

PART III

PORT DUES

23. (1) Port dues shall be leviable and payable for entry inwards and for clearance **Port dues** outwards, on all ships arriving at or departing from any port of Sri Lanka, and upon cargo imported to or exported from Colombo, according to the table of port dues set forth in figures in Schedule C:

Provided that.-

- (a) when a vessel has paid port dues inwards or outwards she shall not be liable for additional port dues for goods carried coastwise during the same voyage;
 - (b) A vessel leaving port for a period not exceeding twelve hours for the purpose of trying her machinery or of throwing overboard any damaged cargo shall, for the purposes of this section, be deemed to be in port, and shall be liable on re-entry to pay only the full pilotage dues chargeable in respect of such vessel as if for a first entry into port;
 - (c) the period during which such vessel has been out of port shall, for the purpose of reckoning buoy rent, be considered as part of her stay in port;
 - (d) where a sailing vessel or a vessel not exceeding three hundred burthern is compelled by stress of weather to re-enter port within twelve hours of her departure there from, no further port dues shall be charged, if the Master Attendant certifies that the vessel could not have proceeded on her voyage without unnecessary risk.
- (2.) Parliament may from time to time, by means of re-resolution duly passed at any public session, increase, reduce, abolish or otherwise alter the port dues leviable and payable under Schedule C on ships arriving at or departing from any port of Sri Lanka, and upon cargo imported to or exported from Colombo, or may impose port dues upon such ships in cases where port dues, at the time when such resolution is passed, are not chargeable under the said Schedule; or may add to, rescind, or vary any of the cond1~tions, exceptions, or provisions of the said Schedule with regard to the charge or payment of port dues. Such resolution shall not take effect until it shall have been notified in the *Gazette*.

24. If the master, owner or agent of any vessel in respect of which any dues, rates, buoy rent, charges, or penalties have heretofore become payable, or have been incurred, or shall hereafter become payable or be incurred, whether under this Ordinance, or under **Power of Director-General to summarily enforce navment**

any regulations or orders made in pursuance thereof, or under any other enactment or regulations, refuses or neglects to pay them or any part of them on demand, the Director-General of the port may of his own authority distrain or arrest such vessel and the tackle, apparel and furniture belonging thereto or any part thereof, and detain the same until the amount so due is paid to him. And, in case any part of the said dues, rates, buoy rent, charges, or penalties, or of the costs of the distress or arrestment, or of the keeping of the same remains unpaid for the space of five days next after any such distress or arrestment has been so made, the Director-General may cause the vessel or other thing so distrained or arrested to be sold, and the amount due to the State shall be deemed to be a first charge on the proceeds of such sale. The balance, if any, of the proceeds of the sale, after satisfying the amount due to the State, together with all costs, shall be rendered by the Director-General to the master, owner, or agent of such vessel on demand.

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penalties.**
(83,83 of 1988)

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- 25.** Any coastwise ship shall be allowed to compound for port dues for twelve months at such rate per ton of the registered tonnage as may be fixed by the Minister by Notification published in the *Gazette* and on payment thereof the Director-General or other principal officer shall grant a certificate which shall exempt such vessel while so employed from any further demand for port dues during the period stated in such certificate.
- 26.** The tonnage of burthen of every British ship, within the meaning of this Ordinance, shall be the tonnage set forth in the certificate of registry of such ship, and the tonnage of burthen of every other ship shall for the purposes of this Ordinance be ascertained in the same manner as the tonnage of British ship is ascertained.

**Composition for
dues**
(8, Law 35 of 1974)

**Tonnage of ship
now ascertained**