



CHAPTER 140.

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CHAPTER 140.

PORT OF FREETOWN.

20 of 1953.

An Ordinance to provide for the management and regulation of the Port of Freetown.

[1ST MAY, 1954.]

PART I.—PRELIMINARY.

Short title.

1. This Ordinance may be cited as the Port of Freetown Ordinance.

Interpretation.

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

“General Manager” means the General Manager for the time being of the Sierra Leone Government Railway;

“goods” means goods, luggage, or other moveable property of any description and includes animals and birds, whether alive or dead;

“perishable goods” means goods liable to rapid deterioration, and includes fish, fruit, vegetables, potatoes, plants, bread, meat, game, butter, eggs, milk, cheese, dogs, small animals, birds, poultry and any other thing which may hereafter be declared by notice in the *Gazette* to be perishable goods;

“Port” means the Port of Freetown as defined by or under section 3 and includes all structures, buildings, and erections therein or thereon;

“Port Authority” means the Freetown Port Authority;

“Port Manager” means the officer appointed by the Governor under section 5 to take charge, under the Port Authority, of the Port and the organisation, management and working thereof;

“servant” means any person employed by the Port Authority;

“ship” includes any vessel, ship, tug, lighter or boat of any kind whatsoever, whether propelled by steam or otherwise or towed.

3. Except in so far as the Governor in Council may from time to time by order otherwise direct, the extent and boundaries of the Port of Freetown for the purposes of this Ordinance shall be as defined in the Schedule. Extent of Port.

4. The General Manager shall, subject to the orders and directions of the Governor, have the control and management of the Port and for the purposes of this Ordinance shall be designated the Freetown Port Authority: The Port Authority.

Provided that nothing in this Ordinance contained shall be construed as taking away from the Harbour-master any of the powers vested in him or any of the duties imposed upon him by the Ports and Inland Waters Ordinance. Harbour-master.
Cap. 138.

5. The Governor may appoint a Port Manager and such other officers to assist him in the management and the operation of the Port as the Governor in Council may consider necessary or desirable. Port Manager and his staff.

6. All acts, orders, or directions by this Ordinance or by any regulations authorised to be done or given by the Port Authority shall be deemed to have been done or given by the Port Authority if they are done or given by the Port Manager or other officer at the Port duly authorised by him in that behalf. Acts, etc.
done on
behalf of Port
Authority.

PART II.—DELEGATION OF POWERS.

7. The Governor in Council shall have power as follows— Powers.

(a) In so far as is not inconsistent with the provisions of any law, to acquire, take, use, hire, purchase, work, sell, lease, deliver, transfer or otherwise lawfully dispose of property, whether moveable or immoveable, including water, ships, and other rights for Port purposes and turn the same to account;

(b) To construct, maintain and repair any Port works or any roads, bridges, or any other works whatever, or to negotiate with any person for such construction and to complete agreements concerning the same:

Provided that no quay or similar work shall be constructed without the sanction of the House of Representatives, and

that no such sanction shall be given without a prior report thereon by the Port Authority;

(c) To enter into agreements with any person whether in Sierra Leone or elsewhere in connection with matters affecting or incidental to the control, working and management of the Port, including contracts for the supply of water or electric energy to ships or persons, and to grant powers of attorney and like authorities;

(d) To construct, provide, lay down and repair moorings and all means and appliances for berthing, loading and unloading vessels;

(e) To construct, provide, maintain and repair, and moor vessels for the storage and working of coal and other goods;

(f) To supply water to shipping in the Port, and for that purpose to construct, procure, maintain and repair, and use ships or appliances;

(g) To carry on the business of a lighterman and carrier by land and sea, and to construct, procure, maintain and repair ships and carts, wagons, and other means of conveyance necessary for such purpose;

(h) To control, manage and superintend all quays, wharves, jetties, or other similar works within his jurisdiction, the persons working or otherwise engaged therein or thereon, the ships, goods and persons arriving at or departing from the same, and if deemed necessary, to limit the right to land, warehouse, deliver or ship any goods within the Port;

(i) To stevedore, land, ship, transfer or lighter goods, regulate and control lighterage within the Port, and to warehouse, deliver and collect any such goods, and to land or ship persons, either himself or by his duly constituted agents;

(j) To establish and maintain life-saving apparatus, and such other works, institutions, or appliances as the Governor in Council may deem to be necessary for the requirements of the Port;

(k) To fix, demand and alter from time to time the charges in respect of wharfage, cranage, portorage, rent, warehousing, storage, depositing of goods at or within any wharf, quay or jetty, land, building or place, and fees for berthing, mooring, landing and embarking passengers, or other services at the Port;

(l) To delegate to the Port Authority by Order any of the powers conferred upon the Governor in Council by this Ordinance;

(m) Generally, to execute and do all such acts, deeds and things as may be necessary for the control, working and management of the Port.

8. (1) The Governor in Council may make regulations for the maintenance, control, operation and management of the Port and for the maintenance of good order therein, and in particular, but without derogation from the generality of his powers, may make regulations for all or any of the following purposes— Regulations.

(a) The erection of buildings or other structures, within the limits of the Port, or the planting therein of posts or poles that may interfere with the proper working of the port or the signals or beacons thereat;

(b) The regulation of the stevedoring, landing, portorage, shipping, trans-shipping, delivery, collection and warehousing of goods at the Port, the fixing of minimum hours of work in ships loading or discharging cargo and the minimum tonnage to be loaded or discharged in a working day, and the declaration of the tonnage and valuation of goods imported or exported and the necessary declarations and statements in support thereof;

(c) The landing and embarkation of passengers;

(d) The declaration and definition of the wharves, quays, jetties or landing places on which goods, or passengers shall be landed from vessels or shipped or embarked on board vessels, and the regulation of the use thereof and the use of sheds, warehouses, railways, and other parts of the Port;

(e) The regulation within the Port of the lighterage of cargo between ships, or between ships and the land;

(f) The prevention of damage or injury to the Port or any part thereof or to any vessel or goods within the Port;

(g) The prescription of the duties of persons engaged in or supervising, unshipping, landing and transport of explosives or dangerous cargo;

(h) The regulation and licensing of porters and carriers and any other labourers working the Port;

(i) The fees to be paid for any registration or licences provided for, or in respect of, any other matter or thing prescribed or to be prescribed;

(j) The exclusion and removal from the Port of disorderly or other undesirable persons and of trespassers;

(k) The prohibition of smoking in or on wharves, jetties, quays, buildings, or rolling stock;