

LIGHT DUES ORDINANCE, 1933.⁽¹⁾

No. 3 of 1933.

An Ordinance to provide for the payment of Light Dues.

BE it ordained by the Legislative Council of the Territory of Papua, in pursuance of the powers conferred by the *Papua Act, 1905-1924*, as follows:—

1. This Ordinance may be cited as the *Light Dues Ordinance, 1933.*⁽¹⁾ Short title.

2. This Ordinance shall apply only to such ports as may be by Order in Council⁽²⁾ published in the *Gazette* declared ports within the meaning of the Ordinance. Such ports are called "Proclaimed Ports." Application of Ordinance.

3. Every vessel arriving at a proclaimed port not having her first port of clearance and final port of destination within the Territory or having her first port of clearance and final port of destination within the Territory but regularly calling at a port outside the Territory shall pay light dues at such rates as the Lieutenant-Governor⁽³⁾ may by Order in Council⁽²⁾ published in the *Gazette* from time to time declare. Overseas vessels.

4. The Lieutenant-Governor⁽³⁾ may by Order in Council⁽⁴⁾ published in the *Gazette* extend the provisions of this Ordinance to vessels arriving at a proclaimed port having their first port of clearance and final port of destination in Papua and not coming within the provisions of the preceding section. Such Order in Council may provide for the imposition of light dues at special rates for any such vessels. Such rates may from time to time in like manner be altered. Coastal vessels.

(1) Particulars of this Ordinance are as follows:—

Date of assent by Lieut.-Gov.	Date notified in Papua Govt. Gaz. as not disallowed by Gov.-Gen. in Council.	Date on which came into operation.
11.7.1933	3.1.1934	11.7.1933 (<i>Ordinances etc. of Papua, 1933, p. 5</i>)

(2) An Order in Council dated 28.7.1933 and published in *Papua Govt. Gaz.* of 2.8.1933 declaring ports to be "Proclaimed Ports" and fixing the rate of light dues, is printed on p. 4159. This Order in Council has been amended by Order in Council dated 5.9.1933 and published in *Papua Govt. Gaz.* of 6.9.1933, and is printed in its amended form.

(3) See Section 19(2) of the *Ordinance Interpretation Ordinance, 1911-1940*.

(4) No Order in Council has been published in *Papua Govt. Gaz.*

SHIPPING—

To whom payable.

5. Light dues payable under this Ordinance shall be paid to the Principal Officer of Customs at the port where they are levied or if there is no officer of Customs then to a Magistrate.

By whom payable.

6. The following persons shall be liable to pay the dues payable by or in respect of any vessel under this Ordinance that is to say the owner the master and such consignee or agent thereof as may have paid or made himself liable to pay any other charge on account of the vessel in the port of her arrival or discharge or in the port from which she clears out.

Penalty.

7. If any owner master consignee or agent as aforesaid evades the payment of any such light dues he shall forfeit and pay a sum equal to the amount of the light dues which he has evaded and in addition a further penalty not exceeding Twenty pounds.

Recovery of penalty.

8. Dues and penalties may be recovered by summary procedure before any Magistrate.

Exemptions.

9. The following are exempt from the payment of light dues:—

- (a) Public vessels of any Government;
- (b) any vessel bringing His Majesty's mails to the Territory under special contract;
- (c) any other class of vessels specially exempted by the Lieutenant-Governor⁽³⁾ by Order in Council⁽⁵⁾ published in the *Gazette*.

(3) See Section 19(2) of the *Ordinance Interpretation Ordinance, 1911-1940*.

(5) The Lieutenant-Governor by Order in Council dated 16.10.1933 and published in *Papua Govt. Gaz. of 6.12.1933* ordered:

"That the following classes of vessels be exempt from the payment of Light Dues under the said Ordinance:—

- (a) Vessels approved by the Lieutenant-Governor visiting the Territory of Papua purely for the purpose of considering the possibilities of engaging in the tourist traffic; and
- (b) Yachts approved by the Lieutenant-Governor".