

## CHAPTER 139

## QUEEN SALOTE WHARF

## ARRANGEMENT OF SECTIONS

## SECTION

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*Act 14 of 1968*

## AN ACT RELATING TO THE QUEEN SALOTE WHARF

[11th October, 1967] Commence-  
ment.

1. This Act may be cited as the Queen Salote Wharf Act. Short title.
2. In this Act, unless the contrary intention appears— Interpretation.
 

“Government Wharf” has the same meaning as defined by the Wharves Act;

“the Controller” means the Controller of Customs; and

“the wharf” means the Queen Salote Wharf.\*
3. (1) Subject to subsection (2) this Act applies only to and in Application of Act.  
relation to the administration, control and management of the Queen Salote Wharf at Nuku‘alofa, Tongatapu.
 

(2) His Majesty the King may, by Proclamation, declare all or any of the provisions of this Act to apply to and in relation to the administration, control and management of any other Government wharf or dock, quay, jetty or landing place within the Kingdom, and when so declared those provisions of this Act shall apply accordingly.
4. The Controller is charged with the general administration of this Act. Controller to administer.

\* The boundaries of the wharf are described at G.88/68.

Controller to  
engage  
workers.

5. (1) The Controller may engage such persons as he deems necessary for the administration, control and management of the wharf.

(2) A person engaged by the Controller under subsection (1) shall perform his duties and functions subject to the control and direction of the Controller and the person shall be paid such remuneration as the Controller may, with the approval of Cabinet, determine.

Controller to  
levy charges.

6. (1) The Controller may levy charges—

(a) for such services as may be rendered; and

(b) for the use of equipment and other facilities made available; by him or on his behalf in connection with the administration, control, and management of the wharf.

(2) The Controller may prohibit any person—

(a) from offering or rendering any service which the Controller is able to offer or render; and

(b) from using any equipment and facilities other than those which the Controller may make available;

in connection with the administration, control and management of the wharf.

(3) Charges to be levied under this section shall not bind any person unless approved by Cabinet.

Overtime  
charges.

7. Where the Controller or the person engaged by the Controller in connection with the administration, control and management of the wharf is required by any other person to perform outside normal working hours, services which the Controller is able to render under the last preceding section, that other person shall be liable to the Controller for all overtime and other charges which the Controller may incur in rendering those services.

This Act an  
addition.

8. The powers and authority conferred upon the Controller by this Act are in addition to any other powers or authority conferred upon him by any other law of the Kingdom for and in relation to the administration, control and management of a Government wharf.

Controller  
may  
delegate.

9. (1) The Controller may delegate to any person or authority any of his powers authority and functions under this Act in relation to any matter or class of matters.

(2) A power, authority or function delegated under this section may be exercised or performed by the delegate.

(3) A delegation under this section is revocable at will and does not prevent the exercise of the power or authority or the performance of a function by the Controller.

**10.** Any dues leviable or charges or other expenses incurred under this Act may be recovered at the suit of the Controller in any court of competent jurisdiction. Recovery of charges.

**11.** A person who—

**Offences.**

- (a) fails, refuses or neglects to do anything enjoined by this Act to be done;
- (b) in any manner obstructs, impedes or interferes with the doing of anything authorised by this Act to be done;
- (c) does anything prohibited by this Act;
- (d) molests, or makes use of any threatening language to the Controller or his delegate or other person whilst in the execution of his duty under this Act; or
- (e) in any other respects, commits an offence against any of the provisions of this Act;

is, on conviction, liable to a fine not exceeding \$40 or to a term of imprisonment not exceeding 4 months or to both such fine and imprisonment.