

L.N. 41 of 1960

PORTS ORDINANCE, 1954

(No. 27 of 1954)

Nigerian Ports Authority (Dues and Rates) (Amendment No. 2)
Regulations, 1960

Commencement : 15th April, 1960

The Nigerian Ports Authority in exercise of the powers and authority vested in them by section 82 of the Ports Ordinance, 1954 and of every other power in that behalf vested in them do make the following Regulations—

1. These Regulations may be cited as the Nigerian Ports Authority (Dues and Rates) (Amendment No. 2) Regulations, 1960, and shall come into operation on the 15th day of April, 1960, except that Regulation 2 shall come into operation on the 1st day of May, 1960.

Citation and commencement.

2. The First Schedule to the Nigerian Ports Authority (Dues and Rates) Regulations, 1956, as amended by the Nigerian Ports Authority (Dues and Rates) (Amendment) Regulations, 1956; by the Nigerian Ports Authority (Dues and Rates) (Amendment) Regulations, 1957; by the Nigerian Ports Authority (Dues and Rates) (Amendment No. 2) Regulations, 1957; by the Nigerian Ports Authority (Dues and Rates) (Amendment) Regulations, 1958 and by the Nigerian Ports Authority (Dues and Rates) (Amendment) Regulations, 1960 (hereinafter referred to as the principal Regulations) is hereby deleted and the following new First Schedule substituted :

Amendment of the First Schedule to the principal Regulations. (L.N. 6 of 1956; L.N. 20 of 1956; L.N. 26 of 1957; L.N. 122 of 1957; L.N. 199 of 1958 and L.N. 44 of 1960)

"FIRST SCHEDULE

HARBOUR DUES—PART I

PASSENGERS :

	£	s	d
Harbour Dues will be paid on all passengers landing from or embarking upon a ship entering from or leaving by sea			
Deck passengers (each)	0	1	0
All other passengers (each)	0	10	0

PART II

ANIMALS :

Harbour Dues will be paid on all animals and livestock unshipped from or shipped by a ship entering from or leaving by sea—per head	0	3	4
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PART III

CARGO :

Harbour Dues will be paid on all cargo

(1) Unshipped in the port from a ship entering by or from sea :—

(a) Ports of Lagos and Port Harcourt—

(i) Coal mined in Nigeria per ton weight	0	3	4
(ii) All other cargo, per ton weight or measurement according to whether freight is chargeable on weight or measurement	0	6	8

(b) Ports other than Lagos and Port Harcourt—

(i) Coal mined in Nigeria per ton weight	0	1	8
(ii) All other cargo, per ton weight or measurement according to whether freight is chargeable on weight or measurement	0	3	4

(2) Shipped in a port by a ship leaving by or for sea :—	£	s	d
(a) Ports of Lagos and Port Harcourt—			
(i) Coal mined in Nigeria per ton weight ..	0	3	4
(ii) All other cargo, per ton weight or measurement according to whether freight is chargeable on weight or measurement	0	6	8
(b) Ports other than Lagos and Port Harcourt—			
All cargo, per ton weight or measurement, according to whether freight is chargeable on weight or measurement	0	3	4
(3) Reshipped in the port by a ship leaving by or for sea :—			
(a) Ports of Lagos and Port Harcourt—			
All cargo, per ton weight or measurement according to whether freight is chargeable on weight or measurement	0	6	8
(b) Ports other than Lagos and Port Harcourt—			
All cargo, per ton weight or measurement according to whether freight is chargeable on weight or measurement	0	3	4
(4) Transhipped in a port :—			
(a) Ports of Lagos and Port Harcourt—			
(i) From a ship entering by or from sea—			
per ton weight or measurement	0	3	4
(ii) By a ship leaving by or for sea—			
per ton weight or measurement	0	3	4
(b) Ports other than Lagos and Port Harcourt—			
(i) From a ship entering by or from sea—			
per ton weight or measurement	0	1	8
(ii) By a ship leaving by or for sea—			
per ton weight or measurement	0	1	8
(5) Shipped in a port for a place outside Nigeria, either by sea or by inland waters :—			
Motor spirit, kerosene, gas oil or automotive gas oil which has been unshipped in the port in bulk—per ton weight or measurement	0	3	4

EXEMPTIONS FROM HARBOUR DUES

- The following are exempt from the payment of Harbour Dues—
 - passengers' baggage which has been passed as such by the Board of Customs and Excise ;
 - persons visiting the port from ships, or *vice versa*, and returning within 24 hours.
- The following are exempt from the payment of Harbour Dues on leaving a port—
 - coal shipped as bunker coal for ships' own use ;
 - fuel oil shipped as bunker fuel oil for ships' own use ;
 - ships stores shipped for ships' own use ;
 - motor spirit, kerosene, gas oil and automotive gas oil which has been unshipped at the port in bulk and is subsequently shipped in bulk or otherwise from the port to elsewhere within Nigeria.

CONDITIONS APPLYING TO HARBOUR DUES

1. The gross weight or measurement of packages is to be taken in ascertaining Harbour Dues.

The term "ton" shall mean—

(a) where charges are assessed by weight—20 cwt. or 1016 kilos.

(b) where charges are assessed by measurement—40 cubic feet (50 cubic feet in the case of timber).

Any fraction of a hundredweight which is less than fifty-six pounds shall be disregarded and any fraction of a hundredweight which is or exceeds fifty-six pounds shall be assessed for dues as if such fraction were a full hundredweight. Fractions of an inch shall be reckoned as an inch.

2. A refund of Harbour Dues will not be allowed after 12 months from the date of the relative vessel's report inwards or outwards as the case may be except with the approval of the Authority".

3. The Second Schedule to the principal Regulations shall be read and have effect as if—

(1) in paragraph (1) under "Light and Buoyage Dues"—

(a) sub-paragraphs (a), (b) and (c) were omitted and there were substituted the following new paragraph :

"On the first entry of every ship into a port in Nigeria
including any re-entry into Nigerian Ports on the
same voyage—per ton of N.R.T. £ s d
0 1 8

(b) the four Conditions under "Conditions Applying to Light and Buoyage Dues" were omitted and there were substituted the following two new Conditions :

"1. No ship shall be required to pay Light and Buoyage Dues at a higher rate than one shilling and eight pence in all per ton on the N.R.T. of the ship.

2. Ships having their headquarters at a port in Nigeria and employed in trading only between ports lying between Latitudes 15°N and 15°S in Tropical West Africa shall pay dues at the rate of 5s per ton of the N.R.T. once in every twelve months only."

(2) in paragraph (2) under "Anchorage Dues" all the words and rate appearing immediately thereunder were omitted and there were substituted the following new paragraph and rate :

"On every ship remaining in a port for a longer period than 30 days after the date of entry—
for each day or part of a day beyond 30 days—per ton of the N.R.T. £ s d
0 1 8

(3) the whole of paragraph (3) including the heading "Mooring Buoy Dues" and the only Condition applying to Mooring Buoy Dues were omitted and there were substituted the following new paragraph :

"(3) Mooring Dues

For every ship making fast in a port to a mooring of the Authority—

for every 48 hours or part thereof during which the ship remains secured to a mooring—per ton of the N.R.T. 0 0 1½

Amendment
of Second
Schedule to
the principal
Regulations.

(4) in paragraph (4) under "Berthing Dues"—

(a) the two sub-paragraphs (a) and (b) were omitted and there were substituted the following new paragraph:

"For every ship exceeding 500 tons N.R.T. that shall make fast alongside or cast off from a wharf in a port where boats and/or boat crews are provided by the Authority to run and secure lines, or for every ship making fast to a mooring which, in so doing or in casting off therefrom, shall utilise the Authority's boats and/or boats' crews—

per ship per attendance 6 0 0

(b) the two conditions applying to Berthing Dues were omitted and there were substituted the following new condition:

"Berthing dues are payable even though the services of the Authority's boats and crews are not utilised."

(5) in paragraph (5) under "Berthage Dues"—

(a) the two sub-paragraphs (a) and (b) were omitted and there were substituted the following new paragraph:

"For every ship lying alongside a wharf of the Authority for any purpose—

for the first 24 hours or part thereof—per ton of N.R.T. 0 0 3

for each succeeding period of 12 hours or part thereof—per ton of N.R.T. 0 0 1½

(b) condition 2 of the Conditions Applying to Berthage Dues were omitted.

(6) the whole of paragraph (6) including the heading "Pilotage Dues for Pilotage by an Authority Pilot within a Pilotage District" were omitted and there were substituted the following new paragraph:

"(6) PILOTAGE DUES:

for pilotage by an Authority pilot within a Pilotage District—

(a) For every ship piloted inwards or outwards per foot of draught or part thereof over six inches up to sixteen feet... .. . 0 17 6

In addition, where the draught exceeds sixteen feet, per foot of draught or part thereof exceeding six inches over sixteen feet 0 1 9

(b) For every ship changing her berth, per foot of draught or part thereof over six inches up to sixteen feet .. 0 8 9

In addition, where the draught exceeds sixteen feet, per foot of draught or part thereof exceeding six inches over sixteen feet.. .. . 0 0 10½

(c) For every hour or part of an hour during which the services of an Authority Pilot are ordered but not used, after the expiry of the first hour from time of ordering.. 12 0 0

4. The Third Schedule to the principal Regulations shall be read and have effect as if—

(1) the whole of Part I were omitted and there were substituted the following new Part:

"PART I—SHOREHANDLING RATES

	£	s	d
(1) Imports handled at wharves belonging to the Authority—			
(a) Animals—per head	0	5	0
(b) Passengers' baggage not carried by the passenger—per package or article	0	1	3
(c) Salt, flour, milk, sugar and stockfish—per ton weight or measurement	0	15	0
(d) All other goods not specifically enumerated—per ton weight or measurement	0	17	0
(2) Exports handled at wharves belonging to the Authority—			
(a) Animals—per head	0	5	0
(b) Passengers' baggage not carried by the passenger—per package or article	0	1	3
(c) All other goods not specifically enumerated—per ton weight or measurement	0	15	0
(3) Goods transhipped or reshipped at a wharf belonging to the Authority—			
(a) Goods received from any place outside Nigeria for transhipment, or from any place in Nigeria for transhipment out of Nigeria, which are transhipped at the same wharf, a comprehensive in and out charge, per ton weight or measurement—			
(i) Salt, flour, milk, sugar and stockfish	0	18	0
(ii) All other goods not specifically enumerated	1	4	6
(b) Goods landed at a wharf for immediate reshipment in the course of adjusting a ship's cargo, or transhipped direct from one ship to another while both are lying alongside a wharf, per ton weight or measurement—			
(i) Salt, flour, milk, sugar and stockfish	0	6	0
(ii) All other goods not specifically enumerated	0	8	6
(c) Goods landed in error or over-carried from another port and subsequently shipped, or goods reshipped otherwise than in 3 (b), a comprehensive in and out charge per ton weight or measurement—			
(i) Salt, flour, milk, sugar and stockfish	0	18	0
(ii) All other goods not specifically enumerated	1	4	6

CONDITIONS APPLYING TO SHOREHANDLING RATES

1. The Shorehandling Rates include Wharfage, and cover the following services—

(a) Imports—Receiving cargo from ship or lighter berthed alongside the Authority's quays, stacking to prime marks and delivery.

(b) Exports—Receiving cargo in the quay area and tendering to ship or lighter berthed alongside the Authority's quays. Where cargo for shipment cannot be stored in the shed adjacent to the loading berth haulage/transferring may be charged in addition.

2. The minimum charge payable in respect of any consignment is five shillings.

3. The minimum charge payable in respect of an uncrated motor vehicle (4 wheels or more) is one pound ten shillings.

4. Where services of an abnormal or special nature are required to be performed, additional rates may be levied to cover the reasonable cost of the services provided.

5. (a) The following additional rates shall be levied in respect of general cargo for additional sorting to subsidiary marks and/or numbers—

per package, during ordinary working hours	0	0	7
per package, during overtime hours	0	0	8

(b) The charges specified in paragraph (a) of this Condition do not include sorting of ceiling, flooring, shelving boards or scantlings which work is charged under Condition 4.

(c) In this Condition additional sorting to subsidiary mark includes the alteration of any letter or number of the distinctive mark, or the addition thereto of any letter number or other symbol outside or inside the distinctive mark.

6. The gross weight or measurement of packages is to be taken in ascertaining the shorehandling rates.

The term "ton" shall mean—

(a) where charges are assessed by weight, 20 cwt or 1016 kilos ;

(b) where charges are assessed by measurement, 40 cubic feet (50 cubic feet in the case of timber).

Any fraction of a hundredweight which is less than fifty-six pounds shall be disregarded and any fraction of a hundredweight which is or exceeds fifty-six pounds shall be assessed for rates as if such fraction were a full hundredweight. Fractions of an inch shall be reckoned as one inch.

7. For all goods not specifically enumerated in this Part of this Schedule shorehandling rates will be charged at the rate for goods specified therein which are as nearly as may be of like nature and value thereto, or, alternatively, at the discretion of the Authority, at the rate fixed for "All other goods not specifically enumerated."

8. A rate of two shillings and six pence per package is payable in respect of goods transferred to the Government Warehouse.

9. If goods transhipped or overlanded are subjected to manipulation normal rates as on import and export shall be payable.

10. The shorehandling rates prescribed in this Part of this Schedule apply to handling during normal working hours. Where overtime is worked an additional charge shall be levied."

(2) the whole Part II (including the Conditions) were omitted and there were substituted the following new Part :

"PART II—WHARFAGE RATES

Goods passing over a wharf belonging to the Authority in circumstances where shorehandling rates are not payable under Part I of this Schedule, a wharfage rate of 2s per ton or part thereof is payable."

(3) in Part III under the Conditions Applying to Storage Rates—

(a) the figures and words "1016 kilos" were substituted for the figures and words "1000 kilos" appearing in condition 1 ;

(b) the words "tin, columbite and other like minerals" were substituted for the words "tin and columbite" appearing in condition 2 in the paragraph commencing with the words "Exports—Apapa, Port Harcourt and Customs Wharf, Lagos—"

(c) condition 3 were omitted and there were substituted the following new condition :

"3. Goods detained by the Board of Customs and Excise beyond the free storage period may at the discretion of the Authority be relieved of storage rates until released by that Board where the Chief Collector certifies that the detention is in no way attributable to the importer or his agent."

(d) in condition 5, the word "reshipment" were omitted.

(e) condition 9 were omitted and there were substituted the following new condition :

"9. Notwithstanding the rates which the Authority may levy under this Part of this Schedule, the Authority may by a written notice given by one of its officers to the owner or consignee of any goods, require the goods to be removed from any place within a period of 24 hours after receipt of the notice if such notice be delivered by hand or within a period of 6 days from the date on which the notice is registered, where such notice is given by registered post. If the goods are not so removed, the Authority or its officers shall be entitled to remove the goods and to detain them until payment is made of the expenses of and in connection with such removal and detention and of any rates or other sum due thereon, and to sell the goods if such expenses and rates or other sums are not paid."

£ s d

(4) in Part V under CRANE RATES—

(a) paragraphs (1) and (2) were omitted and there were substituted the following new paragraph :

"For the hire of the Authority's cranes within the port area—

Portal crane of 25 ton capacity

per lift .. .. .	.. .. .	.. .. .	.. .. .	.. .. .	.. .. .	.. .. .	0	11	0
per hour .. .. .	.. .. .	.. .. .	.. .. .	.. .. .	.. .. .	.. .. .	1	13	0

(the rate payable is the rate per lift or per hour whichever is the greater)

Portal crane of 1½, 2, 3, or 5 ton capacity

For the first hour or part thereof .. .. .	.. .. .	.. .. .	1	5	0
Thereafter, per hour or part thereof .. .. .	.. .. .	.. .. .	1	0	0

Mobile crane

For the first hour or part thereof .. .. .	.. .. .	.. .. .	1	5	0
Thereafter, per hour or part thereof .. .. .	.. .. .	.. .. .	1	0	0

Floating crane

Each lift up to 10 tons, per ton	1	13	0
Each lift over 10 tons and up to 30 tons, per ton. ..	1	18	6
Each lift over 30 tons and up to 50 tons, per ton ..	2	4	0
(with a minimum charge of £8-5s-0d)."			

(b) condition 2 of the Conditions Applying to Crane Rates were omitted and there were substituted the following new condition :

"2. Crane rates will not be charged in respect of a crane allocated for delivering or receiving cargo within the wharf area, except that where the 25 ton Portal crane is used for lifts of 5 tons or over, appropriate rates will be charged in addition to shorehandling charges."

(c) in condition 4 of the Conditions Applying to Crane Rates, wherever the amounts of "£7-0s-0d" and "£14-0s-0s" appear there were substituted respectively the amounts of "£7-14s-0d" and "£15-8s-0d."

(5) the whole of Part VI were omitted and there were substituted the following new Part :

£ s d

"PART VI—TOWAGE RATES

For the services of a tug of the Authority

- (a) (i) towing a ship (maximum 6 nautical miles)
across the bar inwards to any berth mooring or anchorage, or outwards *vice versa*, per tow. .. 60 0 0
- (ii) for a tow of over 6 nautical miles,
special rates will be quoted.
- (b) moving or attending a ship inwards to any berth mooring or anchorage, or outwards *vice versa*, but not across the bar...per move .. 50 0 0
- (c) attending at any other moves within the port per move 30 0 0
- (d) assisting a ship anchored in the port limits to turn round, in order to proceed direct to sea, but not across the bar....per attendance 30 0 0
- All above rates are for one tug. If additional tugs are used....per tug 30 0 0
- (e) For every half-hour or part thereof during which a tug ordered for a certain time is delayed owing to the ship not being ready 6 12 0

CONDITIONS APPLYING TO TOWAGE RATES

- The towage rates prescribed in this Part relate to towage during normal working hours ; on a Sunday or Public Holiday or before or after normal working hours, an additional rate is payable as follows :
For the first half-hour or part thereof 7 10 0
For every subsequent half-hour or part thereof .. 3 5 0
- When a tug is ordered to move a ship which is unable to move under her own power, owing to dismantling of engines or other cause, such special rate of towage may be charged as the Authority may think fit having regard to the special circumstances of the case."

(6) the heading "Other Services" appearing under Part VIII were omitted and there were substituted a new heading "Part IX—OTHER SERVICES."

5. The Nigerian Ports Authority (Dues and Rates) (Amendment) Regulations, 1956 are hereby revoked.

Renovation
of L. N. 20
of 1956

The Common Seal of the Nigerian Ports Authority was hereunto affixed this 21st day of March One thousand ninehundred and sixty, by order of the said Authority in the presence of:—

C. A. DOVE,
Chairman

A. R. CORDON,
Secretary

APPROVED this 23rd day of March, 1960.

R. A. NJOKU,
Minister of Transport

EXPLANATORY NOTE

These Regulations make certain charges in the dues and rates levied by the Nigerian Ports Authority.

L.N. 42 of 1960

WEIGHTS AND MEASURES (AMENDMENT) ORDINANCE, 1958 (No. 38 OF 1958)

Appointed Day Notice

In exercise of the powers conferred by section 1 of the Weights and Measures (Amendment) Ordinance, 1958, the 1st day of April, 1960, has been appointed as the date upon which the said Ordinance shall come into operation.

DATED the seventeenth day of March, 1960.

M. B. HALL,
Acting Secretary to the Governor-General

I.0980/Vol. III/522

L.N. 43 of 1960

CENTRAL BANK OF NIGERIA ORDINANCE, 1958 (No. 24 OF 1958)

Appointed Day (Certain Provision) Notice, 1960

In exercise of the powers conferred by section 1 of the Central Bank of Nigeria Ordinance, 1958, the Governor-General, after consultation with the Council of Ministers, has appointed the 1st April, 1960, as the day on which section 31 of that Ordinance shall come into operation.

2. This notice is supplemental to Legal Notices No. 150 of 1958, and Nos. 37, 110 and 111 of 1959.

DATED at Lagos this 26th day of March, 1960.

MAURICE JENKINS,
*Acting Deputy Secretary
to the Council of Ministers*

L.N. 44 of 1960

PORTS ORDINANCE, 1954
(No. 27 OF 1954)

**Nigerian Ports Authority (Dues and Rates)
(Amendment) Regulations, 1960**

Commencement : 31st March, 1960

In exercise of the powers conferred upon the Nigerian Ports Authority by section 82 of the Ports Ordinance, 1954, the following Regulations are hereby made with the approval of the Minister of Transport.

Citation.

1. These regulations may be cited as the Nigerian Ports Authority (Dues and Rates) (Amendment) Regulations, 1960.

Amendment
of Regula-
tion 2 of
L.N. 6 of
1956.

2. For the expression "Akassa, Bonny, Forcados and Koko" in the second line of the definition of "Port" in Regulation 2 of the Nigerian Ports Authority (Dues and Rates) Regulations, 1956, (hereinafter referred to as the principal regulations), substitute the expression—

"Akassa and Forcados".

Amendment
of Regula-
tions 3 and
4.

3. Regulations 3 and 4 of the principal Regulations are hereby amended as follows—

(a) for the full stop at the end of each of the regulations substitute a comma, and

(b) immediately after the comma add, in each case, the expression "and for the purposes of this regulation, references in that Schedule to a port shall be deemed to include the approaches thereto".

The Common Seal of the Nigerian Ports Authority is hereunto affixed this 21st day of March, 1960, by the order of the said Authority in the presence of:—

C. A. DOVE,
Chairman

A. R. CORDON,
Secretary

APPROVED this 25th day of March, 1960.

R. AMANZE NJOKU,
Minister of Transport

EXPLANATORY NOTE

The amendment regulations provide in effect for the inclusion of Bonny and Koko ports in the definition of the word "port" in the principal regulations, both ports having been declared Federal ports. Regulations 3 and 4 are also amended so as to bring the principal regulations in line with the Ports (Amendment) Ordinance, 1959.

T0160/S. 18