



ANNO TRICESIMO

**ELIZABETHAE II REGINAE**

A.D. 1981

\*\*\*\*\*

**No. 16 of 1981**

**An Act to amend the Harbors Act, 1936-1978.**

*[Assented to 19 March 1981]*

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

Short titles.

1. (1) This Act may be cited as the "Harbors Act Amendment Act, 1981".

(2) The Harbors Act, 1936-1978, is in this Act referred to as "the principal Act".

(3) The principal Act, as amended by this Act, may be cited as the "Harbors Act, 1936-1981".

Amendment of  
s. 80—  
Power to lease  
public wharves.

2. Section 80 of the principal Act is amended—

(a) by striking out from subsection (1) the passage "any term not exceeding twenty-one years, either by public auction or by public tender" and substituting the passage "such period, and on such conditions, as the Minister thinks proper";

and

(b) by striking out subsection (2).

Amendment of  
s. 114—  
Liability of  
owner and  
master.

3. Section 114 of the principal Act is amended by inserting after subsection (1) the following subsection:

(1a) No civil liability attaches to a pilot or to the Minister or to the Crown for negligence by a pilot in relation to the pilotage of a ship, other than a ship belonging to the Crown.

Amendment of  
s. 124—  
Responsibility  
for injury to  
the works of  
the Minister.

4. Section 124 of the principal Act is amended—

(a) by striking out from subsection (1b) the passage "In any proceedings" and substituting the passage "Subject to subsection (1c), in any proceedings";

and

(b) by inserting after subsection (1b) the following subsection:

(1c) Negligence on the part of a pilot does not constitute ground for a defence, or for making an allowance in the assessment of damages, under subsection (1b).

5. Section 144 of the principal Act is amended by inserting after paragraph (70b) the following paragraph:

Amendment of  
s. 144—  
Regulations.

(70c) requiring the holder of any licence or permit or other authority granted under this Act to indemnify the Minister against any claims for injury or damage that may arise as a result of the exercise of rights conferred by the licence, permit or other authority.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

K. D. SEAMAN, Governor