

INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 114.

Port Charges.

GENERAL ANNOTATION.

ADMINISTRATION.

As at 13 February 1976 (the date of gazettal of the most comprehensive allocation of responsibilities to Ministers and Departments at about the effective date), the administration of this Chapter was vested in the Minister for Transport and Works.

Accordingly, as at that date, unless some other intention is clearly indicated, by note or in the text, references in or in relation to this Chapter to—

“the Minister”—should be read as references to the Minister for Transport and Works;

“the Departmental Head”—should be read as references to the Secretary for Transport, Works and Supply¹;

“the Department”—should be read as references to the Department of Transport, Works and Supply².

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¹ Previously the Secretary, Department of Transport.
² Previously the Department of Transport.

INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 114.

Port Charges Act.

ARRANGEMENT OF SECTIONS.

PART I.—PRELIMINARY.

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 - "declared port"
 - "master"
 - "owner"
 - "port"
 - "ton"
 - "vessel"
 - "week".
2. Application.
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4. Coastal vessels.

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INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 114.

*Port Charges Act*¹.

Being an Act to provide for the payment of port dues, wharfage, berthage, light dues, pilotage and storage charges.

PART I.—PRELIMINARY.

1. Interpretation.

In this Act, unless the contrary intention appears—

“coastal vessel” means a vessel declared under Section 4 to be a coastal vessel for the purposes of this Act;

“declared port” means a port under Section 3;

“master” means a person, other than a pilot, in charge or command of a vessel;

“owner” includes an owner, a part owner and a charterer, and an agent of any of those persons;

“port” means a port, harbour, haven, roadstead, channel or navigable river or creek where a vessel can ship or unship passengers or goods;

“ton”, in relation to goods, means at the option of the Collector of Customs, 20 hundred-weight by weight or 40 cubic feet by measurement, or a part thereof;

“vessel” means a ship, boat or other description of vessel used for any purpose on the sea or in navigation, but does not include—

(a) a vessel used solely for pleasure where the net tonnage does not exceed 5 tons; or

(b) a canoe; or

(c) a ship of war;

“week” includes a part of a week.

2. Application.

The provisions of this Act relating to—

(a) wharfage under Section 5; and

(b) port dues under Section 8; and

(c) berthage under Section 9; and

(d) storage and storage charges under Section 10 or 11,

and any other provision of this Act that the Minister, by notice in the National Gazette, declares to be a provision to which this section applies do not apply to or in respect of a declared port within the meaning of the *Harbours Board Act*.

¹ This Chapter has not been metricated by statute. In view of the fact that rates etc., are prescribed by this Act by reference to Imperial units of measurement, no attempt has been made to metricate it editorially.

3. Declared ports.

The Minister may, by notice in the National Gazette, declare a port to be a port to which this Act applies.

4. Coastal vessels.

On application by a master or owner of a vessel, the Comptroller of Customs may declare the vessel to be a coastal vessel for the purposes of this Act.

PART II.—CHARGES GENERALLY.

5. Wharfage.

(1) Subject to Subsection (2), a vessel lying in a declared port shall pay wharfage to the State in accordance with Schedule 1.

(2) Wharfage is not payable on—

- (a) coastal cargo loaded or unloaded at a wharf not owned by the State; or
- (b) overseas cargo in respect of which facilities are not provided by the State in the port in which they are loaded or unloaded.

6. Light dues.

(1) Subject to Subsection (2), a vessel entering a declared port shall pay to the State light dues at the rate of 10t per ton net register or K2.25, whichever is the greater, but no such vessel shall be liable for light dues exceeding K150.00 at any one time.

(2) A payment under Subsection (1) applies in respect of all declared ports entered within a period of three months after the date of payment.

7. Pilotage.

On each occasion on which a vessel takes a pilot at a port in the country, it shall pay pilotage to the State in accordance with Schedule 2.

8. Port dues.

(1) Subject to Subsections (2), (3), and (5), a vessel entering a declared port shall pay port dues to the State at the rate of 10t per 3 tons, or part of 3 tons gross register or K1.50, whichever is the greater.

(2) A payment under Subsection (1) applies in respect of all declared ports entered within a period of six months from the date of payment.

(3) Where a vessel arrives solely for or on account of—

- (a) effecting repairs; or
- (b) stress of weather; or
- (c) obtaining provisions or coal or oil, to enable her to continue her voyage; or
- (d) being in distress; or
- (e) obtaining medical attention for a person on board her,

or for any of those reasons, and after arrival does not—

- (f) discharge or load any cargo; or

- (g) disembark or embark any passenger other than a person referred to in Paragraph (e) and any person accompanying him and necessarily disembarked with him,

the port dues under this section are 5t per 3 gross tons or part of 3 gross tons.

(4) Where port dues are paid to the State under Subsection (1) in respect of any port that is a declared port by virtue of this Act but is not a declared port under the *Harbours Board Act*, the dues—

- (a) shall be paid by the State to the Harbours Board; and
 (b) shall be deemed to be part of the revenue of the Harbours Board.

(5) Notwithstanding Subsection (1), where a vessel has, within the six months preceding the date of entry into a declared port, paid port dues under the *Harbours Board Act* it is not liable for any further port dues under this Act.

9. Berthage.

(1) Subject to Subsections (2) and (3), a vessel that lies at or is moored to, or berthed in tier at, a Government wharf shall pay berthage to the State—

- (a) in declared ports, at the rate of K1.50 per day or 5t per 4 gross tons, or part of 4 gross tons, per day, whichever is the greater; and
 (b) in other ports and places, in the sum of K10.00 per annum for the first 100 tons gross register plus 25t per additional gross ton, with a minimum charge of K1.50 per day.

(2) Payment under Subsection (1)(a) applies in respect of all ports and places (other than declared ports) entered within a period of 12 months from the date of payment.

(3) In the calculation of days for the purposes of Subsection (1)—

- (a) a period not exceeding 6 hours shall be deemed to be a quarter of a day; and
 (b) a period exceeding 6 hours but not exceeding 12 hours shall be deemed to be a half a day; and
 (c) a period exceeding 12 hours but not exceeding 18 hours shall be deemed to be three-quarters of a day; and
 (d) a period exceeding 18 hours but not exceeding 24 hours shall be deemed to be a whole day.

PART III.—STORAGE OF GOODS.

10. Removal of imported goods, etc.

(1) All goods—

- (a) imported; or
 (b) arriving coastwise,

and landed on any Government wharf or placed in any shed on a Government wharf shall be removed within four working days for the Customs after the vessel has completed the unloading of its cargo at the wharf.

(2) Where any goods referred to in Subsection (1) are not removed from the wharf or shed within—

- (a) the time specified in that subsection; or

(b) such further time as the Collector of Customs in a particular case allows, the owner, importer, consignee of the goods or his agent shall, until the goods are removed, pay storage in respect of them—

(c) for the first week, at the rate of 30t per ton; and

(d) for every subsequent week, at a rate per ton being 8t additional to the amount per ton payable for the preceding week.

(3) Notwithstanding the preceding provisions of this section, after the end of the period referred to in Subsection (1) the Collector of Customs may, without notice to any person, remove the goods, or cause them to be removed, from the wharf or shed to a warehouse or place directed by him.

(4) The owner, importer or consignee of any goods removed under Subsection (3) shall pay all charges and expenses connected with the removal, including any warehouse rent and charges.

11. Storage of goods for export.

(1) Goods intended for export may be stored in sheds provided by the State for the purpose.

(2) Subject to Subsection (3), the charge for the storage of goods referred to in Subsection (1) is 15t per ton per week.

(3) The charge for the storage of copra intended for export is 8t per ton per week.

(4) For the purposes of this section—

(a) the minimum charge is the charge for one ton but after the first ton each quarter-ton or portion of a quarter-ton shall be charged as one quarter-ton; and

(b) the minimum charge is in respect of one week but after that period any part of a week not exceeding three days shall be charged as one half-week.

(5) An application for storage shall—

(a) be made in writing stating—

(i) the quantity and description of the goods requested to be stored; and

(ii) the name of the vessel concerned; and

(b) be presented to the Collector of Customs during office hours and at least two hours before the hour at which an officer is required to be in attendance for the purpose of receiving the goods.

(6) For the purposes of this Act the person making the application for storage shall be deemed to be the owner of the goods.

(7) Goods shall be stacked as required by the Collector of Customs or an officer in attendance on his behalf, and goods not properly bagged, cased or bundled will not be stored.

(8) Goods that, in the opinion of the Collector of Customs or officer in attendance on his behalf are—

(a) perishable or dangerous; or

(b) likely to cause damage to a shed or to other goods stored in the sheds,

shall not be received into the sheds.

(9) Copra in bags that are, or appear to be, wet will not be received for storage.

(10) All labour required for receiving and delivering the goods shall be provided by the owner of the goods.

(11) Goods stored remain in the shed at the risk of the owners, and the State is not liable for compensation for any loss or damage owing to fire, vermin or inevitable accident, or to any crime or misdemeanour.

(12) The Collector of Customs may detain all or any of the goods stored in a shed until all the charges on them (including storage charges incidental to the detention) have been paid or until he has received security for payment.

PART IV.—RECOVERY OF CHARGES.

12. Persons liable.

The master and the owner of a vessel in respect of which any amounts are payable under this Act are jointly and severally liable for payment of the amounts.

13. Payment of charges.

Amounts payable under this Act shall be paid—

(a) to the principal officer of Customs at the declared port where they are levied;
or

(b) if there is no officer of Customs—

(i) to a District Officer; or

(ii) in the case of periodical amounts—to the Comptroller of Customs.

14. Remission.

The Minister may in any case, for any reasons that he thinks proper, remit the whole or any part of any amount payable under this Act.

15. Recovery.

Any amount payable under this Act is recoverable by the State as a debt.

PART V.—MISCELLANEOUS.

16. Production of documents.

At the request of a Collector the owner or master of a vessel shall produce any of the ship's documents for inspection.

17. Exemptions.

(1) A vessel that enters a port solely for the purpose of bringing mail under special contract with the Government is not liable for the payment of any amount under this Act in respect of the vessel.

(2) A vessel that is declared by the Head of State, acting on advice, by notice in the National Gazette to be exempt from all or any of the provisions of this Act is not liable for the payment of any amount that would, but for the exemption, have been payable under this Act in respect of that vessel.

18. Penalty.

The master or owner of a vessel who omits or fails to pay any amount payable under this Act is guilty of an offence.

Penalty: Where the offence is committed with intent to defraud the State—a fine not exceeding K100.00 and in addition a further penalty equal to the amount of dues or rates unpaid.

In any other case—a fine not exceeding K40.00, and in addition a further penalty equal to the amount of dues or rates unpaid.

19. Regulations.

The Head of State, acting on advice, may make regulations, not inconsistent with this Act, prescribing all matters that by this Act are required or permitted to be prescribed, or that are necessary or convenient to be prescribed for carrying out or giving effect to this Act, and in particular—

- (a) for providing for the delivery of manifests and other ship's documents to the Collector of Customs; and
- (b) for prescribing penalties of fines not exceeding K40.00 for offences against the regulations.

Port Charges

Ch. No. 114

SCHEDULE 1.

Sec. 5(1).

WHARFAGE RATES.
INWARD, TRANSHIPMENT AND OUTWARD RATES.

Articles.	Inward wharfage rates on overseas cargo.	Inward wharfage rates on coastal cargo.	Transhipment rates.	Outward wharfage rates on overseas cargo.	Outward wharfage rates on coastal cargo.
Animals—	t	t	t	t	t
Horses and cattle each	30	15	15	20	20
Dogs, sheep, goats and pigs each	10	5	5	5	5
Charcoal, coal and coke per ton	15	8	8	10	10
Copra per ton	30	15	15	30	30
Fertilizers per ton	25	12	12	30	30
Fruit and vegetables, fresh, per ton	30	15	15	5	5
Iron tanks (empty) each	60	30	30	40	40
Oils, petroleum, per ton	40	20	20	20	20
Returned empties per ton	20	10	10	10	10
Road metal, sand and soil per ton	10	5	5	5	5
Timber—rough or sawn per 480 super feet	75	20	20	20	20
Ores (including crude ores) per ton	75	30	30	15	15
Goods not enumerated above (per ton by weight or per ton of 40 cubic feet measurement, whichever is the greater)	75	30	30	30	30

SCHEDULE 2.

Sec. 7.

PILOTAGE RATES.

1. Subject to Item 3, on the arrival of a vessel, the pilotage rate is

5t per 2 tons, or part of 2 tons, net register.

Provided that where a vessel arrives solely for or on account of any one or more of the following purposes or causes :-

- (a) pleasure; or
- (b) calling for orders; or
- (c) effecting repairs; or
- (d) refitting or drydocking; or
- (e) obtaining provisions or coal or oil, to enable her to continue her voyage; or
- (f) stress of weather; or
- (g) otherwise being in distress,

and after arrival does not discharge any cargo or land any passenger, the pilotage rate is

5t per 4 tons, or part of 4 tons, net register.

2. Subject to Item 3 on the departure of a vessel, the pilotage rate is

5t per 2 tons, or part of 2 tons, net register.

Provided that where a vessel, having arrived solely for or on account of any one or more of the purposes or causes mentioned in Item 1, whether or not having after arrival unloaded any cargo or taken on board any passenger, or where a vessel departs solely for or on account of any one or more of the purposes or causes mentioned in Item 1, and before departure does not load any cargo or take on board any passenger, the pilotage rate is

5t per 4 tons, or part of 4 tons, net register.

3. Notwithstanding anything contained in Items 1 and 2, the pilotage fees payable on a vessel on her arrival at or on her departure from a port shall be not less than K10.00 nor more than K100.00.

4. Subject to Item 5, after arrival, on the removal of a vessel from wharf to wharf or from wharf to stream or from stream to wharf, the pilotage rate is--

- Where the vessel does not exceed 2 000 tons gross tonnage
- Where the vessel exceeds 2 000 tons gross tonnage

K10.00
K20.00

5. After her first three removals during any one visit to the port, on the removal of a vessel from wharf to wharf or from wharf to stream or from stream to wharf, the pilotage rate is one-half of the rates set out in the scale in Item 4.

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Port Charges Regulation.

ARRANGEMENT OF SECTIONS.

1. Delivery of manifest, etc.
2. Outward manifest.
3. Inward wharfage rates.
4. Outward wharfage rates.
5. Berthage, port and light dues.
6. Pilotage and removals.

SCHEDULE.—

- FORM 1.—Inward Manifest.
- FORM 2.—Outward Manifest.
- FORM 3.—Port Charges—Wharfage Inwards.
- FORM 4.—Port Charges—Wharfage Outwards.
- FORM 5.—Berthage, Port and Light Dues.
- FORM 6.—Pilotage and Removal Rates.

INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 114.

Port Charges Regulation.

MADE under the *Port Charges Act.*

1. Delivery of manifest, etc.

(1) The master, owner or agent of an overseas vessel must within 24 hours after its arrival at a port, deliver to the Collector of Customs a true and complete copy of the inward manifest of the vessel in respect of all goods to be landed, discharged or transhipped in the port.

(2) The copy of the manifest referred to in Subsection (1)—

(a) shall be in Form 1 or in such other form as is approved by the Comptroller of Customs; and

(b) shall be signed by the master, owner or agent; and

(c) shall, if required by the Collector of Customs, be verified by the master, owner or agent by statutory declaration.

(3) On demand by the Collector of Customs, the master, owner or agent must produce to the Collector the master's copy of all bills of lading relating to goods referred to in Subsection (1).

(4) In the case of a vessel having no goods referred to in Subsection (1) on board when entering a port, the copy manifest shall be marked with the word "Nil".

(5) A person who except with the consent of the Collector of Customs—

(a) lands, discharges or tranships; or

(b) causes or suffers to be landed, discharged or transhipped,

goods in a port before a copy manifest has been delivered in accordance with this section, is guilty of an offence.

(6) The master, owner or agent of a vessel who—

(a) fails to deliver a copy manifest in accordance with this section; or

(b) fails to comply with a requirement under this section; or

(c) delivers, or causes or permits to be delivered a copy manifest that is false or inaccurate in any material respect,

is guilty of an offence.

Penalty: A fine not exceeding K40.00.

2. Outward manifest.

(1) The master, owner or agent of a vessel by which goods are shipped—

(a) overseas; or

(b) coastwise from a Government wharf,

must, within 24 hours of the shipment, deliver to the Collector of Customs a true and complete copy of the outward manifest of the vessel in respect of the goods.

- (2) The copy of the manifest referred to in Subsection (1)—
- (a) shall be in Form 2 or in such other form as is approved by the Comptroller of Customs; and
 - (b) shall be signed by the master, owner or agent; and
 - (c) shall, if required by the Collector of Customs, be verified by the master, owner or agent by statutory declaration.
- (3) The master, owner or agent of a vessel referred to in Subsection (1) who—
- (a) fails to deliver a copy manifest in accordance with this section; or
 - (b) fails to comply with a requirement under this section; or
 - (c) delivers, or causes or permits to be delivered, a copy manifest that is false or inaccurate in a material particular,

is guilty of an offence.

Penalty: A fine not exceeding K40.00.

3. Inward wharfage rates.

The master, owner or agent of a vessel from which goods have been unshipped and on which inward wharfage charges are payable shall—

- (a) within 48 hours of completion of unshipment—furnish to the Collector of Customs full and complete particulars in duplicate, of the goods in Form 3; and
- (b) at the same time pay the inward wharfage rates.

4. Outward wharfage rates.

The master, owner or agent of a vessel on which goods are shipped shall, if outward wharfage rates are payable on the goods—

- (a) within 48 hours of the departure of the vessel—furnish to the Collector of Customs full and complete particulars in duplicate, of the goods in Form 4; and
- (b) at the same time pay the outward wharfage rates on the goods.

5. Berthage, port and light dues.

Where the master, owner or agent of a vessel is liable to pay berthage fees, port dues or light dues, he shall—

- (a) make payment—
 - (i) at or before the time when the vessel makes entry into or clears outwards from port; or
 - (ii) within such further period (not exceeding 48 hours) as the Collector of Customs allows; and
- (b) at the time of payment, furnish to the Collector of Customs particulars in duplicate in Form 5.

6. Pilotage and removals.

Where the master, owner or agent of a vessel is liable to pay pilotage or removal fees he shall—

(a) make payment—

(i) before the departure from the port of the vessel; or

(ii) within such further period (not exceeding 48 hours) as the Collector of Customs allows; and

(b) furnish to the Collector of Customs at the time of payment particulars in duplicate in Form 6.

SCHEDULE.

PAPUA NEW GUINEA CUSTOMS.

Port Charges Act.

Reg., Sec. 1.

Form 1.

INWARD MANIFEST.

Ship _____, Trip _____, from _____, entered inwards at Customs House, _____ wharf. Vessel berthed at _____

Marks and Nos.	Consignee.	No. of packages.	Description.	Weight.	Measurement.	Remarks.

I declare the above particulars of weights, measurements and quantities to be correct.

Master.

Dated _____ 19 _____

NOTE.—The Controller of Customs may at his option accept instead of the above form of manifest the manifest of any shipping company provided that it is declared and contains sufficient information for the purposes of the Customs.

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PAPUA NEW GUINEA CUSTOMS.

Port Charges Act.

Reg., Sec. 2.

Form 2.

OUTWARD MANIFEST.

Ship _____, from _____, entered outwards at Customs House,
, Trip _____, Vessel berthed at _____ wharf.

Marks and Nos.	Consignor.	No. of packages.	Description.	Weight.	Measurement.	Remarks.

I declare the above particulars of weights, measurements and quantities to be correct.

Master.

Dated _____ 19 _____

NOTE.—The Controller of Customs may at his option accept instead of the above form of manifest the manifest of any shipping company provided that it is declared and contains sufficient information for the purposes of the Customs.

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PAPUA NEW GUINEA CUSTOMS.

Port Charges Act.

Reg., Sec. 3.

Form 3.

PORT CHARGES—WHARFAGE INWARDS.

Port of
Master or Owner

Ship

Net Registered Tonnage
Per

Reported
Agent. Date

19
19

Goods.	Overseas.			Coastal.			Transshipment.			Total.
	Quantity.	Rate.	Amount.	Quantity.	Rate.	Amount.	Quantity.	Rate.	Amount.	
		K	K		K	K		K	K	
1. Horses and cattle, each		0.30			0.15			0.15		
2. Dogs, sheep, goats and pigs, each		0.10			0.05			0.05		
3. Charcoal, coal and coke, per ton		0.15			0.08			0.08		
4. Copra, per ton		0.30			0.15			0.15		
5. Fertilizers, per ton		0.25			0.12			0.12		
6. Fruit and vegetables (fresh), per ton		0.30			0.15			0.15		
7. Iron (tanks) empty, each		0.60			0.30			0.30		
8. Oils, petroleum, per ton		0.40			0.20			0.20		
9. Returned empties, per ton		0.20			0.10			0.10		
10. Road metal, sand and soil, per ton		0.10			0.05			0.05		
11. Timber, rough or sawn, per 480 super feet		0.75			0.20			0.20		
12. Ores (including crude ores), per ton		0.75			0.30			0.30		
13. Other cargo—										
(a) measurement, per ton		0.75			0.30			0.30		
(b) weight, per ton		0.75			0.30			0.30		
		Total			Total			Total		

Dated

19

Collector.

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PAPUA NEW GUINEA CUSTOMS.

Reg., Sec. 6.

Form 6.

PILOTAGE AND REMOVAL RATES.

Vessel _____ Agent _____ Reported _____ 19 ____ Port of _____
 Date _____ 19 ____

Payable to the Collector of Customs, Port of _____

Pilotage.	Inward.			Outward.			Total.
	Net tonnage.	Rate.	Amount.	Net tonnage.	Rate.	Amount.	
(a) General Rates (Maximum K100.00 Minimum K10.00)		5t per 2 tons net register, or part thereof.			5t per 2 tons net register, or part thereof.		22
(b) Concession Rates (Maximum K100.00 Minimum K10.00)		5t per 4 tons net register, or part thereof.			5t per 4 tons net register, or part thereof.		
Removals :- (a) 2 000 tons gross and under (b) Exceeding 2 000 tons gross.	First three removals during any one visit.			Additional removals.			
	No. of removals.	Rate.	Amount.	No. of Removals.	Rate.	Amount.	
		K. 10.00			K. 5.00		
		20.00			10.00		
						Total	

INDEPENDENT STATE OF PAPUA NEW GUINEA.

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Port Charges.

SUBSIDIARY LEGISLATION.

Act, Section 3.—Declared ports.

Kavieng.

Lae.

Madang.

Port Moresby.

Rabaul.

Samarai.

Wewak.

Act, Section 6.—Light dues.

Tourist cruise ships—exemption from light dues.

Act, Section 8.—Port dues.

Tourist cruise ships—exemption from port dues.

Act, Section 17(2)—Exemptions.

Exemption of ships that, in the opinion of the Minister, are tourist cruise ships from excess over 25% of aggregate amount otherwise payable under Section 6 and 8.

INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 114.

Port Charges.

APPENDIXES.

APPENDIX 1.

SOURCE OF THE PORT CHARGES ACT.

Part A.—Previous Legislation.

Port Charges Act 1957 (No. 47 of 1957)

as amended by—

Port Charges Act 1958 (No. 27 of 1958)

Port Charges Act 1965 (No. 67 of 1965)

Port Charges Act 1967 (No. 78 of 1967).

Part B.—Cross References.

Section, etc., in Revised Edition.	Previous Reference ¹ .	Section, etc., in Revised Edition.	Previous Reference ¹ .
1	4	12	16
2	4A	13	15
3	5	14	18
4	6	15	17
5	7	16	11
6	8	17	19
7	9	18	20
8	10	19	21
9	14	Schedules—	Schedules—
10	12	Schedule 1	First Schedule
11	13	Schedule 2	Second Schedule

¹ Unless otherwise indicated, references are to the Act set out in Part A.

APPENDIX 2.

SOURCE OF THE PORT CHARGES REGULATION.

Part A.—Previous Legislation.

Port Charges Regulations 1957 (Regulations No. 44 of 1957).

Part B.—Cross References.

Section, etc., in Revised Edition:	Previous Reference ¹ .	Section, etc., in Revised Edition.	Previous Reference ¹ .
1	3	Schedule—	Schedule—
2	4	Form 1	Form 1
3	5	Form 2	Form 2
4	6	Form 3	Form 3
5	7	Form 4	Form 4
6	8	Form 5	Form 5
		Form 6	Form 6

¹ Unless otherwise indicated, references are to the regulations set out in Part A.