

CAYMAN ISLANDS



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THE PORT REGULATIONS

THE PORT AUTHORITY LAW
(No. 15 of 1976)

PORT REGULATIONS

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PRESCRIBED PORTS
(Regulation 125)

British Admiralty

Chart No. 462.

The Limits of the Port of George Town are defined as follows:—

From latitude 19 deg. 22 min. 12 sec. N. Longitude 81 deg. 25 min. W., thence in the true direction of 180 deg. T. for 6.2 miles to Lat. 19 deg. 15 min. 57 sec. N.

Longitude 81 deg. 25 min. 00 W., thence in the true direction 090 deg. T. for 1.6 miles to South West Pt. light. Lat. 19 deg. 15 min. 57 sec. N. longitude 81 deg. 23 min. 18 sec. W., thence along the foreshore at the average high water mark to South West Point, thence along to George Town including all marine works, wharves and property vested in the Crown. Thence along to Low Pt. and thence along the foreshore to Lat. 19 deg. 22 min. 12 sec. N. longitude 81 deg. 25 min. 00 sec. W.

Being the area that includes waters and ocean bed to the average high water mark of George Town Harbour lying within the defined limits so described.

Made in Council this 26th day of April, 1977.

JENNY MANDERSON
Clerk of the Executive Council.

Form PA 3.

**PORT AUTHORITY REGULATIONS
(Regulation 45)**

NOTICE OF DEPARTURE OF A SHIP

TO:

OWNER /AGENT

1. Name of ship _____
2. Flag _____
3. Port of Registry _____
4. Tonnage _____ GRT _____ GRT _____
5. Date and time of arrival _____
6. Port at which voyage commenced _____
7. Last port of call _____
8. Next port of call _____
9. Cargo discharged, B/L Tons _____ cu. ft. _____
10. No. of mail bags _____
11. Cargo loaded, B/L tons _____ cu. ft. _____
12. Date and time sailed _____
13. Draft forward _____ aft. _____
14. Remarks. _____

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Form PA 2

PORT AUTHORITY REGULATIONS
 (Regulation 122)
REQUISITION FOR PORT SERVICES

Date

TO: The Port Director

Please provide the following for the S/S Sch. M/V
... due to arrive on

- (i) Berth or anchorage
- (ii) In and out pilot
- (iii) Moorings gangs
- (iv) Mooring launch
- (v) Port labour (overtime)
- (vi) Crane to lift tons
- (vii) Forklifts on board
- (viii) Other port equipment as follows :—

.....
.....
Delete those services not required.

I/We undertake to meet promptly the charges raised for these services together with any overtime incurred and further to pay for any and all damage caused to any equipment on hire from the above mentioned department.

The cash deposit in the sum ofdollars and cents is here forwarded.

.....
MASTER / AGENT

To be completed in the department.

The following arrangements have been made for the supply of services required.

CASH DEPOSIT (a) per ton unloaded	\$10.00
(b) per ton loaded	\$ 7.00

Date

.....
PORT DIRECTOR

To Port Director _____

NOTICE OF ARRIVAL AND APPLICATION FOR A BERTH

Name of ship _____ Flag _____

Last port of call _____ E.T.A. _____

Tonnage _____ GRT _____ NRT _____

Length _____ Beam _____ Draft FWD _____ AFT _____

Pilot required _____ Not required _____

Manifest W/T _____ C/T _____ No. of mail bags _____

Description of cargo _____

Passengers _____ Registered No. _____

Request that a berth at

Be allotted to this vessel on _____

for the purpose discharging / loading and / or disembarking /
embarking passengers _____

I hereby declare and certify as follows:—

* The vessel is not/is carrying dangerous goods and/or explosives (other than)
those described in the schedule as shown on the back thereof.

Cargo to be landed _____ W/T _____ C/T _____

Remarks _____

Agent _____

Date _____ Signed _____

MASTER/AGENT

* Delete whichever is not applicable.

(To be submitted in duplicate.)

THE PORT AUTHORITY LAW
(No. 15 of 1976)
THE PORT REGULATIONS

In exercise of the power conferred upon the Governor in Council by Section 13 of the above
law the following Regulations are hereby made.

PART I — General

Citation etc. 1. These Regulations may be cited as the Port Regulations and have ap-
plication to all ports in the Islands on and with effect from the first day of June,
1977.

Interpretation 2. In these Regulations unless the context otherwise requires —
“animal” means an animate creature other than a human being;

“apron” means the place of loading or discharge of goods and the em-
barkation and disembarkation of passengers;

“Authority” means the Port Authority established by section 3;

“berth assignment” means the granting of permission to use a specified berth;

“charge” means monies chargeable by the Authority by virtue of these Regulations;

“checking” means the service of counting and checking cargo against appropriate documents for the account of the cargo or the vessel, or other person requesting the same;

“cargo handling dues” means a charge assessed against a consignee or agent for handling cargo from vessel hook to place of rest or vice versa;

“collision regulations” means the international collision regulations having application to the Islands;

“Director” has the meaning ascribed to it by section 2;

Law 28 of 1975

“explosive” has the meaning assigned to it by the Explosives Law;

“fairway” means the whole of the navigable channel of a port;

“free time” means the specified period during which cargo may occupy space assigned to it on terminal property free of terminal demurrage or storage charges immediately prior to the loading or subsequent to the discharge of such cargo on or off the vessel;

“handling” means the handling of cargo from vessel hook to tail gate or vice versa;

“heavy lift” means the service of providing heavy lift cranes and equipment for lifting cargo;

Law 15 of 1975

“Law” means the Port Authority Law;

“loading and unloading” means the service of loading or unloading vessels to any place on the terminal and trucks, lighters or barges to any other means of conveyance to or from the terminal facility;

“N.O.S.” means not otherwise specified;

“operator” means a person carrying on the business of furnishing wharfage, dock, warehouse, or other marine terminal services or facilities in connection with a common carrier by water in any port;

“pilot” means a person authorised under any law to perform pilotage duties;

“place of rest” means a location designated by the Director within the terminal area where goods and commodities may be placed in a manner acceptable to the Authority and allowed to remain while awaiting delivery to road or for loading on board a vessel;

“port dues” has the meaning ascribed to it in section 2;

“port terminal facility” means structures comprising a terminal unit,

DANGEROUS CARGO
(Regulation 56)

The following items are dangerous for the purpose of the above Regulation —

acetic acid;
acetone and other inflammable organic compounds;
aniline oil;
acetylene, compressed or liquid, in cylinders with a porous substance;
ammonia;
acid in bulk or otherwise;
carbide of calcium;
celluloid and its compounds;
chlorate of potash;
collodion;
chloroform;
explosives;
gases compressed or liquefied;
matches;
motor spirits and all other inflammable liquids;
potassium cyanide and other poisonous compounds;
all inflammable solids such as resin, sulphur, camphor;
naphthalene and solids which take up water with production of heat, such as caustic soda and caustic potash;
zinc chloride, unslaked lime, etc. which must be protected from water;
vitriol; and
any other item of cargo ordered by the Director to be treated as dangerous.

as these Regulations are prescribed in the Water Code, obtainable, inter alia, from the Port Office.

Prescribed Ports. 125. Ports required by section 13 to be prescribed are prescribed in the schedule.

**THE SCHEDULE
(Regulation 18)**

LIGHT HOUSES

GRAND CAYMAN

Anchorage Light
George Town Harbour
Flashing Red.

Boatswain Point
Flash (1) every 15 seconds
El. 90 Ft.

Southwest Point
Flash (2) every 10 seconds
El. 20 ft.

East End

Group flash (2) every 10 seconds
El. 72 Ft.
Visibility 12 Miles

CAYMAN BRAC

North East Point
Flash every 20 seconds
El. 150 Ft.
Visibility 12 Miles.

South West Point
Quick Flash Red
Visibility 9 Miles.

LITTLE CAYMAN

South West Point
Flash every 5 seconds
El. 30 Ft.
Visibility 10 Miles.

including, but not limited to, wharves, transit shed, covered and open storage space, cold storage plants, landing and receiving stations, used for the transmission, care and convenience of cargo in interchange between land and water carriers or two water carriers;

"power boat" means a boat capable of being propelled by means other than or in addition to sail or manpower to an extent in excess of 5 B.H.P.;

"section" means a section of the Law;

"tailgate" has reference to the delivery of cargo by the Authority from the place of rest to the tailgate of the truck for outbound cargo and from the tailgate of the truck to place of rest for inbound cargo and when no truck is used, the word has notional application;

"terminal demurrage" is a charge assessed against cargo remaining in or on terminal facilities after the expiration of free time unless arrangements have been made for storage and is also applicable to cargo remaining in or on terminal facilities after expiration of an authorised storage period;

"terminal storage" means the provision of transit sheds or other terminal facilities for the storing of inbound and outbound cargo after the expiration of free time, including wharf storage, shipside storage, closed and covered storage, open and ground storage, bonded storage and refrigerated storage, after storage arrangements have been made;

"ton" means a gross ton of 2,000 pounds or 40 cubic feet at the option of the Authority;

"tonnage dues" means the charge for the use of wharf but does not include a charge for any other service;

"transit shed" has the meaning ascribed to it by the Customs Law and in addition includes any place so prescribed by these Regulations or designated as such by the Authority;

"usage" means the use of the terminal facilities by operators for purpose for which a charge is N.O.S.;

"vessel" has the meaning ascribed to it in section 2 and includes the owners or agents thereof;

"vessel hook" means the point of pick-up or discharge of cargo from a vessel's cargo handling tackle;

and the additional definitions appearing in section 2 apply hereto.

Application to persons.

3. The Regulations contained herein apply to all users of the facilities of the Authority from time to time who, in matters of doubt are subject to the decision of the Director.

User creates a binding covenant.

4. Use of the Authority's facilities constitutes a consent by the user to the terms and conditions hereof and is evidence of agreement on the part of vessels and other users of such facilities to pay all charges specified and be governed generally by these Regulations.

Appeals.

5. To the extent that the Director derives his powers and responsibility from

the Authority there is a right of appeal to the Authority against his decisions, which appeals must be addressed to the Chairman.

Exemption of charges in the case of construction.

6. Construction work done under contract with and for the benefit of the Authority, is exempt from the charges specified herein in so far as such work is necessary for performance of such contract.

General restrictions and limitations.

7. The Authority has no obligation to provide:

- (a) storage or accommodation for property which has not been transported and is not intended to be transported by water to or from a port;
- (b) berthing or other services beyond the reasonable capacity of its facilities;
- (c) extended storage for any property in the course of normal operations, beyond such period of time as may be provided by these Regulations or allowed by the Director, nor is he obliged to accept any cargo incompatible with public policy or the general objects of a port.

Disclaimer of responsibility for loss or damage or injury.

8. The Authority is not responsible for —

- (a) damage to freight being loaded, unloaded, handled, stored, or otherwise present on its facilities, or for loss of freight, or delay thereto; or
- (b) loss or damage to freight on or in its facilities by reason of fire, leakage, evaporation, natural shrinkage, wastage, decay, animals, rodents, moisture, the elements, discharge of water from sprinkler fire protection systems, or from any other cause; or
- (c) delay, loss, damage arising from riots, strikes, or labour disturbances or any persons, or for loss due to pilferage or theft or to other cause; or
- (d) personal injuries or death resulting from any cause whatsoever on its properties or facilities

unless occasioned by the wilful neglect or default of the Authority or its servants or agents acting in such capacity.

Placement of goods not to be bailment.

9. The placing of property of any nature including cargo on the Authority's property pursuant to these Regulations is not a bailment of that property, and the Authority is not a bailee thereof.

Abandoned cargo.

10. Cargo in respect of which charges have not been collected after 45 days is deemed to be abandoned cargo and the Authority may;

- (a) remove it to another part of the premises, or
- (b) store it off the port at the risk and expense of the owner; or
- (c) retain possession of it until all charges have been paid; or
- (d) remove it to the Queen's Warehouse for disposal under the Customs Law.

(2) All trailers or containers not grouped shall be removed from the port area within five (5) working days. Failing removal of such trailer or container within the time stated, the consignee shall pay a storage charge on the cubic measure of the contents in such trailer or container according to the rate prescribed.

(3) If such trailer or container contains goods for more than one consignee, then each consignee shall pay a storage charge proportionate to the cubic contents of the goods consigned to him in such trailer or container.

(4) Carriers shall provide their own trailer or container parks for such empty trailers and containers and empty trailers and containers shall forthwith be removed from the port area to such parks upon advice from the Director that such trailer or container is empty.

Transshipment cargo.

117. (1) Storage shall be levied on all transshipment and overlanded cargo after fourteen (14) working days from the posted date of arrival of the vessel by which the goods were imported until the date fixed as the loading date of the co-carrying vessel.

(2) If while awaiting re-shipment, transshipment cargo leaves the port area, ordinary import and export charges shall apply thereto.

Claims for refund of overcharge.

118. Claims for refund or overcharges in respect of port dues and charges must reach the Director before the expiration of three months from the date such dues or charges were incurred and shall be supported by such documents as the Director may require and unless this Regulation is complied with, the Director will not accept liability for the over charges or consider any claim in that behalf.

Regulations to be subject to merchant shipping laws.

119. For the avoidance of doubt, it is hereby declared that these Regulations, in so far as they relate to merchant shipping, shall be subject to the Merchant Shipping Acts 1894 - 1974 as in force in the Islands.

Licenses generally.

120. (1) The Authority may cancel any license granted under these Regulations whenever it thinks fit, or refuse to renew or endorse any licenses.

(2) No person shall, in a port area, undertake the stevedoring, landing or loading of goods or act as an agent or ship's chandler for selling, clearing or forwarding goods or within a port area, without submitting proof to the Authority that he is the holder of a license issued by the proper authority to carry on such business.

License or permits.

121. The granting under these Regulations of a license or permit for any purpose shall not impose any liability or responsibility upon the Authority for any accident to the holder thereof while on the port premises due to the working of cranes machinery or any other cause whatsoever.

Forms Schedule.

122. Forms for the use of the public in complying with these Regulations are prescribed in the schedule.

Offences and penalties.

123. Whoever fails to comply with a lawful direction of the Director or who contravenes any regulation, whether such contravention is or is not stated to be an offence is guilty of an offence against paragraph (i) or (j) (as the case may be) of subsection (2) of section 14 of the Law and punishable accordingly.

Water Code

124. Rules of navigation in territorial waters, enforceable in the same manner

(4) Goods and commodities declared as carried and manifested on a weight basis can, at the discretion of the Authority, be measured and, if applicable, be subject to terminal charges on a measurement basis.

PART V – Miscellaneous

Miscellaneous charges.

114. (1) Perishable goods if not cleared to be removed by the Authority and sold after 48 hrs.

The rates prescribed apply only to services performed in normal working hours as prescribed by the Authority from time to time.

(2) Outside normal working hours the Authority pays the basic rate for labour and any additional rate of overtime is charged to vessel's account plus 5 per cent.

The Authority does not pay for vessel waiting time or meal hours.

(3) Use of forklifts in the hold of a vessel or for other work —

Up to 6000 lbs. lifting capacity per unit, per hour or part thereof	\$15.00
Container forklift	\$30.00

NOTE: does not include overtime worked by the driver; this is for vessel's account.

(4) The following annual permit fees are applicable to the following business categories for the privilege of conducting operations from a port.

Fuelling or watering vessels by truck, per firm	\$100.00
Distribution of merchandise for sale (not otherwise listed)	\$10.00
Telephones	\$100.00
Electricity services	\$150.00

Other business categories will be covered by special arrangement.

The above permit fees will be applied on a calendar year basis. Firms commencing business after June 30th of any calendar year will pay one-half of the scheduled yearly fee.

Goods detained by Customs.

115. Goods detained by Customs for examination may, at the discretion of the Director, be exempt from storage charges during the period they are so detained, that is, from the date the documents are stopped by Customs until the date of completion of examination.

Control of trailers and or containers.

116. (1) No trailer or container shall be allowed to remain on the Islands over twenty-one (21) working days from the date of discharge from the carrier unless Customs duty is paid thereon or a bond acceptable to Customs is given.

Furnishing cargo statements and vessel reports.

11. Vessels, within 48 hours before arrival or departure where practicable and other users of the harbours and facilities shall produce copies of inbound and outbound manifest, or other acceptable documents to the Director, or a full and correct statement, signed and certified on a prescribed form, showing weights or measurements of the items discharged or loaded and the basis on which freight charges are assessed.

Payment for charges.

12. Charges prescribed by these Regulations are due as they accrue and payable within seven days after presentation of invoices. The Authority reserves the right, in the event of past delay or failure to pay invoices when due, to demand payment of charges in advance before further services are performed or facilities used, or before freight upon which charges have accrued are released for delivery.

No debtor substitution allowed.

13. The Authority will not assist its debtors in the collection of dues owed to it.

Deposits or bonds (exports).

14. The Authority may require a deposit or bond in advance of charges which may accrue against a vessel or from other users of its facilities and use of its facilities may be denied until such deposit or bond is provided upon the scale of \$7 per ton loaded.

Access to records.

15. Vessels and other users of ports and facilities are required to permit inspection of manifest of cargo, passengers, and other relevant documents for the purpose of audit and the estimation of charges.

Indemnity bond.

16. Users of the port facilities, unless specifically exempted, are required to provide cash bonds for such amount as the Director may require, insuring the Authority against loss and securing the payment of bills arising from cargo handling, cargo dues, wharfage, water sales, storage, rentals, leases, warehousing, demurrage electric current and other services rendered and the Director is authorised to cash such bonds.

Insurance certificates.

17. The rates and charges published in these Regulations do not provide for insurance, and users of port facilities are required to carry bodily injury liability insurance and property damage liability insurance and to produce certificates of such insurance to the Director on demand, failing which the Director may require a cash bond for an appropriate amount.

PART II — Navigation

Lighthouses.

18. Lighthouses and daymarkers are for the purpose of their control, prescribed in the schedule and may be varied in number and description from time to time by the Authority in exercise of its function under paragraph (c) of section 6 by notice published in the gazette and for the maintenance thereof, the Authority shall have recourse to a port due called aids to navigation being a charge prescribed in Regulation 103.

Pilots to be duly appointed or licensed.

19. No person other than a duly appointed pilot or a pilot licensed by law may offer his services as such.

Pilot flag.

20. No person other than a lawfully licensed pilot afloat and on duty may display a pilot flag (upper half white, lower half red) nor shall any vessel

display such a flag unless under lawful pilotage.

- Removal of ships in fairways.** 21. (1) No vessel may be anchored in the fairways of a port without the permission of the Director.
- (2) A vessel anchoring in contravention of sub-regulation 21(1) shall in addition to any penalty, be liable to be removed at the vessel's risk and expense.
- Liability of vessels under pilotage.** 22. Vessels navigating under pilotage are answerable for any loss or damage caused by fault of navigation.
- Pilotage.** 23. Ships of non-Caymanian registration and not being men of war berthing in the Islands may be made subject to pilotage unless exempted therefrom by the Director.
- Anchorage or obstruction in turning basins and channels.** 24. It is unlawful to anchor any vessel in any of the turning basins or channels; in the ports or otherwise to obstruct navigation, except in cases of actual emergency.
- Lights at night.** 25. (1) Vessels anchored, moored or manoeuvring in the territorial waterways of the Islands must at all times exhibit the lights required for their class by collision regulations.
- (2) Vessels having explosives on board shall, when within the limits of a port, keep conspicuously exhibited at the fore by day a red flag (B International Code) and at night at the mast head in addition to the lights ordinarily required and above them, a red light visible at a distance of one mile all round the horizon.
- Boats to give way and exhibit requisite lights.** 26. Boats within the limits of a port shall make way for ships under way and shall between the hours of sunset and sunrise exhibit the lights required for their class by collision regulations.
- Approaches to docks, ships ladders and gangways to be kept cleared.** 27. Free passage shall be kept to landing places, wharves and moorings, and boats shall move when required to clear such passage. Ships' accommodation ladders and gangways shall be kept in good condition and clear of obstruction.
- Sunken objects in port to be reported.** 28. The sinking of any object in a port shall be reported immediately to the Director.
- Pollution of air and water.** 29. Whoever deposits, places or discharges into territorial waters, any ballast, dunnage, sewage, butcher's offal, garbage, dead animals, gaseous liquid or solid matter, oil, gasoline, residuum of gas, calcium, carbide, trade waste, tar or refuse, or any other matter which is capable of producing floating matter or scum on the surface of the water, sediment or obstruction on the ocean bed, or odours or gases of putrefaction is guilty of an offence.
- Speed etc.** 30. Whoever within 1,500 feet of a port terminal facility proceeds at a speed exceeding 5 knots or endangers other vessels or structures or causes wake damage (subject, however, to the duty of the Master to maintain steerage way) is guilty of an offence.
- Anchors to be in readiness.** 31. Vessels entering or leaving port shall have anchors clear and ready for use and vessels arriving shall have their derricks hoisted and ready if weather permits.
- Erection of marks, laying of buoys.** 32. (1) No leading marks shall be erected or buoys laid down within the limits of a port without the prior permission of the Authority.

carrier.

(3) Goods and commodities arriving in apparently damaged condition will be kept apart from sound cargo and delivered to "damaged locker" which is to be considered as place of rest for damaged cargo if not otherwise instructed.

(4) Goods and commodities held in open areas are at owner's risk as to loss and damage caused by weather, deterioration or any other cause.

(5) Asbestos, (pipes, sheets and ridges) asphalt, ashes, bones, brick, chalk, charcoal, clay, coal and items manufactured from cement or metal, lumber, sand, slate, stone, straw, vehicles and chassis will normally be stored in the open. It is the responsibility of the owners or their agents to provide such protection as tarpaulins as they wish.

Documentation.

112. To expedite prompt handling of goods through the terminal areas, the following documents will be required (original or certified facsimiles):

Inbound Cargo

- 2 legible copies of vessel manifest (required at least 48 hrs. prior to arrival of vessel)
- 1 copy of steamship company release (delivery order)

Outbound Cargo

- 1 copy of loading list (required if possible 24 hrs. prior to vessel loading)
- 1 copy of Customs report outwards
- 2 legible copies of vessel manifest (required within 3 days after departure of vessel).

Storage charges.

113. (1) The free time allowed for assembling outbound cargo on and for removing inbound cargo from the port, excluding Saturdays, Sundays and public holidays is five days. The free time allowed for assembling outbound cargo commences at 12.01 a.m. of the day following placement of the cargo.

The free time allowed for removing inbound cargo commences at 12.01 a.m. of the day following the day the vessel completed discharging.

Cargo remaining in a port after expiry of free time shall be assessed at excess storage charge as follows:—

- | | |
|--|--------|
| 1. For each day or fraction thereof, per ton or part thereof | \$2.00 |
| 2. In excess of 30 days per ton or part thereof | \$5.00 |
| 3. The minimum charge | \$2.00 |

(2) Cargo delivered on the port for export and not loaded on a vessel berthed at that port but moved inland from that port is subject to excess charges commencing with the date of arrival at that port.

(3) Upon completion of time specified for free time and demurrage — goods to be removed to the Queen's Warehouse: charge for removal — ton or part thereof \$3.00

over 12,000 to 18,000 pounds	\$12.00
over 18,000 to 25,000 pounds	\$15.00
over 25,000 to 28,000 pounds	\$18.00
over 28,000 to 30,000 pounds	\$20.00
over 30,000 to 32,000 pounds	\$22.00
over 32,000 pounds	\$26.00

Viz: Automobiles, farm tractors, trucks, grading and road making implements, cement trucks and lifting equipment. To and from place of deposit in open area.

\$1.50 per ton or part thereof with a minimum charge of \$3.00.

The following terminal handling and storage charges are applicable to containers and trailers:

handling of empty containers and trailers inward and outward bound	
up to 20 feet in length	\$2.50 per unit
over 20 feet in length	\$4.50 per unit
storage of empty containers and trailers in excess of 24 hrs and each 24 hrs thereafter or a part thereof	
up to 20 feet in length	\$4.00 per unit
over 20 feet in length	\$6.00 per unit

NOTE: Handling and storage charges assessed against empty containers or trailers are payable by the agent.

Containers and trailers.

110. Loading or unloading of containers and trailers.

The schedule of unit rates covering terminal handling of loaded containers and trailers does not include the loading or unloading of contents of same. Should this service be required, rates are available upon request.

Coopering and sorting.

111. (1) Ordinary sorting to shipping marks and numbers is included in the handling charge on import, but if additional sorting is required by the consignee or his agents to any subsidiary mark or marks or to size, the latter meaning each of the three dimensions, the following additional charges shall apply per ton or part thereof.

(i) For sorting to any mark or size	\$1.50
(ii) For each additional sorting carried out concurrently with (i) above	\$1.00

NOTE: For the purpose of this section "shipping marks and numbers" mean distinctive marks and numbers common to the whole consignment under which the goods are shipped and delivered.

"Subsidiary marks and numbers" means those which are mixed with other consignments not common to the one consignment.

(2) Additional labour found necessary to effect the handling of damaged goods and commodities or to repair containers found in other than good condition on arrival will be charged additionally for the account of the vessel or the

Power boats.

(2) Prescribed charges are payable in respect of any buoys laid within a port and such buoys may be removed at the expense of the owner if at any time the Authority so requires.

33. (1) It is the duty of every person having control of a power boat within territorial waters

(a) so to navigate such boat as to avoid collision with or injury to every vessel or person present in, on or under the water in the area occupied by or disturbed by the said boat or the wash or wake thereof.

(b) to navigate such boats with due care and consideration for other persons having regard to the prevailing conditions and the reasonable likelihood of other persons being present in or coming into the area occupied by such boat and the wash and wake thereof.

(2) No person under the age of fifteen years shall drive or navigate a power boat save under the control of a person over that age.

(3) Every person in control of a power boat shall when so instructed by the Director —

(a) heave to; and

(b) bring his boat alongside any place indicated by the Director and otherwise comply with any navigational orders issued to him by the Director.

(4) When any dispute arises as to who is in control of a power boat every person present therein shall be deemed to be in control until he proves the contrary.

Application for berth and for the loading or unloading of vessel. (The Schedule)

34. Vessels desiring a berth at any port in the Islands shall as far in advance of the date of docking as possible, make application to the Director in writing in the manner prescribed in the Schedule specifying the name of the vessel, size, the date and estimated time of arrival, date and time of sailing and the nature and quantity of cargo, if any, and request the vessel to be loaded or unloaded.

Director to assign berth.

35. (1) Vessels shall occupy the berth assigned by the Director, and shall be moved to any other berth which the Director may direct, and all masters or persons in charge shall obey the Director's orders.

(2) Vessels shall not proceed alongside any wharf without the permission of the Director, but shall anchor until such permission is received.

(3) The master is responsible for all damage or consequences resulting from any erroneous declaration made by himself or his representatives as to the draft or dimensions of his ship. The tonnage of a ship is that shown on her certificate of registry.

Change of berth.

36. Every vessel must, at all times, have on board a person in charge with authority to take such action in any emergency as may be necessary to facilitate common navigation or commerce, or for the protection of other vessels or property. The Director has discretionary authority to order and enforce the removal or change the berth or location of any vessel, at its own expense, to such place as he may direct, for the purpose of facilitating navigation or commerce, or for the protection of other vessels or property, and it is unlawful for the master, owner or agent of such vessel to neglect or disobey any such order and if there is no responsible person available, or if the person in charge refuses to shift a vessel as required, the Director may have the

vessel shifted at the risk and expense of the vessel.

- Unauthorised berthing.** 37. A vessel berthed in an unauthorised manner or shifted without approval of the Director is subject to an assessment in an amount equal to twice the published port dues. Such vessel may, without notice be moved by the Director to a properly designated berth at the risk and expense of the vessel.
- Ship's moorings etc.** 38. (1) Vessels within a port shall have sufficient hands on board to attend to their moorings, and to cause them to be slackened or hove in as necessary. No rope shall be made fast except to dolphins, buoys, moorings and bollards placed for that purpose, and no wire rope may be used unless the bollards and the edge of the coping of the wharf are protected from chafes to the satisfaction of the Director. Chain cables may not be used for mooring alongside a wharf.

(2) Vessels shall anchor, moor, and berth to the satisfaction of the Director, and shall take such additional precautions in severe weather as may be ordered.

(3) Vessels alongside wharfs must affix efficient rat guards on every line and wire connected to or reaching shore if so ordered by the Director.
- Watch to be kept on board.** 39. A watch shall be constantly kept by day and night upon the open deck of every ship in port.
- Ships to be in readiness to move** 40. (1) Vessels shall at all time be kept in a fit condition to be moved and in default the work may be performed by the Authority at the vessel's risk and expense. No vessel shall drop main steam or power without first obtaining permission from the Director.
(2) Vessels entering, leaving or shifting berth within a port shall be provided with sufficient hands for the purpose and shall have on board good and sufficient warps to the satisfaction of the Director, and shall be moored by such warps, and no warp may be cast off unless so authorised by the Director.
- Displaced moorings to be reported.** 41. If any mooring or marker buoy is dragged from its position or damaged by any vessel, the fact shall be reported immediately to the Director and the cost of repairing or replacing the said mooring or mark shall be paid for by such vessel.
- Condition under which ship has priority.** 42. Vessels arriving at a port with intention of discharging cargo shall have priority to berth in order of their time of arrival, but if a vessel proceeds to another port and commences discharging priority shall be given to the next ship arriving. Nevertheless, the Director may give priority to later ships in an emergency or in order to save a perishable cargo.
- Removal of ships having offensive matter on board.** 43. The Director may order the removal from port of any vessel which has on board cargo or other matter injurious to health or offensive or dangerous in any respect, and such cargo or matter shall be disposed of in such manner as the Director may order, at the risk and expense of the vessel.
- Customs, immigration and health formalities.** 44. Until Customs, immigration and health formalities have been completed, no unauthorised person may board or leave an arriving vessel.
- Due notice of departure to be given.** 45. Vessels shall give at least four (4) hours' notice to the Director, prior to departure in the form prescribed in the Schedule.
- Clearance.** 46. No vessel shall receive clearance from Customs except on the production of a certificate from the Director certifying that it has complied with these Regulations.

(2) Export goods manifested on a basis of 2,000 lbs. or 40 cubic feet:

- (a) General cargo N.O.S. — rate per ton \$6.00
- (b) Agricultural and fishing products, produced in the Cayman Islands \$5.00
- (c) Transshipment and overlanded or overcarried cargo
 - In and out rate per ton \$10.00
 - Transfer rate per ton \$2.00

General cargo within terminals (shedded).

108. Charge for single handling between place of rest inside terminal to truck tailgate, or vice versa (consignee).

- (a) General cargo N.O.S. — rate per ton \$2.00
- (b) Goods carried in containers or trailers N.O.S. — rate per ton \$2.00

Open area handling (open storage).

109. Single handling of goods between place of rest and floor of truck within the open terminal area.

- (a) All cargo
 - Per ton of 2000 pounds by weight or by measurement ton \$2.00
- (b) Steel
 - Viz: reinforcing bars (in coils, or bundles) angles, flats, channels, beams, wire rod, wire strand, sheets and plates, pipes over 25 ft. long, Rate per ton of 2000 pounds. \$3.00

Cargo which is shipped in containers or heavy lifts acceptable to the port will be assessed additional terminal handling charge on the following basis:

(c) Containers, trailers and heavy lifts

- Container and heavy lift with gross weight not exceeding: —
 - 6,000 pounds \$2.00
 - over 6,000 to 8,000 pounds \$7.00
 - over 8,000 to 12,000 pounds \$10.00

(3) The rates prescribed in sub-regulation (2) are not chargeable while a ship is unable to discharge or load cargo by reason of --

- (a) weather conditions; or
- (b) lack of space alongside wharf.

(4) Salvage vessels, tugs and dredgers while locally-based and cruise ships at anchor are exempt from berthing charges.

(5) Locally-registered fishing vessels, pleasure craft, all vessels of Her Majesty and other government vessels are exempt from port dues.

Cargo dues.

106. (1) Cargo delivered to a port for export and not loaded on a vessel berthed at that port and thereafter moved inland from that port is subject to cargo dues.

(2) Cargo transhipped through a port will be assessed cargo dues on both movements and will be allowed one authorised free time period.

(3) No charge for cargo dues will be made on ship's stores.

(4) Cargo dues shall be calculated at 40 cubic ft. or 2,000 lbs. per ton, landed or loaded, whichever is applied by the Authority at the following rates --

	Per ton
(a) Imports	\$2.50
(b) Exports	\$1.50
(Exception)	
(c) Gasoline	\$7.50

Handling charges (imports and exports).

107. The handling charges from vessel hook to place of rest per ton or part thereof or vice versa are --

(1) Imported goods manifested on a basis of 2,000 lbs. or 40 cubic feet:

(a) General cargo N.O.S. — Rate per ton	\$6.50
(b) Steel and pipes over 25 ft. in length — rate per ton	\$8.00
(c) Fertilizer and cement or animal feed bagged (from vessel hook direct to truck) per ton	\$5.00
(d) Goods carried in containers or trailers — per ton	\$4.00
(e) Lumber — rate per 1,000 board ft.	\$11

Office hours. 47. Requests for berths for loading or for unloading of vessels must be made

- (a) on weekdays not later than 2 p.m.
- (b) on Saturdays not later than 10 a.m.

Manifest of cargo. 48. Vessels shall upon arrival in port deliver to the Director a true copy of the manifest of cargo inwards, giving all relevant information i.e. dock receipts, weight and cubic measure, and shall, as soon as possible notify the Director of any amendments to any manifest.

Conditions of working ship. 49. (1) As far as may be practicable, cargo shall be discharged from and loaded into ships in the order of their arrival in port, but subject always to the discretion and direction of the Director.

(2) The Director may refuse to permit cargo to be landed from any ship until suitable wharf or other accommodation is available.

Supervising cargo. 50. (1) The master or his representative shall remain on board his ship while loading and discharging cargo for the purpose of superintending such loading and discharging.

(2) No load shall be left suspended from a crane, derrick or other machine.

Vessels loading or discharging. 51. Vessels loading or discharging loose cargo shall cause a cargo net to be placed in such manner as to prevent any such cargo from falling into the waters of the port, and any cargo or vessel's gear dropped overboard shall at once be reported by the person in charge of the ship to the Director, and shall be recovered by such person if it is reasonably possible for him so to do. Failing this, it may be recovered by the Director at the risk and expense of the vessel.

Ships to be worked with reasonable dispatch. 52. (1) If a vessel fails to take in or discharge its cargo with such despatch as appears reasonable to the Director, such vessel shall, after notice has been given to that effect to the master, lose its turn and be removed from wharf by the Director at the risk and expense of the vessel.

(2) The Director may, in the event of excessive accumulation of goods upon a wharf require any ship to reduce or suspend the rate of discharge of cargo.

Offensive cargo. 53. The Director may, with the consent of Customs and after giving two hours' notice to the owner or other persons entitled to receive goods, or, if the owner or consignee cannot be found, then without such notice, order the removal and, if necessary, the destruction of any such goods if they are of an offensive nature and such removal or destruction shall be at the expense of the owner, consignee or other person concerned.

Ships gear, repairs etc. 54. No ship's gear, dunnage, cattle fittings or the like shall be placed on any wharf without the Director's permission.

Treatment of animals. 55. Animals when ashore or afloat in a port area and when being discharged or shipped shall be treated in a humane manner and in accordance with veterinary practice. The Director may, in his discretion, refuse to land or ship animals if such landing or shipping would entail unnecessary suffering to any animal.

Master or agent to 56. Vessels having on board goods of a dangerous or inflammable nature as

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give notice of dangerous cargo. prescribed in the schedule shall, twenty-four (24) hours before arrival, give notice thereof to the Director, and such cargo shall not be landed before such notices has been received by the Director. If such goods are so landed, the Director may order them to be placed on board the vessel whence they came or otherwise deal with the vessel and goods as he considers necessary at the risk and expense of the ship.

Control of quantity of explosives. 57. The quantity of explosives to be conveyed to and allowed on a landing place, at any one time, shall be regulated by the Director and such regulated quantity shall not be exceeded.

Hour during which explosives may be landed. 58. Except with the permission of the Director and subject to such conditions as the Director may impose, explosives shall not be loaded, unloaded or landed except between the hours of 0700 and 1800.

Place where explosives may be landed. 59. No explosives shall be loaded from, brought into or deposited upon any wharf, landing stage, shed, warehouse, building or other place, except as the Director shall from time to time order.

Notification of explosives. 60. Explosives of all kinds must in addition to appearing on the manifest be declared by special letter to the Director, which letter must be delivered where practicable twenty four hours prior to the arrival of the vessel. This letter must contain a description of the dangerous cargo carried by the vessel, listing the kind of explosives, number of packages, and where they are stowed. The vessel must comply with the international regulations which apply to such cases. Prescribed signals must be shown by day and night and all necessary precautions must be taken. The Authority reserves the right to accept or refuse cargo which may be considered dangerous to persons or property.

Explosives to be covered. 61. (1) Explosives on board a vessel which are not in a safe magazine shall, while the hatch is open be kept carefully covered and due care taken to prevent any water from seeping into any explosive or its container.
(2) Should explosives escape from a package containing them, they shall be collected and dealt with in accordance with the Explosives Regulations.

Method of handling explosives. 62. (1) Packages containing explosives being discharged from or loaded into a vessel are not to be dropped, dragged or thrown. A rope cargo net in good condition (to be inspected) must be used; if no such net is available, then such explosives shall carefully be passed from hand to hand.
(2) While explosives are being discharged no other cargo shall be handled or dealt with at or near thereto.
(3) Persons not engaged in or superintending the work, shall remain a safe distance from the place of such discharging or loading of the explosives.

Permits to land explosives. 63. Explosives shall not be permitted to land from any vessel until a permit has been produced by the importer to the Director.

Inspection. 64. (1) Vessels in port are subject to inspection by the Director at any time, which inspection may extend to every part thereof including cargo gear.
(2) Such vessels may be required to produce a valid cargo gear certificate issued from a source recognized by the Authority.
(3) Ropes, slings and wires in general use for hoisting or lowering shall be

	(ii) for piloting every vessel from a port to any anchorage outside the harbour limits:	20 p.c. additional to rates at (1) above.
	(iii) for piloting every vessel from one anchorage to another within the harbour by day (8 a.m. to 4 p.m.):	20 p.c. additional to rates at (1) above
	(iv) for piloting vessels in or out of the harbour by night (4 p.m. to 8 a.m.):	50 p.c. additional to day rates
Running lines.	101. Running lines for the arrival, departure and shifting of vessels.	
	In excess of 100 GRT to 1000 GRT	each vessel move
	From 8 a.m. — 4 p.m.	\$15.00
	From 4 p.m. — 8 a.m.	\$25.00
	In excess of 1000 GRT to 2000 GRT	
	From 8 a.m. — 4 p.m.	\$25.00
	From 4 p.m. — 8 a.m.	\$40.00
	In excess of 2000 GRT	
	From 8 a.m. — 4 p.m.	\$35.00
	From 4 p.m. — 8 a.m.	\$45.00
Pratique	102. Pratique from 4 p.m. — 8 a.m.	\$20.00
	or on Sundays and Public Holidays	\$30.00
Aids to Navigation.	103. Navigational aids per call per ship	\$20.00
Berthing charges.	104. Berthing charges are based on the highest gross registered tonnage or the overall length of the vessel as shown in Lloyd's Register of Shipping, whichever is the greater.	
Right of measurement and incidence of charges.	105. (1) The Authority reserves the right to admeasure any vessel when deemed necessary and use such admeasurement as the basis for berthing charges. (2) Rates --	
	Per ton OR per foot	First 24 hours 4 cents 20 cents each subsequent 24 hours 3 cents 15 cents

- No liquor to be carried through port gates.** 93. No persons shall supply or convey or deliver any intoxicating liquor to any crew member or to any other person on board any ship in port unless:—
- (a) purchased with the consent of the master of the ship, from a person duly licensed to sell the same;
 - (b) such liquor is delivered in bond and checked and sealed by Customs, the said seal not to be broken while the ship is within the port limits.
- Dogs and cats aboard ships.** 94. Dogs and cats are not permitted to land from vessels without a certificate from a Veterinarian at the last port of call and port of origin (if different) and a permit from a Government Veterinary Officer showing that the said animal is free from disease.
- Vehicles to take place assigned.** 95. (1) Vehicles engaged in the removal of goods from port areas, will operate on a number system, and take the place assigned to them by the Director.
- (2) Persons in charge of vehicles within a port area shall move their vehicles as required by the Director. Whoever refuses to move his vehicle when required is guilty of an offence and such vehicle may be moved by the Director at the risk and expense of the owner.
- Dangerous driving.** 96. Whoever drives a mechanically propelled vehicle within a port area so as to cause danger to any person or property is guilty of an offence.
- Behaviour of motorists.** 97. Drivers and persons in charge of mechanically propelled vehicles shall at all times while entering or leaving a port area conduct themselves in an orderly manner and comply with such orders as may from time to time be issued by the Director and with the terms of any notices and signs exhibited by order of the Authority.
- Traffic signals.** 98. Whoever in a port area disregards a traffic signal or fails to stop when called upon to do so by a constable or other authorised person is guilty of an offence.
- Advertising on port property.** 99. Whoever, unless authorised so to do by the Authority, advertises or causes any advertisement to be exhibited on any premises or property of the Authority within a port area is guilty of an offence.

PART IV — Port dues

- Piloting of vessels.** 100. Where the Authority is required to provide pilotage —
- (i) for the piloting of vessels on arrival and departure and the shifting of the same from one berth to another:
- | | each vessel move |
|-------------------------------|------------------|
| In excess of 100 to 1000 GRT | \$50.00 |
| In excess of 1000 to 2000 GRT | \$70.00 |
| In excess of 2000 to 5000 GRT | \$100.00 |
| In excess of 5000 GRT | \$150.00 |

inspected once in every three months and where explosives are being handled, all machinery and attachments, including ropes, slings, nets and wire cables shall be inspected immediately prior to use.

PART III — Control of Ports

- Leasing.** 65. Where the Authority grants leases for office or open ground space, its procedures and requirements must be followed.
- Allocation of space.** 66. The Director controls the allocation of port space, covered or open and persons using port property must comply strictly with such allocations. The Director is authorised to move freight or other articles, at owner's or agent's expense, in order to ensure maximum flexibility of facilities of which the Director is the sole judge.
- Loitering on port property.** 67. It is an offence for any person to loiter upon the Authority's properties or for unauthorised persons to enter cargo sheds or handling areas. Persons using the port facilities do so at their own risk and the Authority has no responsibility for injuries or damage sustained.
- Signs.** 68. Without prior approval, painting on structures belonging to the Authority is prohibited. Signs to be erected on the port shall be furnished by the port users and erected or placed by the user after the Director has approved the design, material and size of such signs which shall be uniform.
- Smoking.** 69. It is an offence to smoke or expose a naked flame in any port area when to do so is forbidden by notice.
- Solicitation.** 70. It is an offence to solicit or carry on any business on the Authority's property without first obtaining a permit from the Director.
- Wharf obstruction.** 71. It is an offence to allow stevedore's tools, appliances, equipment, vehicles or any other objects not being cargo to remain on the wharves and wharf premises or in the transit sheds, unless so permitted by the Director or to store cargo or gear on the aprons, driveways, roadways, or any other locations so as to hamper normal port operations.
- Cleanliness of premises.** 72. Vessels and all other users of the facilities are responsible for the general cleanliness of the property allocated, assigned or leased to them. This includes parts of the aprons, gutters, and truck docks used in connection with any specific loading, unloading or handling operation and where users do not properly clean the facilities or property they have been using, the Director may order the property to be cleaned and placed in good order and charge the users responsible at double the cost thereof with a minimum charge of \$25.
- Damage to facilities.** 73. Vessels and all other users of the facilities are responsible for all damage to the facilities occasioned by them. The Director may detain any vessel responsible for damage to the facilities until sufficient security has been given or payment made for the amount of the damage. It is the responsibility of the users of the facilities immediately to report to the Director any damage occasioned by them.
- Sanitary arrangements in port.** 74. When required by the Director, a ship's water closets and latrines shall be closed during such period as the ship is in port. All closets and latrines shall

	have splash boards or similar device so as to prevent fouling the wharf or any other ship.		
No combustible material to be boiling on board ships.	75. No pitch, tar, oil or combustibles of similar nature are to be boiled on board a ship in port, or any repairs done to such ship without the Director's permission.	Director may refuse to permit goods to be stored.	86. The Director may refuse to allow the following goods to be stored in a port or may impose special conditions thereon —
Propellers may not be turned in port without permission.	76. No ship's propellers shall be turned in port for the purpose of trying engines without the giving of sufficient warning to the Director and to other vessels in the vicinity.		(a) articles of unusual length, bulk or weight, or of exceptional bulk in proportion to weight;
Life saving equipment.	77. Vessels shall be equipped with such life saving and fire extinguishing equipment as may be considered necessary by the Authority.		(b) dangerous, hazardous or offensive goods, which are likely to cause harm or damage to persons or property;
Emergencies.	78. Anyone on the port property at any time becoming aware of an emergency of any nature must notify the Director or other representative of the Authority by the fastest means, while taking such immediate direct action as may appear appropriate.		(c) articles unpacked or improperly or insufficiently packed or secured;
Fire on ships.	79. (1) In the event of a fire occurring on board a ship in port, the master or watch shall at once give the alarm and take such actions towards the protection of property as the Director may direct. (2) Vessels shall in the event of fire on board hoist N.Q. of the International Code and at the same time sound one long and three short blasts in quick succession on the whistle. The signal "N.Q." shall be kept hoisted until the fire on board has been extinguished.	Director may destroy or otherwise deal with dangerous goods.	(d) perishables and goods inherently liable to wastage or change in bulk or weight, or to latent inherent defect, vice or natural deterioration;
Fire fighting operations.	80. Persons on port areas shall comply with the instructions of constables and other authorised persons in the event of an outbreak of fire, and shall not obstruct or interfere with fire fighting operations.	Unclaimed goods.	(e) timber, metals, animals.
Vessel to make arrangement for goods to be discharged.	81. Prior to the departure of a vessel from a wharf, it shall make arrangements, satisfactory to the Director, for all goods discharged to be removed from the wharf and stacked in the transit shed or open stacking ground. Failing such arrangements, the Director may remove the goods at the expense and risk of the vessel.	Boarding or leaving ships.	87. In case of emergency, or for the purpose of securing the better safety of a port or the shipping therein, the Director may, whenever it seems expedient so to do, destroy or otherwise dispose of dangerous goods without compensation to the owner thereof.
Goods not to be delivered without authority from Customs.	82. No goods shall be delivered to any consignee without the production by him of the necessary authority from the Customs.	Ship passes.	88. The person in charge of a vessel or boat licensed to carry passengers shall be responsible for all unclaimed property left therein, and he shall take such property forthwith to the Customs.
Tendering goods for export.	83. (1) Goods for export shall not be deposited in a port area without permission from the Director. (2) Any goods tendered or deposited in contravention of sub-regulation (1) are to be subject to a penalty of twenty five dollars per day or part thereof, until such goods are removed, and the Director may remove them at the risk and expense of the owner.	Labourers and visitors to wear identification.	89. Whoever, except with the permission of the Director, boards or leaves a ship while such ship is in motion or otherwise than by means of a gangway or efficient pilot ladder is guilty of an offence.
Defective packages.	84. The Director may decline to permit any goods to be landed in packages of a defective or leaky nature, until they have been repaired or the goods re-bagged or re-packed on board the carrying vessel to his satisfaction.	No conveyance of goods into or out of a port area without proper gate pass and Customs clearance.	90. Vessels will be provided with sufficient passes by the Director for crew members. No crew member will be permitted to leave or enter a port area without a pass; such passes must be returned to the Director one hour before the sailing time posted on board such vessel in order to ensure that all crew members are on board.
Acids, etc. landed in leaky condition.	85. (1) When acid, grease, oil, tar, pitch, paint or other similar substances are landed in a leaky condition, the Director may in his discretion repair the leaky or defective packages at the expense of the vessel, and may refill any package from which the original contents have leaked.		91. (1) The Director may require labourers and visitors within a port area to wear identification discs. (2) Labourers and visitors shall collect identification discs at the Authority's office and shall enter and leave the port area through the port gate provided for the purpose and while on port premises are subject to the Director's lawful orders. The Director may, if he so desires, have all persons and vehicles checked before entering and leaving port areas.
			92. (1) No person may load or cause to be loaded into any vehicle any parcel, package, or article of any kind, except upon possession, or production and delivery to a duly authorised person at a port gate of a passcheck authorising such person to remove such parcel, package or article. (2) No passcheck shall be issued until all such requirements have been complied with and all port dues, and other charges in respect thereof have been paid or secured.