

**28.** Notwithstanding anything contained in sections 21, 22, 23, 24, 25, 26 and 27, the Authority may recover by suit any tolls, dues, rates, charges, damages, expenses, costs, or in case of sale the balance thereof, when the proceeds of sale are insufficient, or any penalty payable to or recoverable by the Authority under this Ordinance or any regulations made thereunder.

Alternative  
remedy by suit

**29.** The surplus, if any, of the moneys credited under section 36 of the Ports Act, 1908 (XV of 1908), to the account of the port fund of the Authority, after defraying therefrom all expenses legally chargeable to the said account shall be paid to the Authority.

Surplus of port  
dues to be paid  
to the Authority

**30.** (1) The Authority shall provide a sufficient number of landing places and bathing places within the Port from, upon or in which the public may be permitted to embark, land or bath free of charge.

Public landing  
and bathing  
places

(2) The Authority may occupy or remove or alter any landing place or bathing place, and prohibit the public from using such landing place or bathing place:

Provided that the Authority shall in that case provide for the use of the public some other landing places or bathing places.

#### CHAPTER IV

#### ESTABLISHMENT

**31.** The Authority may, from time to time, appoint such officers and other employees as it may consider necessary for the performance of its functions on such terms and conditions as may be prescribed by regulations.

Appointment of  
officers, etc.

**32.** The Chairman, members, officers and other employees of the Authority shall, when acting or purporting to act in pursuance of any of the provisions of this Ordinance, be deemed to be public servants within the meaning of section 21 of the Penal Code (XLV of 1860).

Members, etc.,  
to be public  
servants

**33.** No suit, prosecution or other legal proceeding shall lie against the Authority or against the Board or the Chairman or any member, officer or other employee of the Authority in respect of anything in good faith done or intended to be done under this Ordinance.

Indemnity

Delegation of powers to Chairman, etc.

**34.** The Authority may, by general or special order, delegate to the Chairman or a member or an officer of the Authority any of its powers, duties or functions under this Ordinance subject to such conditions as it may think fit to impose.

## CHAPTER V

### FINANCE

Authority Fund

**35.** (1) There shall be formed a fund to be known as the Chittagong Port Authority Fund which shall vest in the Authority and shall be utilised by the Authority to meet the charges in connection with its functions under this Ordinance, including the payment of salaries and other remuneration to the Chairman, members, officers and other employees of the Authority.

(2) To the credit of the Chittagong Port Authority Fund shall be placed-

- (a) grants made by the Government;
- (b) loans obtained from the Government;
- (c) grants made by local authorities;
- (d) sale proceeds of movable and immovable property and receipts for services rendered;
- (e) loans obtained by the Authority with the special or general sanction of the Government;
- (f) foreign aids and loans obtained from any source outside Bangladesh with the sanction of, and on such terms as may be approved by, the Government;
- (g) proceeds of all charges and recoveries made under the Ports Act, 1908 (XV of 1908), and the provisions of this Ordinance; and
- (h) all other sums receivable by the Authority.

Borrowing power

**36.** The Authority may, with the previous approval in writing of the Government, borrow money for carrying out the purposes of this Ordinance or for servicing any loan obtained by it.