
CHAPTER 269**PORT AUTHORITIES**

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CHAPTER 269

PORT AUTHORITIES

An Act to provide for the constitution and appointment of port authorities for New Providence and the Out Islands whereby the various ports and harbours of The Bahamas and the pilots and pilotage thereof and therein may be better regulated and controlled.

[Commencement 23rd May, 1962]

**PART I
PRELIMINARY**

1. (1) This Act may be cited as the Ports Authorities Act.

(2) Save in so far as rules made under section 76(3) apply, this Act shall not apply respectively to —

- (a) the deep water harbour and turning basin and channel thereto constructed by the Grand Bahama Port Authority, Limited, under and by virtue of the powers granted to that company by the provisions of the Hawksbill Creek, Grand Bahama (Deep Water Harbour and Industrial Area) Act; and
- (b) the harbour and district of Hatchet Bay, Eleuthera, authorised by and controlled under the provisions of the Hatchet Bay Harbour Control Act.

2. In this Act, unless the context otherwise requires —

“coaster” means a ship entering or clearing under a transire;

“Department” means the Port Department of The Bahamas;

“Harbour of Nassau” means that part of the sea bounded —

- (a) on the West by a line drawn from the western extremity of Silver Cay due south until it reaches the northern shore of the Island of New Providence;

14 of 1962
42 of 1963
37 of 1957
46 of 1964
9 of 1966
20 of 1966
7 of 1971
18 of 1972
E.L.A.O., 1974
19 of 1975
16 of 1976
5 of 1987
28 of 1989
10 of 1994
25 of 1995
22 of 2001
8 of 2003

Short title and application.
16 of 1976, Third Schedule.
42 of 1963, s. 4.

Ch. 261.

Ch. 272.

Interpretation.
42 of 1963, s. 5;
5 of 1987, Sch.

- (b) on the North by the northern shore of Silver Cay and then by a straight line drawn in an easterly direction to the western extremity of Paradise Island then along the northern shore of Paradise Island to the eastern extremity thereof and thence by a straight line drawn in an easterly direction to the western extremity of Athol Island thence along the northern shore of Athol Island to the eastern extremity thereof;
- (c) on the East by a straight line drawn from the eastern extremity of Athol Island to the eastern extremity of the Island of New Providence;
- (d) on the South by that portion of the northern shore of the Island of New Providence lying between the southern extremity of the western and eastern boundaries respectively;

“master” includes the master, commander or other person having the charge of any ship;

E.L.A.O., 1974.

“Minister” means the Minister responsible for Maritime Affairs;

“pilot” means a person duly licensed as a pilot under the provisions of this Act;

“port area” means the area constituted and defined as a port under the provisions of this Act;

“port authority” means the authority for a port area;

16 of 1976, Third Schedule.

“Port Controller” means the officer referred to as such in section 3;

“prescribed” means prescribed by rules under the provisions of this Act;

“rules” means rules made under the provisions of this Act;

“Schedule” means a Schedule to this Act;

“ship” includes any vessel;

“vessel” means any boat or lighter, and craft of every kind, and whether navigated by steam or otherwise.

PART II
ADMINISTRATION AND POWERS OF MINISTER

3. (1) There shall be on the staff of the Minister a Port Controller who shall be the principal officer of the Port Department and who shall exercise and perform the functions assigned to him by this Act accordingly.

Staff of the Minister.
16 of 1976, Third Sch.

(2) There shall be appointed such numbers of public officers, to be known as Deputy Port Controllers, as may from time to time be authorised by Parliament, and who shall, subject to such general or special directions as may be given by the Port Controller from time to time, exercise and perform any of the functions of the Port Controller.

4. (1) The immovable property which immediately prior to the seventh day of January, 1964; vested in fee simple in the Maritime Board which was abolished on the said date, is hereby vested on the said date in the Treasurer to be held by him in trust for Her Majesty in right of Her Government of The Bahamas for public purposes.

Transfer of property.
42 of 1963, s. 6.

(2) Nothing contained in subsection (1) of this section shall affect the validity of any lease granted by the said Maritime Board prior to the seventh day of January, 1964, and any such lease shall be deemed to have been granted by the Treasurer and shall continue in force for the unexpired term thereof according to its tenor.

(3) All movable property which immediately prior to the seventh day of January, 1964, vested in the Governor for the purposes of the Port Department or in the Maritime Board which was abolished on the said date, is hereby vested in the Minister to be held by him in trust for Her Majesty in right of Her Government of The Bahamas for public purposes.

5. The Minister may —

- (a) by Order fix the rates for wharfage and harbour dues in respect of all or any port authority areas;
- (b) control the development by such means as he may think fit of all new harbours within The Bahamas.

General powers.
46 of 1963, s. 7; 9 of 1966, s. 2.

6. (1) The Minister may make regulations for the control of the surface of all public docks and wharfs in The Bahamas.

Regulations.
6 of 1966, s. 3.

(2) Without prejudice to the generality of subsection (1) of this section, the Minister may make regulations for any of the following purposes —

- (a) for the making of a traffic code governing the conduct of all users of public docks and wharfs in The Bahamas including pedestrians and of all drivers and passengers in motor vehicles, and for the imposition of penalties for failure to comply with traffic signs, signals or directions;
- (b) for restricting the use of such docks and wharfs by persons or vehicles generally or by particular categories of persons or vehicles or on particular occasions;
- (c) for the removal of filth and rubbish and the cleaning and keeping clean of all such docks and wharfs.

(3) The Minister may provide, in any regulations made under the provisions of this section, for the imposition upon any person, upon summary conviction for an offence against any such regulations, of such penalty not exceeding a fine of two hundred dollars as the Minister deems appropriate to the offence concerned.

5 of 1987, s. 2.

Minister may make grants of rights in certain cases.

*9 of 1966, s. 3;
E.L.A.O., 1974
8 of 2003.*

7. The Minister, upon such terms and subject to such conditions as he may think fit, may grant to any person rights for or in connection with the construction, use, maintenance, repair, replacement and operation (or any of these purposes) of any abutment, dock, basin, pier, bridge, causeway, jetty, wharf, mooring, quay or embankment wall or the reclamation of any land in or upon any part of the Harbour of Nassau or any port area or any navigable waters of The Bahamas, and any such construction, use, operation or reclamation made pursuant to any such grant as aforesaid shall at all times thereafter be deemed to have been lawfully made notwithstanding any subsequent determination or revocation of such grant:

Provided that in making any such grant as aforesaid, the Minister shall have regard to the desirability of causing the least obstruction to any public right of navigation.

8. (1) Any construction, use, operation or reclamation of the nature referred to in section 7, which prior to the third day of May, 1966, was made or carried out with the approval of the Minister responsible for Maritime Affairs,

Validation of authority for certain works executed in reliance on earlier approval.
9 of 1966, s. 4.

or of any Board, public authority or public officer at any material time having responsibility in relation to maritime affairs under this Act, or any other law repealed and replaced by this Act, shall be deemed for all purposes to have been lawfully made pursuant to a grant under the aforesaid provisions of this Act.

(2) In any case in which the provisions of subsection (1) of this section apply the Minister, upon being satisfied as to the facts of the case and upon application made to him by a person entitled to the benefit of that subsection, may make a grant, in such terms as may be appropriate to the facts of the particular case, expressed to have retrospective effect to the date of the original approval by the Minister or other authority, as the case may be, and such grant shall be deemed for all purposes to have had effect from that date.

(3) For the avoidance of doubt it is hereby declared that nothing in section 7 of this Act shall affect the validity of any abutment built or other work carried out or certificate issued in accordance with and in exercise of the powers conferred by the provisions of the Abutments Act.

9 of 1966, s. 5.

Ch. 270.

9. The Department may, subject to the direction and control of the Minister —

Use of dredgers,
tugs, etc.
*42 of 1963, s.
8(1).*

- (a) use its dredging machines in the Harbour of Nassau and in the vicinity of the Island of New Providence in the work of dredging and otherwise improving the said Harbour in such manner and under such conditions as it may deem necessary, including the dredging and supply of sand;
- (b) use the Government tenders and tug-tenders around the Island of New Providence in such manner and as it may deem necessary;
- (c) employ all engineers and workmen necessary in its opinion to work and man its dredging machines and tugs and tug-tenders;
- (d) permit its dredging machines and the necessary apparatus connected therewith, and also its tenders, tugs and tug-tenders to be moved from the Port of Nassau and conveyed to any port, creek or settlement at or in any Out Island to be there for any purpose it considers advisable;

- (e) permit its dredging machines and necessary apparatus connected therewith, its tenders, tugs and tug-tenders to be used for private purposes under such terms and conditions as it may consider to be advisable;
- (f) enter into contracts for the sale and supply of sand,

and all expenses incurred in carrying out the provisions of this section, with the exception of paragraph (c), shall be paid out of the Consolidated Fund by warrant in the usual manner; and all sums received by the Department for the use of its dredging machines, tenders, tugs and tug-tenders for private purposes and for the sale and supply of sand shall, after deducting the expenses connected with such use, be paid into the Consolidated Fund in aid of the general revenue.

Contracts.
42 of 1963, s.
8(2).

10. Nothing in this Act contained shall affect any contract that was valid and subsisting immediately prior to the seventh day of January 1964 and which had been entered into by the Maritime Board (abolished on the said date) and any such contract shall be deemed to be a contract entered into by the Minister or the Department on behalf of the Government of The Bahamas.

PART III PORT AUTHORITIES AND PORT AREAS

Declarations and
appointments by
the Governor-
General.

- 11.** The Governor-General may —
- (a) by Order declare any part of The Bahamas to be a port area and define the limits of any such area, and declare any part of The Bahamas to be no longer a port area, and thereupon such part of The Bahamas shall cease to be a port area;
 - (b) by Order fix and declare the fees of pilotage chargeable by pilots for services rendered or duties performed in an Out Island port area;
 - (c) appoint a port authority for any port area for a period not exceeding three years (and shall appoint such an authority for New Providence) and appoint one of the members of such port authority to be the chairman thereof:

25 of 1995, s. 2
and Sch.

Provided that the members of a port authority may appoint a chairman during the temporary absence of the chairman owing to illness, inability to attend, absence from The Bahamas or other cause and that in the event of the

members of such port authority failing so to do the Governor-General may appoint a temporary chairman:

Provided further that in the exercise of the powers conferred upon him by this paragraph, the Governor-General shall act on the advice of the Prime Minister. *42 of 1963, s. 11.*

12. (1) The Port Authority for New Providence shall consist of not less than five members and the port authority for a port area in an Out Island shall consist of not less than three members including in each case the chairman thereof. *Constitution of port authorities and procedure.*

(2) A port authority shall have a common seal which shall be authenticated by the signature of the chairman of the authority or the temporary chairman, as the case may be, and of another member authorised by the authority so to do and every document purporting to be an instrument issued by the authority and to be sealed with the seal of the authority and authenticated as provided by this subsection shall be received in evidence and be deemed to be such an instrument without further proof unless the contrary is shown.

(3) A quorum at all meetings of a port authority shall be a majority of the members.

(4) At all meetings of a port authority the chairman, or in his absence the temporary chairman, shall preside.

(5) All questions coming or arising before a meeting of a port authority shall be decided by a majority of the members present and voting thereon at the meeting and in the case of an equality in votes the person presiding shall have a second or casting vote.

(6) Subject as aforesaid a port authority may make rules governing its own procedure.

13. Subject to the directions of the Minister, port authorities within the respective port areas for which they are appointed shall have the following powers and duties — *Powers and duties of port authorities.*

- (a) to define the limits of the harbours and anchorages in a port area and publish the same in the *Gazette*; *42 of 1963, s. 12.*
- (b) to cause buoys to be laid down and to adopt any other necessary and practicable means for the security of the harbours, anchorages and pilotage in a port area and for these purposes, with the consent of the Minister, to incur any

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- reasonable expense. Any expenses so incurred shall be payable out of the Consolidated Fund by warrant in the usual manner;
- (c) to carry out preliminary examinations of persons desirous of becoming pilots, and to submit recommendations to the Minister as to the suitability of the applicants stating the maximum size of the vessel which may be piloted by the particular examinee;
 - (d) to report to the Minister cases of misconduct or dereliction of duty on the part of any pilot;
 - (e) to cause the scale of pilotage and other fees payable under this Act to be printed, and copies thereof to be posted in the principal revenue office of the port area and to be supplied to each pilot;
 - (f)
 - (i) to appoint places where all wrecks and condemned vessels shall be laid on shore and broken up or be sunk in the ocean;
 - (ii) to cause such vessels to be laid on shore and broken up or to be sunk in the ocean and to communicate in writing to the owner or master concerned at his last known address such orders and directions as they may deem necessary for these purposes;
 - (iii) in case such owner or master shall refuse or neglect to comply with such orders and directions to cause those orders and directions to be carried into execution at the cost and charge of that owner or master;
 - (iv) to notify the Minister of any action taken under subparagraphs (i), (ii) or (iii) of this paragraph;
 - (g) upon being satisfied that any ship lying in harbour has not good and sufficient ground tackle, to notify the owner or master of such ship and require him to furnish such ship with good and sufficient ground tackle, and in case such owner or master shall refuse or neglect to comply with such notice to cause such ship to be removed to such place named by the port authority; and such removal shall be carried into execution at the cost and charge of the owner or master of such ship;
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- (h) to direct a pilot to make reports in writing to the port authority of the several soundings or depths of the different channels in a port area;
- (i) generally to administer all matters relating to pilotage and navigation in the harbours and anchorages in their respective port areas subject to any directions given by the Minister.

14. (1) A port authority within its port area —

- (a) may hear, try and determine in a summary manner all disputes that may arise between any master, owner or consignee of any ship and any pilot concerning any fee or any other matter or thing relating to his duties as a pilot or between pilots as to their rights to any fees; and
- (b) shall also hear, try and determine any dispute that may arise respecting the burthen of any ship or any complaint of damage done by one ship to another.

Port authorities
to settle disputes.
42 of 1963, s. 13.

(2) A port authority shall submit any award made by it under the provisions of subsection (1) of this section to the Minister but, unless the parties thereto avail themselves of the right of appeal hereinafter in section 18 provided, the award of a port authority shall be final and conclusive and shall not be called in question in any court.

(3) The jurisdiction conferred upon a port authority by this section shall not extend to cases in which the sum of damages demanded exceed the sum of four hundred dollars, save that in the case of the Port Authority for New Providence, the limit of jurisdiction shall be two thousand five hundred dollars.

5 of 1987, s. 2.

(4) The hearing and determination of a dispute may be by a quorum of a port authority so however that the persons forming such quorum shall not be changed throughout such hearing and determination.

15. Any sum or damages awarded under the provisions of section 14 of this Act shall, if not paid on demand, be forthwith levied by warrant of distress under the hand and seal of the chairman of the port authority upon the goods and chattels of the person against whom the award shall be made, together with the same and like costs as are chargeable upon the issuing of process out of a magistrate's court; and all costs so recovered with the exception

Recovery of
damages, costs,
etc.

of the fees to the peace officer shall be paid into the Consolidated Fund; and if no goods and chattels can be found the amount awarded, together with the costs, shall in case of pilotage fees be levied on the ship in respect of the services to which such fees are awarded.

Power to compel attendance of witnesses, etc.
Ch. 54.

16. A port authority shall have the same powers to compel the attendance of witnesses and parties as are conferred upon magistrates by the Magistrates Act, or any Act passed in amendment thereof or substitution therefor, and is hereby authorised to examine on oath not only the witnesses but the parties to the dispute whether applicant or respondent.

Service of summons, etc.

17. All summons, warrants and executions and other process issued by a port authority under the provisions of this Act shall be served by a peace officer.

Appeals.
42 of 1963, s. 14.

18. (1) An appeal from the decision of a port authority in the exercise of its jurisdiction under section 14 shall lie in the prescribed manner —

- (a) in the case of decisions of the Port Authority for New Providence, to the Supreme Court, with leave of such court; and
- (b) in any other case, to a circuit justice.

Ch. 53.

46 of 1964, Sch.

(2) The Rules Committee under section 75 of the Supreme Court Act may make rules of court to provide for the procedure to be followed in prosecuting appeals under this section and any forms to be used and the fees to be levied in connection therewith.

PART IV

PORT CONTROLLER AND HARBOUR MASTERS

Duties of Port Controller.
16 of 1976, Third Sch.

- 19.** The duties of the Port Controller shall be —
- (a) once at least in every month or oftener if thereto required by the Minister to go on board of the several ships at anchor or moored in the Harbour of Nassau and ascertain by examination whether the cables of such ships are good and sufficient and to report the result of such examination to the Minister;
 - (b) to notify the owner or master of any ship which has been sunk in the Harbour of Nassau or

which is ashore, or has been permitted to remain on shore so as to become a nuisance in the opinion of the Port Authority for New Providence, of the existence of such nuisance, and require the same to be removed without delay, and if such nuisance is not abated or all necessary means used by the owner to abate the same, at the cost and charge of such owner, to abate the same;

- (c) to give twenty-four hours' notice in writing to the owner of any anchor now or at any time hereafter lying or left in the Harbour of Nassau to take up and remove the same (wind and weather permitting) and if such notice be disregarded to cause such anchor to be taken up and removed at the cost and charge of the owner thereof and on neglect or refusal by the owner to pay such expense to sell and dispose of the same by public sale after giving three days' notice of the intended sale, and to pay any surplus after deducting the expenses of such sale to such owner;
- (d) to supervise and enforce the discharge of their duties by pilots;
- (e) when any expenses are incurred in carrying out the provisions of paragraphs (b) and (c) of this section and the Minister is satisfied that the owner of the ship or anchor, cannot be found in The Bahamas, or that he has no means to pay the expenses so incurred, such expenses may be paid out of the Consolidated Fund by warrant in the usual manner;
- (f) where any expenses are paid under the authority of paragraph (e) of this section the port authority of the area in which the removal has been effected may cause the ship or anchors so removed, or the materials thereof, if the same has been broken up in the course of removal, to be sold and the proceeds of such sale shall be paid into the Consolidated Fund in aid of the general revenue. Any surplus after deducting such expenses shall be repaid to the owner of such ship or boat on the authority of the port authority;

- (g) generally to carry out the provisions of this Act and rules and to act in obedience to the orders of both the Minister and the Port Authority for New Providence as the case may be.

Harbour master
for an Out Island
port area.

20. In a port area other than New Providence the duties of harbour master shall and may lawfully be performed by the pilot of such area who may be selected for the purposes by the port authority of such area. A pilot so selected shall be deemed to be the proper person to be employed for the removal of any ship required to be removed from one anchorage to another and shall for such service be entitled to have and receive from the owner or master of any ship a fee equal to one moiety of the fee for the pilotage of any such ship. He shall have the same remedies against the master, owner or consignee of the ship for the recovery thereof as are by this Act given for the recovery of pilotage fees.

PART V TUGS AND LIGHTERS

Interpretation.

21. In this Part —

“lighter” includes barge;

“tug” includes any tug, tender or other similar craft or any craft which, though not primarily designed for the purpose of towage or use as a tug, tender or other similar craft, is used for such purpose.

Licences and
certificates.

22. No person shall use, operate or maintain a tug or lighter within The Bahamas unless the same be licensed and a certificate issued to the owner or the person in charge of such tug or lighter to that effect:

Provided that in any case where, in the opinion of the Minister, an emergency has arisen, the Minister may in his entire discretion license and issue a certificate to the person in charge of such ocean going or other tug or tugs as he may think fit for the purposes of such emergency.

Issue of general
or restricted
licences.
42 of 1963, s. 16.

23. Any licence issued in respect of any tug or lighter under the provisions of this Part may be general that is to say for the use for any purpose or restricted to such purposes as may be specified in the licence and the issue

and duration thereof shall be in the entire discretion of the Port Authority for New Providence, subject always to a right of appeal in the prescribed manner to the Minister whose decision shall be final.

24. Every certificate issued shall be exhibited in some conspicuous place in the particular tug or lighter the subject of the licence. Certificate to be exhibited.

25. The form of the licence and of the certificate and the charges which may be made for the use of a tug or lighter licensed under this Part shall be such as may be prescribed by the Minister. Forms and charges.

26. Whosoever uses, maintains, operates or employs or assists in the use, maintenance, operation or employment of any tug or lighter not licensed under the provisions of this Part shall be liable to a fine of four hundred dollars and on any subsequent conviction to imprisonment for one month in addition to such fine. Offences.
5 of 1987, s. 2.

PART VI LIGHTS, LIGHTHOUSES AND NAVIGATIONAL STRUCTURES

27. The provisions of this Part of this Act shall apply to all lights, lighthouses and navigational structures in and around The Bahamas other than those the property of and maintained by the Imperial Lighthouse Service. Application of Part VI.

28. All lights, lighthouses and navigational structures to which this Part of this Act applies shall vest in the Minister who shall be responsible for the maintenance, upkeep and regulation thereof and for the installation of any new lights, lighthouses and navigational structures and the removal of any that are no longer required. All lights, etc. vested in Minister.

29. Except with the written approval of the Minister no person or authority shall erect any new light, lighthouse or navigational structure to which this Part applies or remove such light, lighthouse or navigational structure or in any way tamper with the same. Any person or authority contravening the provisions of this section shall be liable to a penalty of four thousand dollars. Penalty for erecting, removing or tampering with lights, etc., without approval.
5 of 1987, s. 2.

**PART VII
PIERAGE AND WHARFAGE**

Interpretation.

30. In this Part “customs property” means the property or properties particulars of which are set out in the First Schedule and the Comptroller of Customs may, from time to time, by Order add to, amend or delete any particulars thereto, therein or therefrom as the case may be.

First Schedule.
7 of 1971, s. 2.

Master’s right to
select wharf.

31. The master of consignee of any vessel arriving or being at any port within The Bahamas who is desirous of loading or landing cargo, shall have the right of having his vessel placed at any abutment or wharf within the limits of any such port, the main public abutment at the City of Nassau alone excepted, which he may select for either of the purposes aforesaid, subject to the provisions hereinafter contained.

Port Controller or
senior pilot’s
duty.
*16 of 1976, Third
Sch.*

32. The master or consignee of any vessel, as aforesaid, who shall be desirous of having his vessel placed at any abutment or wharf, as aforesaid, shall give notice of such his desire to the Port Controller, if at Nassau, or if at any other port to the senior pilot of such port, whose duty it shall be, if the abutment or wharf designated is unoccupied, to place, or cause such vessel to be placed, as speedily as possible thereat in accordance with the instructions of the Port Controller or senior pilot as the case may be.

Right of vessel to
remain at wharf.

33. When a vessel is placed at an abutment or wharf for the purpose of discharging cargo, and the master or consignee is ready to ship cargo as soon as the inward cargo is discharged, such vessel shall have the right of remaining in her original position at such abutment or wharf until her outward cargo is laden; but no vessel from which cargo is not actually discharging, or which is not in actual preparation to receive cargo, shall be allowed to remain at any abutment or wharf to the exclusion of any other vessel.

Rates of pierage,
etc., in Schedule
made payable.
Third Schedule.

34. (1) In the absence of any express contract for lesser amounts the several rates of pierage, wharfage, storage and scaleage, in the Third Schedule set forth, shall be payable for the use of any pier, abutment, or wharf, or of any warehouse or other place for the storage of goods

situate at or upon any property, the particulars of which are set out in the First or Second Schedules, or for the use of scales or other machines belonging to the Minister for weighing goods, and any person who shall make a charge in excess of any such rates, shall be liable to a penalty of forty dollars in addition to the forfeiture of his right to recover any rates whatever, which penalty shall be recovered in any court in which debts of the same amount may be sued for and recovered:

First and Second Schedules.

5 of 1987, s. 2.

Provided that the rates of pierage provided by this Act shall not apply to any pier or berth to which the provisions of the Harbour Dues Act apply.

Ch. 273.

(2) The Minister may by Order amend the Third Schedule.

28 of 1989, s. 2.

35. In every case where a vessel shall occupy portions of two or more abutments, or of an abutment and extended slip, the rates of pierage by this Act established shall be payable to the owners of each abutment or extended slip against any part of which the vessel shall be lying, in proportions to be regulated by the respective spaces which may be occupied by such vessel.

Vessels which occupy space at wharfs how regulated.

36. The rates of pierage by this Act imposed shall, when the owner of any vessel in respect of which they have become payable is not resident within The Bahamas, be recoverable from the master of such vessel, and on neglect or default of payment by such master the consignee of the vessel shall be liable therefor.

Rates of pierage recoverable.

37. The proprietor or proprietors of any wharf or abutment used for the landing of merchandise for hire, shall and he and they are hereby required to keep the same in good order under a penalty of one hundred dollars for default or neglect in addition to the liability to make good any loss or damage that may be sustained by any person or persons by reason of such default or neglect; such penalty to be recovered in manner aforesaid.

Wharfs to be kept in good order.
5 of 1987, s. 2.

38. The occupant of any warehouse or store by whom merchandise or other articles shall be received and kept for hire, shall be responsible for the safety of everything deposited therein on which warehouse rent shall be chargeable, and for all damage to the same arising from the want of due care on the part of such occupant, except

Occupier of warehouse responsible for safety of goods.

however, the loss or damage accruing from fire, storm, robbery by forcible entry and other causes beyond the control of such occupant. And the proprietor shall be responsible for all damage arising from the defective state of the building.

Expenses. **39.** The expense of putting into, and of the delivery from, any such store, warehouse or cellar of any articles, shall be borne by the owner of such articles.

Collection of rates of pierage at public wharfs. **40.** (1) All rates of pierage and wharfage payable in respect of the use or occupation of any public abutment, wharf or extended slip, shall be collected and received where the abutment, wharf or slip so used is —

16 of 1976, Third Sch.

- (a) in the port area for New Providence, but not upon Customs property, by the Port Controller;
- (b) upon Customs property within the port area for New Providence by the Comptroller;
- (c) in a port area other than that of New Providence, and not upon Customs property, by the commissioner or the senior pilot of that area;
- (d) in a port area other than that of New Providence and upon Customs property by the Chief Customs Officer of the place concerned.

(2) Such rates shall be paid into the Consolidated Fund, and on neglect of payment of the same may be sued for and recovered by the collecting officer concerned and paid into the Consolidated Fund as aforesaid.

Jetty fee.

8 of 2003.

40A. (1) There shall be charged, levied, collected and paid in respect of the financial year commencing 1ST July 2003 and in each succeeding financial year —

- (a) upon any of the following categories of jetties situated on the island of New Providence the following fee —
 - (i) private – \$2.00 per linear foot;
 - (ii) commercial – \$6.32 per linear foot;
 - (iii) industrial – 4.00 per linear foot; and
- (b) upon any of the following categories of jetties situated on a Family Island (other than in the Port Area), the following fee —
 - (i) private – \$1.94 per linear foot;
 - (ii) commercial – \$6.13 per linear foot; and

(iii) industrial – \$3.88 per linear foot;

(c) upon any of the following groin, mooring, causeway or pipeline structures situated on the island of New Providence the following fee —

		<u>Groins</u>	<u>Mooring- ngs</u>	<u>Cause- ways</u>	<u>Pipelines</u>
(i)	private	\$100.00	\$50.00	\$100.00	\$3.50 per ft;
(ii)	Comm- ercial	\$160.00	\$200.00	\$200.00	\$3.50 per ft;

(d) upon any of the following groin, mooring, causeway or pipeline structures situated on a Family Island (other than in the Port Area) the following fee —

		<u>Groins</u>	<u>Mooring- ngs</u>	<u>Cause- ways</u>	<u>Pipelines</u>
(i)	private	\$90.00	\$30.00	\$50.00	\$3.00 per ft;
(ii)	Comm- ercial	\$120.00	\$150.00	\$100.00	\$3.00 per ft;

(2) The fee payable under subsection (1) in respect of any private, commercial or industrial jetty, groin, mooring, causeway or pipeline shall be paid by the proprietor of any jetty, groin, mooring, causeway or pipeline and shall be collected and received where the jetty, groin, mooring, causeway or pipeline is —

- (a) situated on the island of New Providence, by the Port Controller; or
- (b) situated on a Family Island (other than in the Port Area), by the Administrator for that Family Island.

(3) The fee payable under subsection (1) shall be paid into the Consolidated Fund and, on neglect of payment of the same may be sued for and recovered by the Port Controller or the Administrator concerned as the case may be and paid into the Consolidated Fund.

41. (1) There shall be charged, levied, collected and paid, in respect of the financial year commencing on the 1st day of July, 1994 and in respect of every succeeding financial year —

Wharf tax.
10 of 1994, s.
2.

- (a) upon any private pier, wharf or abutment situated on the Island of New Providence, an annual tax of one hundred dollars; and
- (b) upon any private pier, wharf or abutment situated on a Family Island (other than in the Port Area), an annual tax of fifty dollars.
- (2) The tax payable under subsection (1) in respect of any private pier, wharf or abutment shall be paid by the proprietor of the pier, wharf or abutment and shall be collected and received where the pier, wharf or abutment is —
- (a) situated on the Island of New Providence, by the Port Controller; or
- (b) situated on a Family Island (other than in the Port Area), by the commissioner for the Family Island.
- (3) The tax payable under subsection (1) shall be paid into the Consolidated Fund and, on neglect of payment of the same, may be sued for and recovered by the Port Controller or the commissioner concerned, as the case may be, and paid into the Consolidated Fund as aforesaid.
- (4) A sum equal to half of the total amount of fees paid into the Consolidated Fund pursuant to subsection (3) in respect of the tax collected in any Family Island shall be paid out of the Consolidated Fund and applied to meet expenditure for public works in any Family Island.

PART VIII PILOTS

Appointment and cancellation.
*E.L.A.O., 1974,
22 of 2001,
s. 2(a) and (b).*

42. (1) The Minister may appoint by licence such number of pilots for a port area as the port authority thereof may recommend subject to the certificates of qualifications granted by such port authority.

*22 of 2001,
s. 2(c).*

(2) The Governor-General may by Order prescribe the number of licensed pilots that may be appointed pursuant to subsection (1).

*22 of 2001,
s. 2(d)*

(3) The Minister may cancel the appointment of any pilot or suspend him for any limited period for misconduct or dereliction of duty.

Qualification for appointment of a pilot.

43. (1) No person shall be granted a certificate of qualification and recommendation for appointment to be licensed as a pilot unless —

- (a) he is upwards of twenty-two years of age; and

-
- (b) he has sufficient knowledge of the channels, tides, soundings and secure anchorages and the bearings and distance of the several shoals, rocks, bars and points of land, banks, shallows and other dangers of navigation proper to be observed in connection with the port area for which he seeks to be appointed; and
 - (c) he has sufficient knowledge of the rules of the road for ships and the lights required to be carried by them and of any regulations relating thereto; and
 - (d) he is of good character and temperate habits and of sufficient skill and ability to act as a pilot; and
 - (e) he can read, write and readily distinguish colours and is otherwise mentally and physically competent to discharge the duties of a pilot; and
 - (f) he has passed an examination in such form as a port authority may deem necessary to satisfy it of his fitness to be granted a certificate of qualification and recommendation.

(2) The Minister may, if he thinks fit, require a person wishing to become a pilot to undergo a medical examination as to his state of fitness and to submit the findings of such an examination to the Minister. The Minister may require such examination to be a general examination or one in regard to particular matters or a general examination with special reference to particular matters, the particular matters in each case to be dictated by the Minister.

44. (1) Every pilot shall on his appointment execute a bond with one or more good and sufficient surety or sureties for four hundred dollars, conditioned for the due performance of the duties of his office and the observance on his part of the provisions of this Act.

Bond to be given
by pilot.
42 of 1963, s. 19;
5 of 1987, s. 2.

(2) Every bond executed for the purposes of subsection (1) —

- (a) shall be renewed as often as the Minister may require;
- (b) shall be taken by the Minister and recorded by him in the Registry of Records; and
- (c) shall be exempt from stamp duty.

E.L.A.O., 1974.

(3) A pilot who has given a bond in conformity with this section shall not be liable for neglect or want of skill

beyond the penalty of the bond and the amount payable to him on account of pilotage in respect of the voyage in which he was engaged when he became so liable.

(4) Where any proceedings are taken against a pilot for any neglect or want of skill in respect of which his liability is limited as provided by this section, and other claims are made or apprehended in respect of the same neglect or want of skill, the court in which the proceedings are taken may determine the amount of the pilot's liability and upon payment by the pilot of that amount into court, may distribute that amount rateably among the several claimants and may stay any proceedings pending in any other court in relation to the same matter and may proceed in such manner and subject to such rules as to making persons interested parties to the proceedings and as to the exclusion of any claimants who do not come in within a certain time, and as to requiring security from the pilot and as to payment of any costs as the court thinks just:

Provided that nothing in this subsection shall be deemed to infringe the powers conferred on a port authority by section 14.

Duration of a pilot's licence.

45. (1) A licence granted to a pilot shall continue in force for one year from the date of issue and may be renewed from year to year or for any less period by endorsement under the hand of the Minister, unless the port authority by whom the certificate of qualification and recommendation for his appointment was originally granted shall certify after further examination of the pilot, if they deem it necessary, that he is physically or otherwise unfit to have his licence renewed.

42 of 1963, s. 20.

(2) Notwithstanding the provisions of subsection (1) of this section the Minister may, in his absolute discretion, require any pilot at any time to undergo such medical examination as he may think necessary as to the fitness of the pilot concerned to carry out his duties as a pilot.

Pilot's flag.

46. A pilot approaching an inward bound ship between sunrise and sunset shall fly at the masthead the international pilot flag (the upper horizontal half white and the lower horizontal half red) at least three feet square.

Pilot's light.

47. A pilot approaching an inward bound ship after sunset and before sunrise shall hoist at the masthead a white light so constructed as to show a clear uniform light visible all round at a distance of at least a mile.

48. Every pilot when acting in that capacity shall be provided with his licence and shall produce the same to every person by whom he is engaged or to whom he offers his services as a pilot.

Pilot to produce his licence.

49. (1) Every pilot when required to do so by a port authority shall produce or deliver up his licence to the Minister.

Production and return of licence.

(2) On the death of any pilot, the person into whose hands his licence comes shall without delay transmit it to the Minister or to the commissioner of the district where the pilot resided.

50. (1) A pilot shall not absent himself from his district without the written permission of the port authority of his port area.

Pilot not to absent himself without permission.

(2) Any breach of the provisions of this section shall be reported fully by the port authority concerned to the Minister who may dismiss or suspend the pilot from office.

*42 of 1963, s. 22.
E.L.A.O., 1974.*

51. A pilot shall provide himself with a proper boat to be approved by the port authority of his area and shall keep such boat in good order, properly manned and equipped for the discharge of his duties. Such boat shall be made available for inspection by the port authority or the Minister at least once in each year.

Pilot to provide himself with a proper boat.

52. Notwithstanding anything in any Act or other law, the owner or master of a vessel navigating under circumstances in which pilotage is compulsory shall be answerable for any loss or damage caused by the vessel or by any fault of the navigation of the vessel, in the same manner as he would if pilotage were not compulsory.

Owner's or master's liability.

53. A pilot may have indentured to him not more than two apprentices who must be duly instructed by him in every particular connected with his duty. An official notification shall be made to the Minister of the commencement of any and each of such indentures. An apprentice should be examined once every year by the port authority of the port area in which he is apprenticed touching his qualifications, and after three years continuous service as an apprentice shall, being qualified as required by this Act and having obtained a certificate to that effect from the said port authority after due examination in accordance with the provisions of this Act, be entitled to a preference for appointment as a pilot.

Pilot's apprentices.

54. Any pilot who —

Offences by pilots.

-
- (a) after his licence has been cancelled or during the suspension thereof acts as pilot;
 - (b) without the permission of the master thereof and while acting as her pilot, leaves an outward bound ship before she is at sea or an inward bound ship before she arrives at her destined anchorage;
 - (c) refuses or wilfully delays to go off to or to take charge of any ship upon the usual signal for a pilot being made by such ship;
 - (d) when not actually engaged in his capacity as pilot refuses or wilfully delays to go to or to take charge of an outward bound ship;
 - (e) does not if practicable board a ship in distress signalling for a pilot;
 - (f) fails to permit the master of any ship he is piloting to inspect his licence;
 - (g) wilfully fails when able to do so to warn a ship running into danger;
 - (h) causes a ship of which he is in charge to run aground or to strike on any rock or to cause injury to any other ship;
 - (i) destroys, damages or injures any ship of which he is in charge or the tackle or furniture thereof or the goods laden therein;
 - (j) leads or pilots a ship into danger;
 - (k) through negligence or carelessness causes a ship of which he is in charge to run into or against any buoy or beacon fixed for the purpose of facilitating piloting;
 - (l) anchors any ship so that her moorings foul the moorings of another ship;
 - (m) wilfully or improperly obstructs the passage of any ship;
 - (n) makes any false statement or wilful representation to obtain the charge of a ship;
 - (o) lends his licence; or refuses to deliver up the same to the Minister when required so to do;
 - (p) acts as a pilot when in a state of intoxication;
 - (q) keeps, or is interested in keeping by any agent or servant, any public house or place of public entertainment or sells or is interested in selling

- any wine, beer, spirits or other intoxicating liquors;
- (r) is directly or indirectly concerned in any corrupt practice relating to ships, their tackle, furniture, cargoes, crews or passengers, or to persons in distress at sea or by shipwreck, or to their moneys, goods or chattels;
 - (s) unnecessarily cuts or slips or causes to be cut or slipped any cable belonging to any ship;
 - (t) refuses, when requested by the master, to conduct a ship of which he is in charge into any port or place into which he is qualified to conduct the same except on reasonable ground of danger to the ship;
 - (u) neglects to provide himself with a proper boat and to keep the same properly manned;
 - (v) demands or receives any higher fees than those provided by this Act;
 - (w) directly or indirectly by himself or any servant or other person employed by him on board of a ship which he is piloting obtains or endeavours to obtain from the master or super-cargo of the ship or from any other person on board of the ship any preference to be given to himself or to any other person or persons either in the sale of or in the agency of the ship, or in any other matter, business or work connected with or relating to commerce;
 - (x) violates by any act of omission or commission any of the provisions of this Act or the rules,

shall be liable to a penalty of one hundred dollars.

5 of 1987, s. 2.

55. Any pilot who, when in charge of a ship, by wilful breach of duty or by neglect of duty, or by reason of drunkenness, either —

Penalty on pilot endangering ship, life or limb.

- (a) does any act tending to the immediate loss, destruction or serious damage of the ship, or tending immediately to endanger the life or limb of any person on board the ship; or
- (b) refuses or omits to do any lawful act proper and requisite to be done by him for preserving the ship from loss, destruction or serious damage, or for preserving any person belonging to or on board of the ship from danger to life or limb,

shall be guilty of a misdemeanour.

Penalty for giving false draught of a ship. *5 of 1987, s. 2.*

56. Any master of a ship who shall give to the pilot having charge of such ship a false account of the draught of water of such ship shall be liable to a penalty of one hundred dollars.

PART IX PILOTAGE AND PILOTAGE FEES

Compulsory pilotage. Fourth Schedule.

57. Pilotage shall be compulsory in every port area in which pilots are appointed except in the cases set out in the Fourth Schedule; and in cases where pilotage is not compulsory the fees chargeable under this Act shall be payable where the master of a ship voluntarily accepts the services of a pilot.

Fee payable when a pilot's services are refused.

58. In a case of compulsory pilotage the master of any ship refusing to take on board a pilot offering himself without the limits of the harbour, or without such other limits as may be fixed by the port authority concerned, shall, on his ship coming within such limits, be liable to pay to the pilot so offering himself and being refused the pilotage fee which such pilot would be entitled to under this Act had his services been accepted, provided that there shall not already be on board such ship some other pilot.

Half pilotage payable by certain ships.

59. A ship proceeding in ballast to an Out Island from the Port of Nassau for the purpose of loading with salt or fruit or other product of The Bahamas and returning with such cargo to the said port for a temporary purpose before proceeding therewith to some port or place abroad shall on leaving the Port of Nassau for such Out Island and returning as aforesaid be liable only to half pilotage fees.

Pilotage payable by a ship anchored outside the bar of the Harbour of Nassau, etc.

60. If a ship is brought to and anchored by a pilot outside of the bar of the Harbour of Nassau he shall be entitled to demand and receive for such service from the master, owner or consignee thereof one-half of the pilotage fee to which such vessel would have been liable on being taken into the said harbour:

5 of 1987, Sch.

Provided that if such pilot is required to remain on board of such ship after having brought the same to anchor had the master or person in command of such ship been desirous that the same should be done such pilot shall in either case be entitled to and shall be paid by the master, owner or consignee thereof in addition to the pilotage fee

above mentioned one dollar per hour for every hour he shall be so detained and shall remain on board. This proviso shall not apply when a ship has to wait for the tide in order to enter the said harbour or one of the anchorages thereof.

61. (1) Whenever an outward bound ship shall be obliged to anchor before she goes to sea or an inward bound ship before arriving at her destined anchorage, and if such ship is thereby detained for more than twenty-four hours, the pilot shall be entitled to the sum of one dollar per hour for every day or part of a day during such detention.

Pilot's dues in case of detention.

5 of 1987, Sch.

(2) If a pilot be recalled to any ship he shall be entitled to a fee of one dollar per hour for every day or part of a day that he shall be on board such ship.

5 of 1987, Sch.

62. A pilot who shall at the request of the master, owner, consignee or agent of an outward bound ship attend for the purpose of piloting such ship to sea shall, if the ship does not proceed to sea within three hours after the appointed time for sailing, be entitled to receive the sum of one dollar per hour for every day or part of a day such pilot shall remain in attendance on such ship until she is under way.

Pilot's dues in case of delay.

5 of 1987, Sch.

63. A pilot who shall be carried to sea in any ship against his will shall while on board such ship be supplied by the master at the ship's expense with suitable provisions and accommodation and shall be entitled to receive from the master or owner of such ship in addition to the pilotage fees due to him wages at the rate of ten dollars a day during his enforced absence from The Bahamas, and also the reasonable expenses of his return to The Bahamas by the quickest route from the place at which he shall be landed from such ship.

Pilot's dues if taken out of his locality.

5 of 1987, Sch.

64. A pilot taking charge of any ship for the purpose of bringing her into any harbour or anchorage shall convey such ship to any distance within the limits thereof which may be practicable, and if such pilot shall from any cause save and except the orders of the master of such ship be obliged to bring such ship to an anchor without such limits he shall, if required by the master, as soon as practicable and without any additional fee convey such ship within such limits.

Pilot to convey a ship within the limits of a harbour.

Pilot bringing a ship into port privileged to conduct the same out.

65. A pilot conducting a ship into any harbour or anchorage shall, provided he offers his services to the master of such vessel whenever the same shall be ready to leave the said port or anchorage, be privileged to conduct such ship out of such harbour or anchorage, and in case any other pilot shall have gone on board such ship for the purpose of taking her out of such harbour or anchorage he shall give place to the privileged pilot or pay to the privileged pilot the pilotage fee allowed under this Act.

Pilot may not be discharged without his consent.

66. The master or agent shall not discharge the pilot who shall have taken charge of a ship and accept the services of another pilot without the consent of the pilot first in charge, except in case of emergency, and in the event of a second pilot being employed the pilotage fees shall be divided.

Pilot responsible for the direction of a ship being towed.

67. Whenever a ship having in tow a disabled ship shall be boarded and taken charge of by a pilot to be conducted into any harbour and anchorage such pilot shall be responsible for the direction of the disabled ship and shall be entitled to full pilotage on both of such ships.

Pilotage payable by a ship being towed, the tow boat being exempt.

68. Where a ship towing a disabled ship is exempt from pilotage then and in such case the disabled ship so being towed being subject to pilotage shall be liable to full pilotage.

Liability of master, etc., to pay pilotage.

69. The pilotage fees authorised by this Act shall be payable by the master or owner of the vessel piloted and in default of payment by such master or owner shall be payable by the consignee of such vessel.

Pilotage payable by a ship following a ship without a pilot.

70. The master or owner of any ship having no pilot on board which shall follow out of or into any harbour or anchorage place any other ship having a pilot on board shall pay the pilot on board such leading ship one-half of the pilotage fee allowed by this Act.

Fee payable on leaving a harbour without a pilot.

71. In a case of compulsory pilotage, the master, owner or consignee of a ship leaving any harbour or anchorage without a pilot shall pay to the port authority for the port area, double the pilotage fee allowed by this Act, and in default of payment or in case of disputed liability the matter shall, subject to the limitation contained in section 14, be heard and determined by the

port authority for the port area and the amount recovered under its authority in like manner as in other cases in which a port authority is authorised to adjudicate. *42 of 1963, s. 24.*

72. (1) The fees of pilotage chargeable by pilots for services rendered or duties performed in the port area of New Providence shall be those set forth in the Fifth Schedule. *Pilotage fees.*
Fifth Schedule.

(2) The Minister may by Order amend the Fifth Schedule. *28 of 1989, s. 3.*

PART X GENERAL OFFENCES

73. Any person who — *Penalty for fraudulent use of licence, etc.*

(a) for the purpose of making himself appear to be a pilot uses a licence which he is not entitled to use;

(b) assumes or continues in charge of a ship after a pilot has offered to take charge of the ship,

shall be guilty of a misdemeanour.

74. Any owner or master of any ship which has become a nuisance within the meaning of paragraph (b) of section 19 who fails to abate such nuisance after notice so to do shall be liable to a penalty of one hundred dollars. *Penalty for neglecting to abate nuisance.*
5 of 1987, s. 2.

75. Any person into whose hands a pilot's licence shall come on the death of the pilot in such licence named who, after due notification, refuses or neglects or delays to transmit the licence to the Minister or to the commissioner of the district where the pilot resided shall be liable to a penalty of forty dollars. *Penalty for not forwarding a dead pilot's licence.*
5 of 1987 s. 2.

PART XI MISCELLANEOUS PROVISIONS

76. (1) Subject to the provisions of this Act, it shall be lawful for the Minister to make rules in respect of all or any of the following matters — *Rules.*
42 of 1963, s. 26.

(a) for the government of pilots and harbour masters in the discharge of their respective duties;

-
- (b) for the government of masters of ships, seamen and other persons employed in, or making use of, any harbour or anchorage;
 - (c) for the good government and control of the harbours and anchorages;
 - (d) to prohibit the throwing into any harbour any anchor, except such as may be necessary to anchor any ship, or any ballast or any other foreign substance of what material or kind soever;
 - (e) the disposal of ballast taken out of any ship;
 - (f) to compel the removal of any foreign substance which, whether from decay or other cause, has been allowed to fall into any harbour from any adjacent wharf, abutment or pier;
 - (g) to provide for the matters referred to in section 25;
 - (h) the books and forms from time to time to be used under this Act and the rules;
 - (i) the duties to be performed by a pilot under any Act relating to quarantine;
 - (j) the examination of persons desiring to be appointed as pilots;
 - (k) the conduct of judicial proceedings which may take place before a port authority under this Act;
 - (l) all matters to be prescribed under the provisions of this Act and generally all other matters as to which it may be expedient to make rules for carrying into full effect the objects of this Act.

(2) Rules made under subsection (1) shall apply throughout The Bahamas or to such local areas as may be prescribed therein.

(3) It shall be lawful for the Minister, if he sees fit, upon the application of any authority owning or in lawful occupation of a harbour referred to in subsection (2) of section 1 of this Act, to make any rules for the good government and control of such harbour and its anchorages and of the masters of any vessels using such harbour or anchorages and of any seamen or other persons employed in or making use thereof.

(4) Any person who contravenes any rule made under paragraphs (a) to (f) of subsection (1) or under subsection (3) of this section shall be liable to a fine of four hundred dollars.

5 of 1987, Sch.

77. All penalties imposed by this Act shall be recovered in a summary manner before a stipendiary and circuit magistrate or the commissioner having jurisdiction in the place where the offence is committed in the manner prescribed by law in this behalf.

Recovery of penalties.

78. The Minister shall lay upon the table of each House of Parliament before the end of April, or as soon as practicable thereafter, in every year the report dealing with —

Reports.
42 of 1963, s. 27;
E.L.A.O., 1974;
16 of 1976,
Third Schedule.

- (a) the operation of and measures taken by the Department; and
- (b) the financial expenditure and receipts of the Department for the previous year.

FIRST SCHEDULE (Section 30)

CUSTOMS PROPERTY

1. Prince George's Wharf and all transit sheds used for the receiving of all Foreign Cargoes. *7 of 1971, s. 3.*
2. Arawak Cay Warehouse — the ground floor of a two-storey building situated on the eastern side of Arawak Cay, the upper floor of which is occupied by a Customs House and the Government Training Centre, the property of the Government of the Bahama Islands. *18 of 1972, s. 2.*

SECOND SCHEDULE (Section 34)

PORT DEPARTMENT PROPERTY

- (a) Prince George's Wharf and Bridge.
- (b) The Public Abutment from East Street Slip to the Western Boundary of Rawson Square.
- (c) The Public Wharf known as Clifton Pier.
- (d) The abutment at Malcolm's Park but not including any portion of the Park itself.
- (e) All public wharves or abutments at which vessels may lie afloat but not including the Market Range.

5 of 1987, Sch.

THIRD SCHEDULE (Section 34)

RATES

No. 1. *Rates of Pierage Per Day*

Pierage rates.

Seven cents for each and every foot of the registered length of all vessels whether a full berth is available or not:

Provided that the minimum charge for each and every twenty-four hours or part thereof shall be seventy five cents.

28 of 1989, s. 4.

No. 2. *Rates of Storage per Week or Part of a Week*

7 of 1971, s. 4.

1. PACKED GOODS — per week or part of a week
 - (a) Beer, Wine and Spirits in cases- 30 cents per case
 - (b) All other goods —
 - (i) measuring under 10 cu. ft. — \$1.50 per package
 - (ii) measuring 10 cu. ft. or over 30 cents per cu. ft. but under 100 cu. ft. — or part thereof
 - (iii) measuring 100 cu. ft. or over — 25 cents per cu. ft. or part thereof
2. UNPACKED GOODS — per week or part of a week
 - (a) Motor Vehicles — \$30.00 each
 - (b) Lumber — \$6.50 per 1,000 ft. or part thereof
 - (c) Cement — \$6.50 per ton or part thereof
 - (d) All other goods — \$12.00 per ton or part thereof.

5 of 1987, Sch.

No. 3. *Rates of Wharfage per Week*

Wharfage rates.

Equal to one week’s storage on similar packages.

5 of 1987, Sch. Scaleage.

No. 4. *Rates of Scaleage*

- | | | |
|----|--|------|
| 1. | On every package weighing less than 1 cwt..... | 0.01 |
| 2. | On every package over 1 and not exceeding 5 cwt..... | 0.01 |
| 3. | On every package over 5 and not exceeding 10 cwt..... | 0.02 |
| 4. | On every package over 10 and not exceeding 15 cwt..... | 0.03 |
| 5. | On every package over 15 and not exceeding 20 cwt..... | 0.04 |
| 6. | On every ton of wood..... | 0.04 |
| 7. | On every ton of metal..... | 0.04 |

FOURTH SCHEDULE (Section 57)

NON-COMPULSORY PILOTAGE

- (a) Ships under thirty gross tons registered measurement;
- (b) Ships in the employment of the Board of Trade, which are ordinarily employed in the Lighthouse Service of The Bahamas;
- (c) Ships arriving at a port for the purpose of receiving orders or communicating with abroad, unless the master of such ship intends to enter the harbour or anchorage;
- (d) Ships touching at any port of The Bahamas merely for the purpose of procuring seamen, labourers or provisions, and not otherwise trading thereto, and not landing cargo at such port;
- (e) Ships of War and coasters.

FIFTH SCHEDULE (Section 72)

5 of 1987, Sch.

PILOTAGE FEES

1. Regular Pilotage.

For every ship drawing —

	\$
Less than ten feet	30.00
Exceeding ten but not exceeding fourteen feet, per foot.....	4.00
Exceeding fourteen feet but not exceeding twenty feet, per foot.....	4.50
Exceeding twenty feet, per foot.....	5.00

2. For every ship anchoring outside the bar one-half of the above fees and five dollars for every hour a pilot may be detained on board unless he has to wait for tide, in addition to the fees.

3. For every ship at Cochran’s Anchorage and South West Anchorage, one-half in addition to the above fees.