

[CONFIDENTIAL.]

(Rough Draft for Consideration Only.)

No. , 1925.

A BILL

To amend the law relating to navigation ; and to amend the Navigation Act, 1901, and certain other Acts ; to repeal the Navigation Amendment (Regulations) Act, 1904, and for purposes connected therewith.

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

1. (1) This Act may be cited as the "Navigation Short title. (Amendment) Act, 1925," and shall be construed with the Navigation Act, 1901, and any Act amending the same.

Navigation (Amendment).

(2) The Navigation Act, 1901, as so amended, is in this Act referred to as the Principal Act.

2. Part I of the Principal Act is amended as follows:— Amendment of Act 1901 No. 60, Part I, s. 3.

(a) By omitting from section three the definition of "coast-trade ship" and substituting therefor the following new definition:—

"coast-trade ship" means ship employed in trading or going between ports all of which are within the jurisdiction, and includes a sea-going steam-tug employed in trading or going outside a harbour, and a ship engaged in the trawling or fishing industry;

(b) by inserting, in section three, in their appropriate alphabetical order, the following new definitions:—

"boat" includes motor boat;

"boilers and machinery" includes engines and everything connected therewith employed in propelling a steamship, and every description of machinery used on a ship for the purposes of the ship or her cargo, and all other apparatus or things attached to or connected therewith or used with reference to any engine or under the care of the engineer;

"equipment" includes boats, tackle, pumps, apparel, furniture, life-saving appliances of every description, spars, masts, rigging, and sails, fog signals, lights and signals of distress, medicines and medical and surgical stores and appliances, and every thing or article belonging to or to be used in connection with, or necessary for the navigation and safety of, the ship, including apparatus for preventing or extinguishing fires, buckets, compasses, charts, axes, lanterns, and loading and discharging gear and apparatus of all kinds;

"go

“go to sea” includes the getting under way for the purpose of going to sea, or running of a ship or proceeding on a voyage;

“harbour” means harbour within the jurisdiction properly so called, whether natural or artificial, and includes estuaries, navigable rivers, piers, jetties, and other works in or at which ships can obtain shelter or ship and unship goods or passengers, and haven, roadstead, channel, or creek within the jurisdiction;

“harbour and river steamer” means every steamer (except steamers under fifteen tons gross register tonnage not carrying passengers) navigated for business purposes within the limits of a harbour, and includes any steamer or class of steamers specified by the Governor by notice in the Gazette, navigated within a radius of three nautical miles seaward from the entrance of a harbour in respect of which a certificate has been granted;

“machinery” includes boilers;

“motor boat” means any boat which is equipped with means of mechanical propulsion actuated by electricity, gas, oil, or some volatile spirit;

“officer” in relation to a ship means the master, mates, and engineers of the ship;

“prescribed” means prescribed by this Act, or regulation made thereunder;

“send to sea” has a meaning corresponding with “go to sea”;

“take to sea” has a meaning corresponding with “go to sea”;

“steamship” includes ship;

“vessel”

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“ vessel ” means any ship, boat, or any other description of vessel used for any purpose on the sea or in navigation ;

- (c) by inserting after section three the following new section :—

3A. The provisions of this Act relating to steamships shall apply, with such modifications as are prescribed, to ships mechanically propelled by means of electricity, or other motive power ;

- (d) by omitting section four, and substituting therefor the following new section :—

4. This Act shall not apply to ships belonging to the King’s Navy, or the Navy of the Commonwealth of Australia or of any British Possession, or to the navy of any foreign Government ;

3. Part II of the Principal Act is amended as follows :—

- (a) (i) by omitting from section seven the words “ relating to steam navigation, ” and substituting therefor the words “ relating to navigation or shipping ” ;
(ii) by omitting from paragraph (c) of section seven the words “ appointment and removal ” ;

- (b) by omitting section thirteen, and substituting therefor the following new section :—

13. (1) The Superintendent may, by summons under his hand, require the attendance of any person upon any inquiry authorised by him, and may require answers or returns to any questions, and may require and enforce the production of all books, papers, log-books, accounts, agreements, or other documents relating to any such inquiry, and may administer oaths, or in lieu thereof require any person examined to make and subscribe a statutory declaration of the truth of the statements made in his examination.

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(2) Where the Superintendent has reason to believe that a shipwreck or other casualty has occurred, or that an officer of a ship has been guilty of conduct which might be the subject of inquiry by a court of marine inquiry, an inquiry with reference to any such matter may be held by the Superintendent, or by some person appointed by the Colonial Treasurer in that behalf. For the purpose of such inquiry the Superintendent, or the person appointed by the Colonial Treasurer as aforesaid, shall have the powers conferred upon the Superintendent by subsection one of this section ;

- (c) by inserting, in section twenty, after the words Sec. 20. "every person deputed by him to act on his behalf" the words "and any person appointed by the Colonial Treasurer to hold an inquiry under section thirteen" ;
- (d) (i) by inserting, in paragraph (a) of subsection Sec. 21. one of section twenty-one, after the word "deputed" the words "or appointed" ;
- (ii) by inserting, in paragraph (b) of the same subsection, after the words "by the Superintendent," the words "or person deputed or appointed as aforesaid" ;
- (iii) by inserting, in paragraph (b) of subsection two of section twenty-one, after the words "authorised by the Superintendent" the words "or held under section thirteen" ;
- (e) by omitting from section twenty-two the word and figures "of 1895" and by inserting in lieu thereof the figures and words "1902 or any Act amending or replacing the same."

**4.** Part III of the Principal Act is amended by omitting from section twenty-three and also from section twenty-six the words and figures "District Courts Act, 1901" and substituting in each section the words and figures "District Courts Act, 1912."

Amendment  
of Act 1901  
No. 60,  
Part III,  
ss. 23, 26.

5. Part IV of the Principal Act is amended—

Amendment  
of Act 1901  
No. 60,  
Part IV.

(a) by omitting the heading "Steam Navigation. Division 1.—Application of this Part" and substituting therefor the heading "Survey and Inspection. Division 1.—Liability to Survey."

(b) by omitting section thirty-three, and substituting therefor the following new section :—

Sec. 33.

33. All ships shall be liable to survey, except ships registered in Great Britain holding passenger steamship certificates under the Merchant Shipping Act, 1894, or ships or classes of ships exempted by the Governor from the provisions of this Part by notice published in the Gazette ;

Liability to  
survey.

(c) by inserting after section thirty-six the following new section :—

New sec. 36A.

36A. Harbour and river steamers which do not carry passengers, may be surveyed by a person approved of by the Superintendent. A report by any such person certifying as to state of hull, boiler, machinery, and equipment shall be forwarded within the time prescribed by the owner of the ship surveyed to the Superintendent who, if he approves of such report, may authorise the issue of a certificate in the appropriate form in respect of the ship ;

Harbour  
and river  
steamers.

(d) by omitting the proviso to section thirty-nine, and substituting therefor the following new proviso :—

Sec. 39.

Provided that the currency of a certificate may be extended by the Superintendent for any period not exceeding one month if the Superintendent is satisfied that the immediate re-survey of a steamship will occasion unreasonable or unnecessary expense or inconvenience, and that no danger to the ship or her crew, passengers, or cargo will arise from the extension ;

(e)

(e) by omitting section forty, and substituting Sec. 40. therefor the following new section :—

40. The owner of every ship requiring a survey or certificate shall pay for such survey or certificate the fees prescribed ; Survey and certificate fees.

(f) by omitting section forty-two, and substituting Sec. 42. therefor the following new section :—

42. (1) A ship shall not go to sea unless a valid certificate as hereinbefore provided has been issued in respect of her, and is in force, or a permit to go to sea has been given by the Superintendent. Ship not to go to sea without certificate or permit.

(2) If any ship in respect of which a valid certificate has not been issued or is not in force, or a permit has not been given, goes to sea, or goes to sea beyond the limits authorised by the certificate or permit issued or given in respect of such ship, the owner of such ship shall be liable to a penalty not exceeding *one hundred* pounds, and the master of such ship shall be liable to a penalty not exceeding *twenty* pounds ; Penalty.

(g) by inserting after section forty-seven the following new section :— New sec. 47A.

47A. (1) The owner of every steamship the building of which is commenced after the passing of the Navigation (Amendment) Act, 1925, and the gross tonnage of which exceeds a tonnage to be prescribed, shall cause such ship to be divided into compartments by transverse watertight partitions. Watertight compartments.

(2) Such partitions shall be of sufficient strength to resist the pressure that would come upon them in the event of any adjoining compartment being flooded.

(3) In the case of wooden steamships such partitions shall be placed as prescribed.

(4) In the case of iron steamships such partitions shall be placed as follows :—

(a) One at not less than one-twentieth of the ship's length from the stem bar ;

(b)

- (b) one immediately forward of the boiler space, so as to separate the boiler space from the adjacent hold ;
- (c) one at the after end of the engine-room ;
- (d) one at the forward end of the stern tube :

Provided that, if the consent in writing of the Superintendent is previously obtained, the partition referred to in paragraph (c) may be dispensed with where the engines and boilers are placed well aft :

Provided, also, that in the case of ships of extended dimensions, the Superintendent may require a further subdivision of the ship by partitions to be made, but such further subdivision shall not be in excess of any then existing requirement of the Board of Trade of the United Kingdom.

(5) If any such ship in respect of which the requirements of this section have not been complied with goes to sea, the owner thereof shall be liable to a penalty not exceeding *two hundred pounds*.

**6.** Part V of the Principal Act is amended—

- (a) by omitting section fifty-seven, and substituting therefor the following new section :—

Amendment  
of Act 1901  
No. 60,  
Part V, s. 57.

57. (1) The Governor may from time to time, <sup>Pilots.</sup> in accordance with the Public Service Act, 1902, or any Act amending the same, appoint pilots for carrying out the provisions of this Act.

(2) All pilots who have been appointed prior to the passing of the Navigation (Amendment) Act, 1925, shall, upon the passing of that Act, become subject to the provisions of the Public Service Act, 1902, and any Act amending the same.

(3) The salaries and fees of all pilots employed under this Act shall be paid out of moneys to be appropriated by Parliament ;

(4)

(4) This section or anything done there-  
under shall not involve the Government of  
the State of New South Wales in any liability  
for any act, default, or neglect of any pilot;

(b) (i) by omitting paragraph (a) of section fifty-<sup>Sec. 58.</sup>  
eight, and substituting therefor the fol-  
lowing new paragraph :—

(a) as to the licensing of pilots and  
apprentices and pilot-boats and the  
granting of pilotage certificates to  
masters and others, and the terms  
and conditions of such licenses and  
certificates ;

(ii) by omitting paragraph (d) of section fifty-  
eight ;

(c) (i) by omitting subsection two of section sixty-<sup>Sec. 61.</sup>  
one, and substituting therefor the following  
new subsection :—

(2) Payments shall be made in each year  
year at the prescribed times.

(ii) by omitting from subsection three of the  
same section the words “ from the date of  
such payment ” ;

(iii) by inserting at the end of subsection four  
of the same section the words—

(c) Mission vessels ;

(iv) by inserting at the end of the same section  
the following new subsection :—

(5) In the case of a ship out of commission  
other than for docking or repairs for a period  
of not less than three months, the rate payable  
shall be one penny a ton for each completed  
three months that the ship is so out of com-  
mission.

(d) by omitting section sixty-two, and substituting <sup>Sec. 62.</sup>  
therefor the following new section :—

62. (1) All rates and dues authorised by this <sup>To whom</sup>  
Act shall be paid to the Collector of Customs <sup>rates paid,</sup>  
or to a person authorised by the Minister to <sup>&c.</sup>  
receive

receive the same; and if at any port there is no such collector or person so authorised, the pilot may demand and receive the same.

(2) All such rates and dues shall be accounted for and paid into the Treasury to the consolidated revenue.

(3) No ship to which this Act applies shall leave any port within the jurisdiction until all rates and dues authorised by this Act have been paid, and a certificate that such payment has been made has been given by a person entitled to receive such payment;

(e) by inserting, in section sixty-eight, after the words "South Sea Islands and in respect of" the words "coast-trade ships and."

7. Part VI of the Principal Act is amended—

(a) by inserting, in subsection one of section seventy-four, after the words "or coast-trade ships" the words "or harbour and river steamers"; Amendment of Act 1901 No. 60, Part VI, s. 74 (1).

(b) by omitting from section seventy-five the word "or master of a harbour and river steamer" and substituting therefor the words "or master, or mate of a harbour and river steamer"; Sec. 75.

(c) by omitting sections seventy-seven and seventy-eight, and substituting therefor the following new sections:— Secs. 77, 78.

77. Engineers' certificates shall be of the classes and grades, and in the forms prescribed. Classes of certificates.

78. (1) Examinations of candidates for certificates of competency as engineers shall be held at such times and places as are prescribed. Examination for engineer's certificates of competency.

(2) Regulations may be made by the Governor providing for the holding of such examinations, the qualifications of applicants, and generally as to all matters expedient for the carrying out of such examinations.

(3) Such regulations shall be so framed as to allow—

(a) the holder of an engineer's certificate of any grade to serve in such ships, for such

- such voyages and in such capacities as will enable him to qualify for a certificate of the next higher grade; and
- (b) the holder of a third or second class coast engineer's certificate to qualify for a certificate of the next higher grade, provided he has had sea service as prescribed;
  - (d) by omitting section eighty-one, and substituting therefor the following new section :—

Sec. 81.

81. (1) If a coast-trade ship goes to sea from, or if a harbour and river steamer is navigated within, any port within the jurisdiction, without a duly certificated master, and officers according to the scale set out in Schedules Eleven and Twelve or as prescribed, the master, and owner of such ship shall be liable to a penalty not exceeding *one hundred pounds*.

Master and officers to be carried.

- (2) Any person who—
  - (a) engages as an officer unless he is duly certificated; or
  - (b) takes into employment as an officer any person who is not duly certificated,
 shall be liable to a penalty not exceeding *one hundred pounds*:

Provided that this subsection shall not apply to officers carried on a ship in excess of the number of certificated officers required to be carried on such ship.

(3) An officer shall not be deemed to be duly certificated unless he is the lawful holder of a valid certificate of a grade appropriate to his station in the ship, or of a higher grade:

Provided that the holder of any unexpired certificate of competency or of service granted to him in accordance with the provisions of any Act in force for the time being in Great Britain or in any of the British dominions or possessions shall be deemed for the purpose of this Act the holder of a valid certificate;

(e)

- (e) by omitting section eighty-five, and substituting therefor the following new section :—

85. (1) The holder of a foreign-going certificate deemed valid by the Superintendent may ship in a corresponding or any lower grade in a coast-trade ship or a harbour and river steamer. Availability of certificates.

(2) The holder of a first mate's coast-trade certificate may ship as master of a harbour and river steamer for ports of which he proves, to the satisfaction of the Superintendent, that he has local knowledge.

(3) The holder of a second mate's foreign-going certificate may ship as first mate of a coast-trade ship or as master of a harbour and river steamer in ports of which he proves, to the satisfaction of the Superintendent, that he has local knowledge.

(4) A certificate of competency as master of a harbour and river steamer shall specify the port or ports in respect of which it is issued, and it shall not be valid in respect of any ports not specified in the certificate.

(5) The Governor may make regulations providing for the examination of applicants for certificates of competency or licenses as coxswains or drivers in respect of motor ships or boats, and for the issue of such certificates and licenses, and may prescribe the fees to be paid for such certificates and licenses ;

- (f) by omitting section ninety-two, and substituting therefor the following new section :—

92. Any person who, in the opinion of the Superintendent, is of good character and repute, and who proves to the satisfaction of the Superintendent that he has had general nautical experience, and that he has for a period of not less than three years had experience as a marine surveyor, shall be entitled to a certificate of service as a marine surveyor. Certificate of service.

8. Part VII of the Principal Act is amended—

Amendment of Act 1901 No. 60, Part VII, s. 101.

- (a) (i) by omitting from subsection one of section one hundred and one the words "the next preceding section" and by inserting in lieu thereof the words "section ninety eight";
- (ii) by omitting from subsection two of the same section all words after the words "sitting as" and by inserting in lieu of the omitted words the words "a colonial court of admiralty in accordance with the statutes and rules regulating the practice of such a court, and subject to the same right of appeal from the order or decree of the court as is by law incident to the jurisdiction of such a court";
- (iii) by omitting from subsection three of the same section all words after the word "provisions" and by inserting in lieu of the omitted words the words "of the claims, against the Government and Crown Suits Act, 1912";

- (b) by omitting section one hundred and twelve, and substituting therefor the following new section:—

112. (1) No ballast or cargo, being grain, rice, paddy, pulse, seed, nuts or nut kernels, or any mixture or combination thereof, shall be shipped in any ship, unless secured from shifting in the manner prescribed.

Stowage of ballast or grain cargoes.

(2) Any owner or master of a ship, and any agent of the owner of a ship who is charged with the loading of the ship who fails to take all reasonable measures for enforcing the provisions of this section shall be liable to a penalty not exceeding *three hundred* pounds;

- (c) by omitting from paragraph (a) of section one hundred and twenty-one the words "eighty tons register" and substituting therefor the words "fifty tons gross register tonnage";

Sec. 121.

(d)

Navigation (Amendment).

(d) by omitting from section one hundred and twenty-two the words "eighty tons register" and substituting therefor the words "fifty tons gross register tonnage";

(e) by inserting after section one hundred and thirty-two the following new sections:—

132A. The master of every coast-trade ship carrying passengers shall exercise the crew in collision, fire, and boat drill, in such manner and at such intervals as are prescribed.

132B. The master of every coast-trade ship over one hundred and fifty tons gross register tonnage, shall cause deck and engine-room log-books to be kept in the form prescribed, and such log-books shall show (inter alia)—

- (a) the state of the ballast tanks at time of departure from port and at fixed periods as prescribed while at sea;
(b) soundings of water in bilges;
(c) draught of water on departure from port and freeboard stating position of disc in regard to the lading at time of departure;

9. Part VIII of the Principal Act is amended—

(a) by omitting section one hundred and forty-three, and substituting therefor the following new section:—

143. (1) Where any ship is sunk, stranded, run on shore, or abandoned in any port or tidal waters within the jurisdiction, and, in the opinion of the Superintendent, is impeding or is likely to become an obstruction or danger to navigation, the Superintendent may take possession of and raise, remove, or destroy such ship, and may light or buoy any such ship until the raising, removal, or destruction thereof, and may sell in such manner as he thinks fit any such ship so raised or removed, and also any other property recovered in the exercise of his powers under this section.

(2) Out of the money arising from such sale the Superintendent shall pay the charges and expenses incurred by such seizure, raising, removal or destruction, and shall pay the surplus (if any) to the owner of the ship; and if the money arising from such sale is not sufficient to defray such charges and expenses, the excess of such charges and expenses beyond the amount of money arising from such sale, or the whole of such charges and expenses if for any reason no portion of such ship can be sold, shall be chargeable to and against the owner of such ship, and if not paid to the Superintendent within twenty-one days after the same shall have been demanded, the same may be recovered from the owner of such ship by the Superintendent by action of debt in any court of competent jurisdiction.

(3) For the purposes of the preceding subsections the word "ship" shall be deemed to include any part or the wreck of a ship, and the words "owner of the ship" shall mean the owner of the ship at the time such ship became sunk, stranded, run on shore, or abandoned.

(4) If any anchor, kedge, or mooring is not weighed in any port within the jurisdiction within forty-eight hours after the same has been slipped, parted, or cut from, and the permission in writing of the harbour master of such port has not been previously obtained to allow such anchor, kedge, or mooring to remain unweighed, such harbour master may cause the same to be weighed at the expense and risk of the owner or master of the vessel to which such anchor, kedge, or mooring belongs, which expenses may be recovered from such owner or master by the Superintendent by action of debt in any court of competent jurisdiction:

Provided that if the owner or master of such vessel cannot be found, or no buoy rope has been attached to such anchor, kedge, or mooring,

mooring, the same shall be forfeited and sold, and the proceeds applied in payment of the expenses incurred by the Superintendent in exercising the powers conferred by this section and the surplus (if any) shall be paid into the Treasury to the consolidated revenue.

(5) If any vessel be sunk or stranded within any port, or if any obstruction shall impede the navigation and use of such port, or any part thereof, the master, owner, or agent of such vessel, or the owner of the property by which such obstruction is caused shall immediately notify the Superintendent of the position of such vessel or obstruction, and immediately take steps for the removal thereof, and pending such removal shall mark the position of such vessel or obstruction in such manner as the Superintendent may direct;

**10.** Part IX of the Principal Act is amended by omitting section one hundred and fifty-seven, and substituting therefor the following new section:—

Amendment  
of Act 1901  
No. 60, Part  
IX, s. 157.

157. (1) The owner of every coast-trade ship shall—

Accommo-  
dation.

- (a) make provision, to the satisfaction of the Superintendent, for the adequate ventilation of the officers' rooms, accommodation provided for crew, engine-room and stoke-hole;
- (b) except as mentioned in subsections two and three of this section provide for each deck and engineer officer, up to at least six, a separate room, having a cubic content of not less than one hundred and eighty feet, and having a separate entrance to the deck, and not opening directly into the engine-room; or
- (c) in the case of coast-trade ships of less than three hundred tons gross registered tonnage, provide for each two officers a separate room, having a cubic content of not less than three hundred and fifty cubic feet,

feet, and having a separate entrance to the deck, and not opening directly into the engine-room.

(2) The owner of every harbour and river steamer shall provide for the officers of such steamer such accommodation as is prescribed.

(3) Every place in a coast-trade ship which is appropriated to the berthing accommodation of seamen or apprentices shall—

- (a) have for each seaman or apprentice a space of not less than one hundred and forty cubic feet and of not less than eighteen superficial feet measured on the deck or floor of that place, and of not less than five feet measured between bunks, clear of all encumbrances at the forward or narrow end ;
- (b) be kept free from all goods and stores, not being the personal property in use of the crew, and be so constructed as to be wind and weather proof and adequately lighted and properly adapted for the preservation of the health and comfort of the seamen berthed therein ;
- (c) not have built in it, or so near to it as to be, in the opinion of the Superintendent, likely to be prejudicial to the health of the occupants, any paint or chain locker, latrine, or similar erection ;
- (d) be so constructed as to ensure that no bilge water, or effluvia therefrom or from any other cause, shall be allowed to penetrate the space to such an extent or in such manner as to be detrimental to the health and comfort of the persons berthed therein.

(4) Where practicable for the size and class of ship, the crew shall be supplied with a separate mess-room conveniently arranged for the taking of meals. But in the case of ships which, in the opinion of the Superintendent, are not adaptable for compliance with this requirement, the owner shall provide folding or sliding tables of sufficient size to enable meals to be taken in comfort in the fore-castle.

(5)

(5) Such sanitary and lavatory accommodation as, in the opinion of the Superintendent, is necessary for the requirements of the crew, shall be provided, and in the case of steamships an adequate supply of hot fresh water, as prescribed, shall also be provided for the use of all members of the crew.

(6) The last two preceding subsections shall not apply to coast-trade ships of less than three hundred tons gross registered tonnage or harbour and river steamers, but the owner of every such ship or steamer shall make such provision as is prescribed for accommodation for the taking of meals by the seamen and apprentices, and for their sanitary and lavatory accommodation.

(7) The owner of any ship in respect of which any of the foregoing requirements are not complied with shall, for each offence, be liable to a penalty not exceeding *twenty* pounds.

(8) The Minister may exempt a ship built before the commencement of the Navigation (Amendment) Act, 1925, from compliance with any or all of the provisions of this section if he is satisfied that the accommodation in the ship for officers and men is not insanitary, or that all such alterations have been made in the ship as are in his opinion necessary.

**11.** Part X of the Principal Act is amended—

Amendment of Act 1901 No. 60, Part X, s. 166.

(a) by omitting section one hundred and sixty-six, and substituting therefor the following new section:—

166. (1) The Governor may make regulations, not inconsistent with this Act, prescribing all matters which by this Act are required or permitted to be prescribed, or which are necessary or convenient to be prescribed, for carrying out or giving effect to this Act, or for the conduct of any business under this Act, and in particular in relation to—

- (a) the stability of ships;
- (b) the use of lights or fire in the holds of ships;
- (c)

- (c) the safety of persons going on or coming from ships alongside wharfs or piers, and the provision of means of escape from the holds of ships while cargo is being loaded ;
- (d) deck openings and freeing ports ;
- (e) the carriage and stowage of cargoes ;
- (f) the ventilation of coal cargoes ;
- (g) the appointment of a manning committee, and the reference to such committee of disputes regarding the number of the crew to be carried on any coast-trade ship ;
- (h) the installation and operation of wireless telegraphy ;
- (i) medical and surgical requirements and appliances to be carried on coast-trade ships ;
- (j) the navigation of ports and harbours ;
- (k) the fixing of fees to be paid for any permit, license, certificate or authority issued under this Act or any regulation made thereunder, including annual fees for authorities to lay and maintain moorings ;
- (l) the regulation or prohibition of smoking on vehicular or other ferries ;
- (m) the regulation of the lights displayed on vehicles using a vehicular ferry and the prohibition of any light which might tender to endanger navigation.

(2) Such regulations may impose penalties not exceeding *one hundred* pounds for any breach of the same.

(3) All regulations or rules made by the Governor under this Act shall--

- (i) be published in the Gazette ;
- (ii) take effect from the date of publication, or from a later date to be specified in such regulations ; and

(iii)

(iii) be laid before both Houses of Parliament within fourteen days after publication if Parliament is then in session, and if not, within fourteen days after the commencement of the next session. If either House of Parliament passes a resolution of which notice has been given at any time within fifteen sitting days after such regulations have been laid before such House disallowing any regulation or part thereof, such regulation or part shall thereupon cease to have effect ;

(b) by omitting section one hundred and sixty-seven. Sec. 167.

**12.** The Principal Act is further amended—

Amendment of Act 1901 No. 60, Schedules.

(a) by inserting at the end of the Fifth Schedule the words and figures following :—

Sch. 5.

	£	s.	d.
For a first-class coast engineer's certificate ...	1	10	0
For a second-class coast engineer's certificate ...	1	0	0
For a harbour and river engineer's certificate ...	1	0	0
For mate of a harbour and river steamer ...	1	0	0

(b) by omitting the Ninth Schedule and substituting therefor the following new Schedule :—

Sch. 9.

NINTH SCHEDULE.

	£	s.	d.
<i>Harbour removal dues.</i>			
For any ship not exceeding 500 tons ...	1	10	0
Exceeding 500 and not exceeding 1,000 tons ...	2	10	0
Exceeding 1,000 and not exceeding 1,500 tons ...	3	10	0
Exceeding 1,500 and not exceeding 2,000 tons ...	4	10	0
Exceeding 2,000 and not exceeding 3,000 tons ...	5	0	0
Exceeding 3,000 and not exceeding 4,000 tons ...	5	10	0
Exceeding 4,000 tons ...	6	0	0

(c) by omitting the Eleventh Schedule ;

Sch. 11.

(d)

Navigation (Amendment).

(d) by inserting the following new Schedules :— New Schs. 11, 12.

ELEVENTH SCHEDULE.

COAST TRADE SHIP.

Minimum Grade and Scale of Deck Officers.

Register Tons.	Coast trade— 1st Mate.	Coast trade— 2nd Mate.	Harbour and River— Mate.
15 and not over 100 .....	.....	1*	.....
Over 100 and not over 300 .....	1	.....	.....
Over 300 .....	1	1	.....
Sea-going tugs .....	1	.....	.....
Vessels engaged in the trawling or fishing industry .....	1	.....	.....
<b>HARBOUR AND RIVER STEAMER.</b>			
15 tons gross or over.....	.....	.....	.....
If certificated under Class vii, Life- saving regulations for more than 200 passengers.....	.....	.....	1

\* If running over 50 miles from first port of departure only.  
See section 85 re certificates of higher grade.

TWELFTH SCHEDULE.

MINIMUM NUMBER AND GRADE OF ENGINEERS TO BE CARRIED ON COAST  
TRADE SHIPS AND HARBOUR AND RIVER STEAMERS.

Coast Trade.

Nominal H.P.	Board of Trade— 1st class.	Board of Trade— 2nd class.	Coast trade— 1st class.	Coast trade— 2nd class.	If running over 100 miles from port of departure, mini- mum number of engineers, certifi- cated and non certificated.	Harbour and River engineers.
50 or under .....	...	...	...	1	2	...
Over 50 and not over 85 .....	...	...	1	...	2	...
Over 85 and not over 100.....	...	1	...	...	2	...
Over 100 .....	1	1	...	...	...	...
<i>Harbour and River Steamers.</i>						
100 or under.....	...	...	...	...	...	1
Over 100 and not over 150.....	...	...	...	1	...	...
Over 150 and not over 200.....	...	...	1	...	...	...
Over 200 .....	...	1	...	...	...	...

N.H.P. (nominal horse-power) to be calculated as follows :—

(a) Reciprocating engines.—The sum of the squares of the diameters in inches of all the engine-room steam cylinders ÷ 30 = N.H.P.

(b) Rotary engines—Grate area in square feet × 1¼ = N.H.P.

For the purpose of this Schedule all third-class certificates for engineers which have been issued and are in force at the date of the coming into operation of the Navigation (Amendment) Act, 1925, shall be deemed to be coast-trade second-class engineer's certificates.

**13.** (1) The Navigation Amendment (Regulations) Act, 1904, is repealed.

Repeal of Navigation Amendment (Regulations) Act, 1904.

(2) Any regulations or rules made under the authority of the Act or any of the sections hereby repealed by this Act shall continue in full force and effect until repealed, varied, or amended by regulations made under the authority of section one hundred and sixty-six inserted by this Act.

**14.** The Sydney Harbour Trust Act, 1900, is amended by inserting after paragraph (k) of section eighty the following new paragraph :—

Amendment of Sydney Harbour Trust Act, 1900, s. 80.

(k 1) The lights or signals to be carried or made by vessels when within the port and the means to be taken by such vessels for preventing collisions.

