



## ST. CHRISTOPHER AND NEVIS

### CHAPTER 7.10

## PUBLIC PIERS AND WHARVES ACT

### Revised Edition

showing the law as at 31 December 2002

This is a revised edition of the law, prepared by the Law Revision Commissioner under the authority of the Law Revision Act, No. 9 of 1986.

This edition contains a consolidation of the following laws—

### PUBLIC PIERS AND WHARVES ACT

**Act 5 of 1900** ... in force 6th June 1900

Amended by: S.R.O. 35/1965

S.R.O. 12/1972

S.R.O. 11/1974

Amended by: Act 7 of 1976

Amended by: S.R.O. 67/1976

Amended by: Act 9 of 1986

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**CHAPTER 7.10**  
**PUBLIC PIERS AND WHARVES ACT**

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**CHAPTER 7.10****PUBLIC PIERS AND WHARVES ACT**

AN ACT TO MAKE PROVISION FOR THE LEVYING AND COLLECTION OF WHARFAGE RATES ON GOODS, WARES, MERCHANDISE AND ANIMALS IMPORTED, EXPORTED, OR LANDED AT, OR SHIPPED FROM ANY PIER, WHARF OR SHIPPING PLACE WITHIN THE STATE; AND TO PROVIDE FOR RELATED OR INCIDENTAL MATTERS.

**Short title.**

1. This Act may be cited as the Public Piers and Wharves Act.

**Interpretation.**

2. In this Act—

“shipping place” means the shore or beach extending to a distance of one mile on each side of any pier or wharf within the State, or such other distance as may be fixed by resolution of the National Assembly;

“pier” or “wharf” means any pier or wharf in the State made subject to wharfage rates, under this Act, by Resolution of the National Assembly.

**Wharfage rates to be charged.**

3. (1) The rates as set forth in the First Schedule shall be charged, paid and collected on all goods, wares, merchandise and animals imported or exported, or landed at, or shipped from any pier, wharf or shipping place within the State save and except upon—

- (a) goods, wares, merchandise and animals going coastwise upon which wharfage dues have already been paid;
- (b) goods, wares, merchandise and animals exported or shipped as aforesaid which have been landed in the course of transshipment and upon which wharfage dues payable on the landing thereof have been paid within one year prior to shipment.

(2) Except as provided in subsection (1), no person shall import, export, land or ship, or attempt to import, export, land or ship any goods, wares, merchandise or animals without having paid into the Treasury the rates charged thereon.

**Application of wharfage rates.**

4. All moneys raised and collected under the provisions of this Act shall be paid into the Treasury for the public uses of the State:

Provided always that, from and after the coming into operation of this Act the cost of erecting and maintaining public piers and wharves shall be defrayed out of the general revenue of the State.

**Application of rules in the Second Schedule.**

5. The rules as set forth in the Second Schedule shall apply to all public piers, wharves and shipping places situated within the State for the regulation and use of the same, and for the government and control of the roadsteads thereof.

**Penalties.**

6. Any person who violates or refuses or neglects to comply with any provisions of this Act or of the rules set forth in the Second Schedule shall, on summary conviction, be liable to a penalty not exceeding one hundred and fifty dollars.

*(Amended by Acts 7 of 1976 and 9 of 1986)*

**Storing of goods in storehouses.**

7. All goods intended to be deposited in any storing house shall be stored in such parts thereof and in such manner as the officer on duty shall direct, and all such goods stored in any storing house as aforesaid shall be subject to the rentals as set forth in the Third Schedule.

**Piers, etc. under Government control.**

8. The piers, wharves, shipping places, roadsteads and storing houses situated within the State shall be under the control and direction of the Government.

**National Assembly to have power to amend and revise scale of rates and rules.**

9. The National Assembly may, by resolution, from time to time, as occasion may require, alter, amend, add to, revise or rescind the scale of wharfage rates as set forth in the First Schedule and also the Rules for the regulation and control of piers and roadsteads as set forth in the Second Schedule and the rentals set forth in the Third Schedule.

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**FIRST SCHEDULE**

*(Sections 3 and 9)*

**PIER DUES**

ITEM	ARTICLE		RATE \$
1.	ANIMALS:		
	Asses	each	20.00
	Cattle, Horses and Mules	”	25.00
	Goats, Sheep, Swine and Turtles	”	7.50
	Sucking calves and foals	”	10.00
2.	BAGS:		
	The contents of which do not exceed 100 lbs. in weight	”	5.00
	The contents of which exceed 100 lbs. but do not exceed 250 lbs. in weight	”	7.50
	The contents of which exceed 250 lbs. but do not exceed 400 lbs. in weight	”	10.00
3.	BARRELS, DRUMS, CASKS, DEMIJOHNS, HOGSHEADS OR OTHER CONTAINERS OF LIQUIDS:		
	of a capacity not exceeding 10 galls.	”	5.00
	of a capacity exceeding 10 galls. but not exceeding 36 galls.	”	7.50
	of a capacity exceeding 36 galls, but not exceeding 55 galls.	each	10.00
	of a capacity exceeding 55 galls.	”	10.00
	if empty	”	5.00
4.	BRICKS AND TILES:		
	Loose	per 1000	20.00
	Packed	per cu. ft.	7.50
5.	CASES:		
	containing salted, dried or smoked fish	per cu. ft.	5.00
6.	COAL, COKE AND PATENT FUEL	per ton	20.00
7.	COCONUTS:		
	In bags or in bulk, husked or unhusked	per 100	7.50
8.	FORKS, SPADES AND SHOVELS	per dozen	5.00
9.	FRUIT:		
	fresh or frozen when packed	per cu. ft.	7.50
10.	HARDWARE:		
	Not packed in barrels, boxes and crates	per 100 lbs.	5.00

ITEM	ARTICLE		RATE \$
11.	HIDES AND SKINS:		
	Packages—		
	containing not more than 25	each	7.50
	containing more than 25 but not more than 100	”	10.00
	containing more than 100	”	15.00
12.	HOGSHEADS:		
	containing sugar, ware and other articles not in liquid form	”	20.00
13.	MANURES AND FERTILIZERS	per bag	7.50
14.	ROPE AND CORDAGE	per 100 lbs.	5.00
15.	SALT:		
	Exported from the State	per ton	40.00
16.	SCRAP METAL	per ton	10.00
17.	SHINGLES AND STAVES	per 1000	10.00
18.	SHOOKS:		
	containing staves of the number sufficient to make 1 package of any size usual and proper for the export of produce when packed with or without heads	each	5.00
19.	SUGAR:		
	Exported from the State per ton (provided that in no case shall a less sum than 2¢ be payable)		30.00
20.	WOOD AND TIMBER:		
	Pitch Pine, White Pine, Spruce Pine Hemlock and all Hard Woods per 1000 Superficial feet 1 inch thick	each	20.00
	Spars	”	20.00
	Wood hoops	per bundle	5.00
21.	ALL OTHER PACKAGES:		
	Not in this Schedule particularly enumerated or specifically exempted	per cu. ft. or part thereof	7.50



## EXEMPTIONS

### **Articles.**

1. For use of Government.

### **Baggage.**

2. Personal of passengers, including only trunks and other similar packages.

### **3. Empty Packages.**

### **Household and Personal Effects.**

4. Of any person holding office in the public service of the State or any other of the Leeward Islands when imported into or exported from the State in the course of the transfer of such person on official duty from one State to another.

### **Machinery and Boilers.**

5. Which in the opinion of the Comptroller of Customs cannot properly be landed on the pier.

### **Megass.**

6. When exported as a gift to Her Majesty's Government in the United Kingdom.

### **Molasses.**

7. Shipped in bulk.

### **8. Plants.**

### **Poppies.**

9. When imported for sale for the benefit of Earl Haig's Fund for ex-servicemen.

### **Poultry.**

10. When not in crates.

### **Scrap Metal.**

11. When exported for war purposes or for sale the proceeds of which will be for the benefit of war purposes.

### **\*Telecommunications Apparatus.**

12. Imported for the use of Cable and Wireless (West Indies) Limited for their undertaking.

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\* Replaced by S.R.O. 67/1976; former Schedule A amended by S.R.O.s 27/1962 and 7/1963.

**SECOND SCHEDULE***(Section 5)***RULES FOR THE REGULATION AND CONTROL OF  
PIERS AND ROADSTEADS**

1. (1) The Comptroller of Customs shall control and direct the use of the several shipping places, piers, tractors, trailers, cranes and other Government equipment in such manner as may appear to him or her best adapted from time to time for the loading and unloading of cargo.

(2) The Chief of Police shall be responsible for the maintenance of order and the Comptroller of Customs shall ensure that the piers, tractors, trailers, cranes and other equipment are maintained in efficient working condition.

(3) No person shall by himself or herself, his or her servants or agents use on any pretence whatsoever any such tractor, trailer, crane or other Government equipment without the permission of the Comptroller of Customs or some other officer of the Customs Department designated by him or her for that purpose, and any person to whom such permission shall be granted shall pay to the Comptroller of Customs for the revenues of the State twenty dollars per hour or part thereof, for the use of each mobile crane and ten dollars per hour or part thereof for the use of each tractor:

*(Amended by S.R.O.s 11/1974 and 67/1976)*

Provided that the Comptroller of Customs may waive the payment of fees for the use of any crane or tractor at any time whenever required for the purpose of transporting from one island to any other island of the State any article being the growth or produce of the State.

*(Substituted by S.R.O. 12/1972)*

2. (1) No idler shall be allowed on any pier during such time as goods or passengers are being landed thereon or goods or passengers are being exported or embarking therefrom and no females of notoriously bad character shall be allowed on any pier at any other time.

(2) Beggars shall not at any time be permitted on any pier, and persons fishing shall not at any time be permitted on the piers at Basseterre or Charlestown.

3. Any flat, boat or canoe which may be at the steps loading or discharging cargo shall at once make way for any flat, boat or canoe approaching the steps for the purpose of landing or embarking any passenger and luggage, if any, and such flat, boat or canoe after landing such passenger shall at once make way for the flat, boat or canoe which made way for it.

4. (1) All passengers, on landing, shall pass from the steps to the platform of the piers or wharves, so soon as may be, and all luggage and goods landed, shall at once be ranged with the least obstruction possible on one side of the platform, from which they must be removed within a reasonable time.

(2) This rule applies conversely to passengers' luggage and goods going off in flats, boats or canoes.

5. On the arrival of any mail steamer and during the time the boat or boats of such steamer may be at the pier or wharf, and on such other occasions as may be deemed necessary by the Chief of Police, the piers or wharves shall be kept clear of all persons, excepting those who may have business with any persons landing or embarking at the time, and any officials whose presence may be necessary in the discharge of any public duty:

Provided that licensed boatmen and porters decently clothed, and wearing their badges as directed by law, shall have access to the piers and wharves subject to the permission of the police, and provided further that any person who shall fight, quarrel or make any disturbance shall at once be removed by the police.

6. No vessel shall make fast to any part of any pier or wharf without permission being first obtained, and no flat, boat or canoe shall be made fast in front of the steps on end of the pier or wharf except as prescribed in Rule 4.

7. All flats, boats or canoes which require to land their cargoes at any pier or wharf shall do so in accordance with their order of arrival, and if any flat, boat, or canoe from any cause is unable to continue discharging its cargo it shall at once give place to the next in order of arrival.

8. All goods landed from flats, boats or canoes shall be at once ranged in order on the pier or wharf at which they are landed with the least possible obstruction to the general traffic, and shall be removed without delay.

9. All articles to be shipped from any pier or wharf shall be ranged in order with the least obstruction possible on such pier, or in any adjoining street, and shall be shipped according to the order of arrival of the flats, boats or canoes into which they are to be put. Any flat, boat or canoe unable to continue taking cargo shall at once make room for the next in order of arrival.

10. A clear passage of not less than four feet shall at all times be kept in the centre of every pier from end to end.

11. No imported goods, wares or merchandise of any description except pitch pine, white pine, and spruce pine lumber or shingles, shall be landed or deposited on the beach or the open space lying between the two Basseterre piers and the public street, and any such lumber or shingles imported, and so landed or deposited, shall forthwith be removed, but hardwood, hogsheads, bricks, tiles, sugar pans, boilers and other bulky articles imported into the State, may remain on other portions of the public beach, or on the land adjoining thereto, not being a public street, for a period not exceeding six weeks.

12. No boats except those belonging to the Treasury, or under the care or custody of the officers of the Treasury, shall be hauled up, nor shall any articles be placed on the beach to the south of the Treasury buildings.

13. No ballast or rubbish shall be placed on the bay on the space between the streets by Adlam's and France's or Liverpool Row, nor any boats or vessels be hauled up on the said space except jobbing boats in daily use.

14. No wheeled vehicle of any kind shall be used or allowed on the piers, or under the covered way of the Treasury, without the permission of the officer in charge.

15. The piers and the approaches thereto shall be kept clear of all obstructions, and all articles landed on the piers shall be at once removed.

16. All machinery and other heavy articles, including hogs-heads and puncheons, landed on or shipped from the piers, shall be moved on the tramway truck and in no other manner.

17. No decked or other heavy boat shall remain alongside the piers except while actually loading, unloading, landing or embarking passengers and their luggage, and when so engaged shall be removed to a sufficient distance so as not to obstruct the piers.

18. In cases of dispute arising under the above rules reference shall be made to the Chief of Police or to any officer of the Treasury.

### THIRD SCHEDULE

*(Sections 7 and 9)*

#### STORING HOUSE RENTALS

(a)	For each and every hogshead of sugar not exceeding 42 in truss, the sum of.....	8	00	per week
(b)	For each and every tierce of sugar, the sum of.....	6	00	”
(c)	For each and every puncheon of molasses or rum.....	6	00	”
(d)	For each and every hogshead of molasses or rum.....	4	00	”
(e)	For each and every bag or barrel of sugar or barrel of molasses, the sum of .....	2	00	”

and other packages of other goods in like proportion.

Any fractional portion of a week shall be counted as a week, to be computed from and inclusive of the fourth day of storage.