessel or any part thereof within the limits of a harbour without the permission of the owner thereof or of the harbour master.

No person other than owner may destroy wreck without permission

26. No person shall lay down in the harbour any private buoy, mooring or anchor without the permission of the harbour master and under such conditions as may be prescribed; and any such permission may be at any time withdrawn whereupon any such buoy, mooring or anchor shall immediately be removed by the owner thereof and, failing such removal by such owner, it may be effected at the expense of the owner aforesaid.

Harbour master's permission required to lay down buoy or mooring

27. No person shall remove any stone, shingle or earth or other material from within the limits of any harbour without the authority given in writing of the harbour master.

Removal of ballast forbidden without permission

## PART VII

## ERECTION OF WHARVES, SLIPS, ETC.

Minister may license occupation of foreshore for certain purposes

28. (1) The Minister may, subject to such conditions as he may deem fit and on payment of such fee or annual fee as may be prescribed, license and permit any part of the tidal lands and waters of a harbour to be used or occupied for all or any of the following purposes—

- (i) the building or repairing of ships or vessels of any kind;
- (ii) the erection of and use of any boat-shed, landing-place or wharf;
- (iii) the erection of baths and bath houses and any enclosure or fence necessary for the protection or privacy of the same;
- (iv) any other purpose relating to the convenience of shipping or of the public as he may approve:

Provided that no such licence shall be granted for any period exceeding 21 years, and every such licensee shall be subject to the condition that the Minister may at any time revoke such licence without payment of compensation or liability to any action or claim for damage in respect of such revocation except in the case where a licence has been granted for the purpose of constructing a dock or slip.

(2) The revocation of any such licence shall not take effect until the expiration of 6 months after service on the licensee of a written notice of the revocation of the licence.

(3) No such licence or permit shall be granted which will interfere with the free navigation of the harbour.

Fees which may be charged by licensee

(4) The Minister may authorise the licensee to make such charges to the public for the use of a wharf as may be prescribed by the Minister; and such charges when incurred may be recovered as a simple contract debt.

Licensed part of foreshore to be lighted

29. There shall be exhibited such lights as may be required by the Marine Superintendent upon any such part of the tidal lands and tidal waters licensed as above provided for.

## PART VIII

## ANCHORAGES

Prohibited anchorage

30. The Minister may by notice define any area within the Gilbert Islands as a prohibited anchorage, and the master of a

vessel, except under circumstances of unavoidable necessity, shall not anchor a vessel within the limits of such area.

31. The Minister may by notice set apart any area within the Gilbert Islands where any class or classes of vessels only may anchor, and may restrict the navigation of such area to such vessels and times as he may deem fit.

Minister may set apart portion of harbour for particular purposes

## PART IX

### HARBOUR MASTER'S POWERS OF ENTRY

32. The harbour master or any person acting under authority of the Marine Superintendent may at any time pass and repass ~~without hindrance over any land in the Gilbert Islands where-soever situated in the execution of his duty in relation to lights,~~ lighthouses, buoys and beacons, and may enter into and upon any lands and remove and take away any earth, clay, stones, sand or other material required in the building or repair of any lighthouse, beacons or other work in connection with the navigation of the waters of the Islands on payment of reasonable compensation, and may deposit sand, earth, stones and other material or thing thereon, and carry on any work required in this connection on any of the lands as entered into and upon.

Powers of entry of harbour master in connection with lights

## PART X

### LIGHTS AND LIGHT DUES

33. When in the opinion of the Marine Superintendent any light exhibited or shown from any building or other place on shore is such as may be mistaken for or taken to be a harbour or navigation light, the Marine Superintendent may order the discontinuance of such light or the effective screening of the same.

Screening of lights

34. There shall be levied and paid on vessels such rates of light dues as may be prescribed:

Light dues

Provided that the Minister may exempt any vessel from the payment of these dues generally or in respect of any particular harbour.

## PART XI

## GOVERNMENT WHARVES AND WHARFAGE DUES

Government wharves and purlieus

**35.** The Minister may by notice declare any wharf to be a Government wharf and may define an area surrounding a Government wharf as being the purlieu of such wharf, and any vessel anchored or moored within such area shall be deemed for all purposes of this Ordinance to be berthed at such wharf.

Vessels to obtain permission to berth at Government wharf

**36.** No vessel shall berth at a Government wharf or lie within the purlieu thereof except with the permission of the harbour master or other person authorised by him to give such permission.

Wharfage dues to be prescribed on vessels

**37.** There shall be levied or paid on vessels berthed at a Government wharf wharfage dues according to a scale prescribed by regulations.

Vessel may be detained for dues

**38.** A harbour master may detain any vessel berthed at a wharf until the dues have been paid or secured to his satisfaction.

Wharfage dues on goods to be prescribed

**39.** There shall be levied and paid in respect of all goods loaded or discharged at a Government wharf wharfage dues according to the scale prescribed.

Exemption by Minister

**40.** The Minister may exempt any vessels or goods from the payment of wharfage dues either in respect of any particular wharf or generally.

## PART XII

## HARBOUR DUES AND PORT CHARGES

Harbour dues may be prescribed

**41.** There shall be levied and paid in respect of any vessel and of all goods loaded or discharged in a harbour dues as may be prescribed by regulations.

Port charges may be prescribed

**42.** There shall be levied and paid on all vessels being in a harbour, whether plying for hire or otherwise, such port charges as may be prescribed by regulations.

Goods may be sold if dues unpaid

**43.** Any goods in respect of which there shall be any neglect or refusal to pay the dues or charges appointed to be paid by this Ordinance may be seized and detained at the expense and risk of the owner, consignee or exporter, as the case may be, and after the expiration of 14 days from the date of seizure may be sold by

public auction, and there shall be paid out of the proceeds of sale all customs and wharfage dues and all storage and other expenses incurred in respect of such goods.

### PART XIII

#### OFFENCES

44. Every person commits an offence who does or causes or permits to be done any of the following things, that is to say—

Offences  
relating to  
harbours

- (i) casts or suffers to fall either from on board any vessel or from land any ballast, rock, stone, slate, shingle, gravel, sand, earth, cinders, sawdust, mill-refuse, dead animal or other substance or thing into the harbour:

Provided that the harbour master may permit the master of a vessel to discharge ballast or ashes and ships' refuse at such places and in such manner as he may direct;

- (ii) casts or suffers to fall any such substance or thing on land in a position where the same is liable to fall or descend or be carried or washed down by ordinary or high tides or by any stream or flow of water or by any storm or flood or otherwise into any harbour;
- (iii) casts or places or leaves any vessel laid by or neglected as unfit for sea service or any floating or other timber or any other thing in any harbour;
- (iv) erects any beacon in a harbour without the authority of the harbour master;
- (v) injures any harbour light or light-ship or lights exhibited therein or any buoy or beacon;
- (vi) removes, alters or destroys any harbour light, light-ship, buoy or beacon;
- (vii) rides by, makes fast to or runs foul of any harbour light, light-ship, buoy or beacon or harbour works;
- (viii) removes, alters, injures or destroys any signal or signal-staff used for purposes in aid of vessels navigating the harbour;
- (ix) removes, destroys, injures or interferes with any life-buoy or life-saving appliance,

and for each offence the offender shall, in addition to the expenses of removal, replacing or of making good any damage occasioned, be liable to a fine of \$100 or in default of payment thereof to imprisonment for 6 months.

Wilfully destroying moorings

**45.** Every person excepting the harbour master or person acting under his authority who wilfully cuts, breaks or destroys the mooring or fastening of any vessel or buoy shall be liable to a fine of \$200 or in default thereof to imprisonment for 12 months.

Injury or destruction of lights, etc., outside harbours

**46.** Every person commits an offence who does or causes to be done any of the following things anywhere within the Gilbert Islands—

injures, removes, alters or destroys any lighthouse, light-ship, beacon, buoy, or any light exhibited therein or thereon, or rides by, makes fast to, or runs foul of, any of the same, and for each such offence the offender shall, in addition to the expenses of removal, replacing or of making good any damage occasioned, be liable to a fine of \$100 or in default of payment thereof to imprisonment for 6 months.

Wilful damage to harbour works

**47.** Every person commits an offence punishable by imprisonment for 5 years who wilfully breaks, throws down, destroys or in anywise damages or injures any wharf, harbour, light, lighthouse, shed, building or any harbour work whatsoever or any part thereof constructed or in course of construction by or under the authority of Her Majesty or of the Government.

Discharging sewage without permission an offence

**48.** Every person commits an offence who permits any privy to discharge into the waters of a harbour or casts or discharges or suffers to be cast or discharged any night soil, sewage or other filth into a harbour except at such times and places as may be permitted by the harbour master.

Offering bribes to officers

**49.** Every person commits an offence who gives or offers any money or thing by way of reward or bribe to any harbour master, pilot or other officer employed about a harbour for the purpose of gaining an undue preference in the execution of his office or for the purpose of inducing him to do or omit to do anything relating to his office.

Licence to erect wharf required

**50.** Every person commits an offence who erects or constructs any wharf in any harbour or in any other place in the Gilbert Islands or encroaches in any way on the waters of any harbour without having first obtained a licence and a permit to do so from the Minister.

Penalty where none specially provided

**51.** Every person is liable, where no other penalty is in that behalf specially provided, to a fine of \$40 or in default of payment thereof to imprisonment for 3 months who fails, refuses or neglects to do, or in any manner obstructs, impedes or interferes with

the doing of, anything enjoined or authorised to be done, or does anything prohibited by this Ordinance or molests or makes use of any threatening language to a harbour master, pilot or other officer or person whilst in the execution of his duty under this Ordinance or in any other respect offends against any of the provisions of this Ordinance.

#### PART XIV

##### MISCELLANEOUS

52. When any dues leviable or charges or other expenses incurred under this Ordinance have not been paid, they may be recovered at the suit of the harbour master in any court of competent jurisdiction. Civil procedure

53. The Minister may make regulations and prescribe penalties for the breach thereof in regard to— Regulations

- (i) regulating the use of wharves, docks, quays, boat harbours, landing-stages and other landing-places, and the traffic thereon;
- (ii) prescribing the scale of dues for the storage of goods and charges to be paid for the taking and delivering the same from warehouses or buildings belonging to or in occupation of the Crown;
- (iii) regulating the conduct of all persons employed on any wharf or in any warehouse;
- (iv) regulating the control and management of steam or other mechanically propelled ferry boats plying for hire at wharves or other public thoroughfares;
- (v) regulating the conduct of licensed porters, boatmen, and watermen practising their calling;
- (vi) regulating the cleaning and repair of private wharves, and keeping the same in a fit state for the convenience and safety of persons walking upon or landing on or embarking from the same;
- (vii) regulating the time, place, order and mode of the shipping, landing, warehousing, stowing and separating of goods, and of the landing and embarking of passengers;
- (viii) regulating the order of priority of vessels using Government wharves and removing vessels therefrom to permit of the use of the wharves by vessels having the privilege of priority of use thereof;

- (ix) providing for the safe navigation of any harbour and regulating all matters relating to the protection of life and property in or on vessels using any such harbour;
- (x) regulating or prohibiting the towage within a harbour of vessels;
- (xi) providing for the effective lighting of ships and wharves at all times while passengers or goods are being loaded, unloaded or transported at any time between sunset and sunrise;
- (xii) providing that vessels shall not be brought to any wharf or moored to or unmoored from or removed from any wharf unless such vessels are in charge of the master of the vessel or of some other competent person;
- (xiii) regulating the laying up of any vessel within the harbour and fixing charges for such laying up;
- (xiv) regulating for the use of efficient mufflers, silencers or below-water exhausts by motor vessels navigating or lying in a harbour;
- (xv) regulating the use of searchlights in a harbour;
- (xvi) regulating the use of whistles, horns, sirens or similar contrivances in a harbour;
- (xvii) all other matters for which by this Ordinance regulations are required or permitted to be made or with respect to which regulations are necessary or convenient for giving effect to the provisions of this Ordinance.

[Subsidiary]

#### SUBSIDIARY LEGISLATION

##### Places declared to be harbours under section 4

L.N. 40/63

1. TARAWA, being all that area within the following limits, that is to say, bounded by a line commencing at the South West extremity of Betio Islet as shown on Admiralty Chart No. 3269 (Edition of the 5th January 1962) being 1 degree 21 minutes 02 seconds latitude North and 172 degrees 55 minutes 12 seconds longitude East (which extremity is hereinafter referred to as "the point of commencement"); and thence in a straight line on a true bearing of 000 degrees to a point 3.75 nautical miles distant from the point of commencement; and thence in a straight line to a point on a true bearing of 064 degrees, and a distance of 4.8 nautical miles, from the point of commencement; and thence in a straight line to a point on a true bearing of 091 degrees, and a distance of 5.05 nautical miles, from the point of commencement; and thence in a straight line to a point on a true bearing of 103 degrees, and a distance of 5.42 nautical miles, from the point of commencement; and thence in a straight line to a point on a true bearing of 111 degrees, and a distance of 3.6 nautical miles, from the point of commencement; and thence in a straight line from the last mentioned point to the point of commencement.



[Subsidiary]

2. OCEAN ISLAND, being all that area enclosed within a circle having a radius of 1 nautical mile and centred on Lilian Point on Ocean Island which point is shown more particularly on the Large Correction of the 6th May 1955, to Admiralty Chart No. 979.

L.N. 40/63

**Wharves declared to be Government wharves and surrounding areas defined as purlieus thereof under section 35**

1. Government Wharf at Betio Islet, being the wharf forming the Southern boundary of the boat harbour on the Northern side of Betio Islet, which boat harbour is shown on Admiralty Chart No. 3269 (Edition of 5th January 1962, corrected to include small correction no. 2040 of 1962) and the area surrounding such wharf, being the purlieus thereof, is all that area bounded by a line commencing at point being the site of the beacon in a position approximately 1 degree 21 minutes 42 seconds latitude North and 172 degrees 56 minutes 02 seconds longitude East and shown on the said Admiralty Chart No. 3269 (which point is hereinafter referred to as "the point of commencement") and thence in a straight line on a true bearing of 218 degrees for approximately 737 feet to a point situated on the High Water mark on the North-western side of the Western mole of the said boat harbour; and thence generally in a Southerly direction along the High Water mark on the Western side of the said Western mole for approximately 1700 feet to a point situated on a line produced parallel to and 60 feet inshore from the face of the said wharf; and thence in a generally Easterly direction along such straight line parallel to and 60 feet inshore from the face of the said wharf for approximately 500 feet to a point situated on a straight line produced parallel to and 40 feet Eastwards from the upper coping of the revetment of the Western side of the Eastern mole of the said boat harbour; and thence in a straight line on a true bearing of 015 degrees approximately for 630 feet to a point situated on the High Water mark on the Eastern side of the said Eastern mole; and thence generally in a Northerly direction along the High Water mark on the Eastern side of the said Eastern mole for approximately 1475 feet to a point on the North-eastern side of the Eastern mole; and thence on a true bearing of 295 degrees for approximately 212 feet to the point of commencement, the said area being more particularly delineated and outlined in green on the plan deposited in the Public Office of the Governor at Tarawa as Registered Plan No. 3.

L.N. 41/63

2. Government Wharf at Bairiki Islet, being the wharf consisting of a timber jetty on the Western side of the boat harbour on the Northern side of Bairiki Islet, which boat harbour is shown on Admiralty Chart No. 3269 (Edition of 5th January 1962, corrected to include small correction no. 2040 of 1962) and the area surrounding such wharf, being the purlieus thereof, is all that area contained within the minor sector of a circle having a radius of 920 feet with its centre on the beacon in the position approximately 1 degree 19 minutes 52 seconds latitude North and 172 degrees 58 minutes 35 seconds longitude East and shown on the said Admiralty Chart No. 3269 between a true direction of 165 degrees from the said beacon, the said area being more particularly delineated and outlined in green on the plan deposited in the Public Office of the Governor at Tarawa as Registered Plan No. 4.

L.N. 41/63

**Regulations under section 53**

**HARBOURS REGULATIONS**

G.N. 137/58  
L.N. 37/69  
8 of 1971  
3 of 1972  
L.N. 37/72

1. These Regulations may be cited as the Harbours Regulations.

Citation

**[Subsidiary]**Harbour  
master's flag

2. The harbour master's flag, required to be flown in accordance with the provisions of section 7 shall be composed of two horizontal bands of equal size; the upper band shall be white with the letters "H.M." conspicuous thereon, and the lower band shall be red.

Signals to be  
made by ves-  
sel requiring  
pilot

3. The signals required to be made by a master of a vessel requiring the services of a pilot, in accordance with the provisions of section 13, shall be as follows—

(a) By day—

- (i) the international code signal "G"; or
- (ii) the international code signal "PT"; or
- (iii) the Pilot Jack hoisted at the foremast.

(b) By night—

- (i) a blue pyrotechnic light every 15 minutes; or
- (ii) the international code signal "PT" by flashing.

Licensing of  
pilots  
Schedule 1

4. (1) Licences for pilots granted under the provisions of section 15 shall be in Form 1 set out in Schedule 1 and each licence shall specify the area or port for which it is granted.

(2) Before any such licence may be granted the applicant therefor shall be required to satisfy the Marine Superintendent that he has entered the area or port concerned on at least 3 occasions in command of a vessel, that he has the necessary knowledge of that port or area and that he has acquired an adequate knowledge of the handling of ships.

(3) The fee payable by the applicant for the grant of a licence shall be \$2.

Pilotage fees

5. (1) For every vessel employing a licensed pilot there shall be payable whenever the vessel enters port, leaves port or shifts within the port a pilotage fee calculated at the rate of 20 cents per foot of the vessel's greatest registered length from stem to stern:

Provided that in no case shall the pilotage fee be less than \$50 or more than \$100.

(2) When the pilotage fee is paid by the master the pilot shall issue a receipt in Form 2 set out in Schedule 1, but when the pilotage fee is for account of the agents the master shall issue to the pilot a certificate in Form 3 set out in that Schedule.

Wharves to  
be main-  
tained in safe  
condition

6. Every landing place or wharf to which members of the public have access shall be maintained by the owner or occupier in a fit state of repair and cleanliness to the satisfaction of the harbour master, who may order the owner or occupier to take such steps as may be necessary to exclude the public from any landing place or wharf which in the opinion of the harbour master is unsafe.

Wharves to  
be illumi-  
nated

7. Every landing place or wharf to which members of the public have access shall be illuminated to the satisfaction of the harbour master at all times between sunset and sunrise when passengers or goods are being embarked, disembarked, loaded, unloaded or transported.

Use of search-  
light

8. No person shall use a searchlight in a harbour in such manner as to obscure or impair the vision of any person navigating a vessel in or approaching that harbour.

Discharge of  
oil

9. The master or owner of any vessel or shore installation from which oil is discharged, or allowed to escape, into any harbour shall be guilty of an offence and shall be liable to a fine of \$100 or in default of payment thereof to imprisonment for 6 months.

[Subsidiary]

10. (1) Every vessel which enters the harbour of Tarawa, other than a vessel of a category specified in Schedule 2, shall be liable to pay light dues calculated in accordance with the following scale—

- (a) 2 cents per registered ton on every occasion of entering the harbour; or
- (b) 40 cents per registered ton per calendar year payable in advance.

(2) In the case of dues calculated in accordance with paragraph (1) (a) vessels shall be liable to pay in addition thereto 2 cents per ton of any space referred to in section 85 of the Merchant Shipping Act 1894.

11. Every vessel which enters Betio Boat Harbour or Bairiki Boat Harbour, other than a vessel of a category specified in Schedule 2, shall be liable to pay wharfage dues calculated in accordance with the following scale—

- (a) per day of 24 hours or part thereof—
  - (i) if alongside a Government wharf, 15 cents per registered ton;
  - (ii) if moored within the purlieus of a Government wharf, 10 cents per registered ton; or
- (b) per calendar year, \$6 per registered ton, payable in advance.

12. Notwithstanding the exemptions, conferred by regulation 11 upon vessels in the categories specified in Schedule 2, from payment of wharfage dues upon entering Betio Boat Harbour or Bairiki Boat Harbour, there shall be levied on any cargo loaded or discharged by such vessels at a Government wharf in those harbours cargo wharfage dues, to be paid by the owner, calculated at the rate of 15 cents per ton:

Provided that no cargo wharfage dues shall be payable upon the personal baggage of the crew of any such vessel or upon any goods specifically exempted from such payment by the Minister.

13. In respect of any vessel which is exempted from the payment of wharfage dues under the provisions of regulation 11, other than a vessel in a category specified in paragraphs (ii), (iii), (iv), (v) and (vii) of Schedule 2, and which enters Betio Boat Harbour or Bairiki Boat Harbour, port charges shall be payable calculated as follows—

- (a) for vessels of less than 5 tons—
  - (i) for every day or part thereof within the Boat Harbour, 20 cents; or
  - (ii) for 1 calendar year, \$4 payable in advance.
- (b) for vessels of 5 tons or upwards—
  - (i) for every day or part thereof within the Boat Harbour, \$1; or
  - (ii) for 1 calendar year, \$20 payable in advance.

## SCHEDULE 1

(Regulations 4 and 5)

## FORM 1

Prescribed licence issued to a pilot in pursuance of regulation 4 of the Harbours Regulations.

This is to certify that

is a licensed pilot for

Date

.....  
Marine Superintendent

[Subsidiary]

## FORM 2

Prescribed receipt for Pilotage Fee under regulation 5 of the Harbours Regulations.

Received from \_\_\_\_\_ in respect of pilotage of the vessel  
 \_\_\_\_\_ into/out of/within the port of  
 the sum of \_\_\_\_\_ as follows  
 Maximum registered length \_\_\_\_\_ at 20c per foot (subject to a  
 minimum of \$50 and a maximum  
 of \$100) = \$ \_\_\_\_\_  
 Master \_\_\_\_\_ Pilot  
 Date \_\_\_\_\_

## FORM 3

Prescribed certificate required by regulation 5 of the Harbours Regulations.

This is to certify that \_\_\_\_\_ has this day piloted the vessel  
 \_\_\_\_\_ into/out of/within the port of  
 in respect of which pilotage the vessel is liable for payment of the following fee  
 Maximum registered length \_\_\_\_\_ at 20c per foot (subject to a  
 minimum of \$50 and a maximum  
 of \$100) = \$ \_\_\_\_\_  
 Date \_\_\_\_\_ Master

## SCHEDULE 2

(Regulations 10 and 11)

Schedule of vessels exempted from payment of light dues and wharfage dues under regulations 10 and 11.

- (i) any vessel of less than 5 tons;
- (ii) any vessel belong to or in the naval service of Her Majesty or of any foreign state;
- (iii) any vessel in the service of the Government of any British possession other than a vessel engaged in trade;
- (iv) a vessel chartered by or on behalf of Her Majesty or a British possession for naval purposes when the dues would otherwise be payable by Her Majesty or by the Government of such possession;
- (v) the lifeboats, rafts, work boats or launches which form part of the equipment of a larger vessel and are being used as such;
- (vi) punts, barges or other work boats whose sole means of propulsion is by manpower or by towing;
- (vii) sailing or paddling canoes of native design.

**Goods exempted from cargo wharfage dues under the proviso to regulation 12.**

L.N. 58/67

Any cargo loaded or discharged at a Government Wharf in Betio Boat Harbour or Bairiki Boat Harbour.