

*Weighing*

A charge of 1s. per ton (with a minimum charge of 6d.) s. d.  
shall be payable to the Council by persons for the  
weighing of goods, if the weighing of such goods is done  
or performed by the Council.  
Outwards, per ton (with a minimum of 6d.) .. 1 0

*Craneage*

Every person using a crane on the said wharf shall pay  
to the Council for the use of the said crane the  
following scale of charges:—  
For the use of the crane on the wharf, for the first ton  
or part thereof, per ton .. 1 3  
For the use of the crane on the wharf, for every ton  
after the first ton, per ton .. 1 0

*Berthage*

1. In the construction of these regulations a day shall be  
deemed to be from midnight on one day until midnight on the  
following day.

2. The master of every vessel occupying a berth, whether  
directly alongside a wharf or outside one or more vessels directly  
alongside a wharf shall, subject to the following exceptions, pay  
berthage rates as under:—

Vessels not otherwise specified, per working day	£	s.	d.
per ton or part of a ton net register ..	..	0	0
Minimum charge per day ..	..	0	5
Berthage on trading launches, minimum charge—			
Per day ..	..	0	2
Per quarter ..	..	2	0

3. The master of every vessel, upon the completion of the  
loading or discharge of his vessel shall at once remove his vessel  
and vacate the berth occupied by the vessel unless he has received  
permission from the wharfinger to delay such removal.

4. The payment of a berthage rate shall not be deemed to  
give the master of a vessel the right to keep such vessel at a wharf.

5. No berthage rates shall be charged the master of a vessel  
for Saturdays, Sundays, or for statutory holidays observed by  
the Council, provided, however, that if any master of a vessel  
works cargo or embarks or discharges passengers on a Saturday,  
Sunday, or statutory holiday, then the master or owner of such  
vessel shall pay the ordinary berthage rates.

## THIRD SCHEDULE

## REGULATIONS FOR THE USE OF THE WHARF

1. In these regulations, unless there is something in the  
context inconsistent therewith or repugnant thereto—

“Board” shall mean the Waitapu Harbour Board;

“Harbour” shall mean the Harbour of Waitapu; and

“Vessel” shall include any description of vessel, whether  
used in navigation or in any way kept or used as a  
hulk or storehouse or for any other purpose and not  
propelled exclusively by oars in the harbour of Waitapu.

2. Masters of vessels lying alongside the wharf shall be  
responsible for all damage caused to goods lying on such wharf by  
water used for washing down the decks or for any other purpose  
upon such vessel.

3. The Board shall not be responsible for the wrong or non-  
delivery of goods which are erroneously or deficiently marked, or  
which have old or imperfectly erased marks thereon.

4. All goods in respect of which the Board elects not to  
supply labour, or which shall not be tallied by the Board, shall  
not be deemed for any purposes to be in the custody of the Board  
as wharfinger, nor shall the Board be responsible for their safe  
keeping, or for any damage or loss that may accrue to such goods  
in any manner whatsoever.

5. Any person landing goods on the wharf or bringing goods on  
to the wharf for shipment shall place such goods as the wharfinger  
may direct, and no person shall place any goods or other articles  
in any shed so as to be an impediment to the approach or an  
obstacle to the removal of other goods from such wharf or shed,  
or so as to encumber the mooring-posts.

6. No person shall embark, disembark, ship, or unship any  
ballast, timber, coal, produce, or cargo of any description except  
at such times and place and in such order or mode as may be  
directed and deemed expedient by the wharfinger for the proper  
working of the wharf.

7. No person shall deposit ballast, coal, coke, or other fuel  
on the wharf or in the sheds without special permission of the  
wharfinger.

8. The Board shall not be responsible for the safe custody  
of packages containing acids, chemicals, or other dangerous goods.

9. The time allowed to masters of vessels carrying full  
cargoes to occupy berths at the wharf for the purpose of discharging  
or loading shall be, exclusive of Saturdays, Sundays, statutory  
holidays, and the day of removal:—

For vessels under 100 tons ..	..	Three days.
For vessels under 150 tons ..	..	Four days.
For vessels under 200 tons ..	..	Five days.

10. The master of a vessel taking in ballast shall be allowed  
one day for every 50 tons of ballast loaded, unless special permission  
shall be obtained from the Board for the master to remain longer.

11. Cargo landed without the permission of the wharfinger  
first obtained shall not be deemed to be in the custody of the Board,  
nor shall the Board be responsible for any loss or damage that  
may accrue to such cargo by the elements or otherwise.

12. The master, owner, or agent of every vessel shall give to  
the wharfinger, or other person deputed by the Board, a copy of  
the bill of landing, freight list, or manifest of cargo, or other proper  
account of all goods intended to be shipped on board or unshipped  
from the vessel, and the name or names of the owners, consignors,  
or consignees by whom any such goods are shipped or unshipped  
by such vessel, and from whom such goods are received or are  
intended to be delivered.

13. Shippers and consignees of all goods shipped from or  
landed on the wharf shall, before shipping or landing such goods,  
deliver to the wharfinger a full account of all such goods, stating  
the respective weights or measurements of the same accordingly  
as freight is payable thereon.

14. It shall not be lawful, without the consent of the Secretary  
of the Board in writing first had and obtained, for any person to  
ship, unship, or land any goods into or out of or from any vessel  
within the harbour, except at wharves vested in the Board or at  
wharves or landing-places which may be appointed from time to  
time by the Board for such purpose.

15. Tame cattle may be landed on or shipped from any wharf  
subject to the approval of the wharfinger, who shall fix the time at  
which such cattle must be shipped or landed. Other cattle may be  
landed on or shipped at such times and places as the wharfinger may  
from time to time direct.

16. All goods of a dangerous and inflammable character shall  
be removed by the owner, agent, or consignee immediately on being  
landed, and such owner, agent, or consignee failing to do so shall be  
responsible for any damage or loss that may accrue from any  
accident arising therefrom, in addition to being liable to the penalty  
provided for breach of the regulations, and the Board shall not be  
responsible for any damage or loss which may accrue to such goods.

17. The master of every vessel arriving at the port with  
kerosene or other material of an inflammable nature on board may  
land such inflammable goods on the wharf for carting to the town  
or for transhipment provided such inflammable goods are removed  
forthwith. In no case will any person be permitted to store such  
goods on the wharf.

18. No person shall discharge or land on the wharf or place  
in any shed any goods or articles of any description which, in the  
opinion of the wharfinger, are likely to occasion damage to the  
wharf or shed connected therewith.

19. Any vegetable or animal matter or goods which are in a  
state of decay or which, in the opinion of the wharfinger, are unfit  
to remain on the wharf or are harmful to other goods stored on the  
wharf may be removed from the wharf at the expense of the owner  
or consignees.

20. Any person landing goods, other than perishable pro-  
ducts, on the wharf shall remove therefrom or store such perishable  
products during the business hours of the Board. Perishable  
products may be placed upon the wharf before or after the business  
hours of the Board at the risk of the consignees, but the Board  
will not hold itself responsible in any way for the safety of such  
perishable products.

21. The wharfinger is empowered to take charge of and store  
cargo and foods if not removed from any wharf by the consignee  
within the time allotted for the purpose, or cause the same to be  
delivered to the consignee at his risk and expense.

22. The Board shall not be bound to find storage room  
either in the shed or on the wharf when, in the opinion of the  
wharfinger, no sufficient accommodation is available. After noti-  
fication to the owners, shippers, or consignees of any goods or to  
the vessel's agent that room is not available, the Board shall not  
be held responsible for any loss or damage that may accrue to the  
goods by the elements or otherwise during the time such goods may  
remain on the wharf.

23. The Board will not be responsible for any damage  
sustained by goods while in their custody by fire or by water used  
in extinguishing fire, or by vermin, unless in case of proved negli-  
gence on the part of the Board or its servants.

24. No person shall be allowed on the wharf or in the sheds  
or buildings used therewith unless such person has, in the opinion  
of the wharfinger, legitimate business thereon.

25. The wharfinger shall have the power to close the wharf  
or any portion thereof whenever in his opinion it is advisable to do so.

26. No person shall disobey the orders of the wharfinger  
when acting in the due performance of his duty, nor in any way  
obstruct the traffic on the wharf.

27. Every boatman, stevedore, porter, carter, cab-driver,  
motor-driver, or any person employed on the wharf shall be under  
the control and shall obey the orders of the wharfinger.

28. No child of tender years shall be allowed on the wharf  
unless accompanied by an adult.

29. No person shall scribble upon, cut, scratch, or otherwise  
deface any part of the wharf or any shed thereon or connected  
therewith.

30. All complaints against the wharfinger or any person under  
his direction must be made in writing to the Chairman of the Board  
and a copy of each complaint shall first be furnished to the wharfinger.

31. No person taking a vehicle on the wharf shall allow such  
vehicle to be driven at greater than a walking pace.

32. All persons in charge of vehicles, whether for the con-  
veyance of passengers or goods or otherwise shall, when on the  
wharf or its approaches be under the control of the wharfinger;  
and such persons shall immediately upon being so ordered by the  
wharfinger remove such vehicles to any part of the wharf or its  
approaches to which he may be directed, or shall, if so desired by the  
wharfinger, remove such vehicle altogether from the wharf, but the  
wharfinger shall not order such removal without reasonable cause.

33. Any person who accidentally or otherwise damages or  
destroys any of the Board property shall be liable for the cost  
of repair or renewal thereof.