

Port of Singapore Authority (Amendment) Bill

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Bill No: 57/1970

Read the first time: 30th December 1970

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Expenditure of Public Money

Port of Singapore Authority (Amendment) Bill

Bill No. 57/1970

Read the first time on 30th December 1970.

An Act to amend the Port of Singapore Authority Ordinance, 1963 (No. 36 of 1963).

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows: —

Short title and commencement

1. This Act may be cited as the Port of Singapore Authority (Amendment) Act, 1970, and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

Repeal and re-enactment of section 58

2. Section 58 of the Port of Singapore Authority Ordinance, 1963 (hereinafter in this Act referred to as “the Ordinance”) is hereby repealed and the following substituted therefore: —

“Power to sell goods remaining in custody

58.—(1) Without prejudice to the provisions of section 57 of this Ordinance, if any goods which have been placed in or on the premises of the Authority, other than goods accepted for storage by the Authority under section 96 of this Ordinance, are not removed therefrom within twenty-one days or, in the case of goods for which a through bill of lading has been issued from the time when the goods were placed in or on such premises within forty-two days, the Authority may, at the expiration of the said period of twenty-one days or forty-two days, as the case may be, dispose of all or any such goods in such manner as it thinks fit:

Provided that if the goods are of a perishable nature the Authority may direct their removal within such shorter period, not being less than twenty-four hours after the landing thereof as the Authority thinks fit, and if not removed, the

Authority may dispose of such goods in such manner as it thinks fit.

(2) The proceeds of sale shall be applied by the Authority in the following manner: —

- (a) firstly, in payment of any duty payable to the Government;
- (b) secondly, in payment of the expenses of the sale;
- (c) thirdly, in payment of the rates, charges and expenses due to the Authority in respect of the goods; and
- (d) fourthly, in payment of freight and other claims or liens of which notice under the Merchant Shipping Ordinance (Cap. 207) has been given,

and by rendering the surplus, if any, to the person entitled thereto on demand, and, in case no such demand is made within one year from the date of the sale of the goods, by paying the surplus to the account of the Authority, whereupon all rights to the same by such person shall be extinguished.”.

Amendment of section 62

3. Section 62 of the Ordinance is hereby amended —

- (a) by deleting the word “and” appearing at the end of paragraph (o) of subsection (1) thereof;
- (b) by deleting the full-stop appearing at the end of paragraph (p) of subsection (1) thereof and substituting therefor a semi-colon;
- (c) by inserting immediately thereafter the following new paragraphs: —

- “(q) regulating the towage of or other assistance to vessels and the terms and conditions of such towage or assistance;
- (r) prescribing the terms and conditions for the sale and supply of water in the port and prohibiting such sale and supply except through the Authority or by agreement with the Authority;
- (s) regulating and controlling the use of harbour craft and providing for the licensing thereof; and
- (t) excluding or limiting the liability of the Authority in respect of anything done pursuant to any regulations made under this Ordinance.”; and

- (d) by deleting the words “two thousand” and “five hundred” appearing in subsection (4) thereof and substituting therefor the words “five thousand” and “one thousand” respectively.

New Part VIIIA

4. The Ordinance is hereby amended by inserting immediately after section 70 thereof the following new Part: —

“PART VIIIA

REMOVAL OF VESSELS SUNK AND OTHER OBSTRUCTIONS

Power to raise and remove vessel or aircraft sunk

70A.—(1) If in the opinion of the Authority any vessel or aircraft sunk, stranded or abandoned in the port or in any approach to the port or near any such approach is, or is likely to become, an obstruction, impediment or danger to navigation or to the safe and convenient use or operation of the port, the Authority may —

- (a) take possession of and raise, remove or destroy the whole or any part of such vessel or aircraft;
- (b) light, mark or buoy such vessel or aircraft until the raising, removal or destruction thereof; and
- (c) sell, in such manner as it thinks fit, any such vessel or aircraft together with its cargo or anything else associated with it and out of the proceeds of sale reimburse itself for the whole of the expenses incurred by it in the exercise of its powers under this section, and shall on demand pay the surplus, if any, of the proceeds of such sale to the owner.

(2) If the proceeds of sale under subsection (1) of this section are insufficient to reimburse the Authority for the whole expenses incurred by it, the Authority may recover the balance from the owner of the vessel or aircraft as a debt in any court of competent jurisdiction.

(3) For the purposes of this section “owner” includes not only the owner of the vessel or aircraft at the time of the sinking, stranding or abandonment thereof but also any purchaser of any such vessel or aircraft so long as the same remains sunk, stranded or abandoned.