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THE BOAT TRAFFIC ORDINANCE, 1921.

Western Samoa.

No. 13, 1921.

No 4
1932



An Ordinance

made by the Administrator of the Territory of Western Samoa with the advice and consent of the Legislative Council of that Territory, and in pursuance of the Samoa Constitution Order, 1920.

1. This Ordinance may be cited as "The Boat Traffic Ordinance, 1921."
2. In this Ordinance the term "Passenger Boat" means and includes any rowing boat licensed under any regulation or Ordinance now or hereafter in force, and any motor launch if such motor launch is plying or available for the transport of passengers for profit to or from vessels in Apia harbour.

3. Every license for a passenger boat issued under any Ordinance providing for the licensing of vessels shall show—

- (a) The name of the owner of such boat.
- (b) The number of such boat, or if such boat is a launch, the name of such launch.
- (c) The station at which such boat may be found when not in use, and
- (d) The number of persons, including crew, that may be carried in the same.

4. The owner of every passenger boat shall cause to be displayed prominently at all times on such boat, in manner directed by the Collector of Customs, the particulars contained in the last preceding clause.

5. If any passenger boat shall carry more than the licensed number of persons, the person in charge of such boat at the time shall be guilty of an offence.

6. The owner or person in charge of any passenger boat shall on the tender of the prescribed fare forthwith convey to his or their destination any passenger or passengers offering, not exceeding, with the crew, the number for which such boat is licensed, unless prevented by stress of weather or other sufficient cause.

7. (1) The Collector of Customs shall display in a prominent place near the Customs Wharf a scale of fares for passenger boats, prescribed by him.

(2) Any owner of or person in charge of a passenger boat who charges or attempts to charge a fare higher than the prescribed fare shall be guilty of an offence.

8. No person in charge of a passenger boat shall allow such boat to be left without a crew on board sufficient, in the opinion of the Harbourmaster, to control or remove such boat,

9. Any person behaving in any scandalous and offensive manner to the annoyance of passengers in any passenger boat commits an offence under this Ordinance.

10. Unless with the permission in writing first obtained from the Harbourmaster, no person in charge of a passenger boat shall permit such boat, while carrying passengers, to cross the line of reef, but shall cause such boat to follow the course directed by the Harbourmaster.

11. Any Officer of Customs or Police, or the Harbourmaster, may give orders to the person in charge of any boat, launch, canoe or lighter, in the proximity of an overseas vessel, in regard to the station to be taken up by such boat, launch, canoe or lighter when alongside such vessel, or may require such person to remove and keep such boat, launch, canoe or lighter a distance of 50 yards from such vessel, and it shall be the duty of such person forthwith to obey such order.

12. No person in charge of a boat, launch, canoe or lighter shall, without the permission in writing of the Collector of Customs, permit such boat, launch, canoe or lighter to approach within 50 yards of an overseas vessel, unless such boat, launch, canoe or lighter shall have left for that vessel direct from the Customs wharf at Savalalo.

13. Every person in charge of a boat, launch, canoe or lighter which shall approach within 50 yards of an overseas vessel shall cause such boat, launch, canoe or lighter to return direct from such overseas vessel to the Customs wharf aforesaid, without communicating with the shore or with any other vessel, unless the Collector of Customs has given his permission in writing to the contrary. Any person who fails to comply with the provisions of this clause shall be liable to a fine not exceeding £50.

14. (1) Any person who for the purpose of preventing the seizure or discovery of any intoxicating liquor or of any opium or of any goods the importation of which into Samoa is prohibited, shall wilfully let fall or throw into the water, or in any other manner convey away from any ship, boat or vessel, wharf, quay or landing place, any such liquor, opium or goods, shall be guilty of an offence and liable to a fine not exceeding £100.

(2) Any person who shall be found having in his possession any utensil or thing for the purpose of secreting or carrying away any such liquor, opium or goods from any ship, boat or vessel, wharf, quay or landing-place, shall be guilty of an offence and liable to a fine not exceeding £50.

15. No person other than an Officer of the Customs, Police, Harbour, Medical or Postal Departments, on official duty, shall travel to any overseas vessel on any launch travelling on business of the Administration, without an Official Pass issued by the Secretary to the Administration.

16. Any person who acts in breach of or fails to comply with any of the provisions of this Ordinance, or does any act which by this Ordinance is made an offence, shall in case no other penalty is hereby provided be liable to a fine not exceeding £10, and if a licensee, the Court may cancel his license.

17. Nothing in this Ordinance shall be deemed to apply to any boat or vessel belonging to the naval forces of His Majesty, or to any boat or vessel carrying the Administrator or the Deputy Administrator or their personal staffs.

Assented to this 4th day of
July, 1921.

[L.S.] R. W. TATE,
Administrator.