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PEARLING REGULATIONS\*

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1. These Regulations may be cited as the Pearling Regulations.\*

Citation.

2.—(1.) In these Regulations, unless the contrary intention appears— Interpretation.

“approved fire extinguisher” means a fire extinguisher of a type approved by the Chief Pearling Inspector;

“approved first aid kit” means a first aid kit of a type approved by the Chief Pearling Inspector and contained in a weather-proof container;

“approved lifebelt” means a lifebelt which—

(a) does not require to be inflated before being used; and

(b) when iron weighing fifteen pounds is suspended from it, is capable of floating in fresh water for at least twenty-four hours;

“approved life-buoy” means—

(a) a life-buoy of solid cork which, when iron weighing thirty-two pounds is suspended from it, is capable of floating in fresh water for at least twenty-four hours; or

(b) a life-buoy approved by the Chief Pearling Inspector, which—

(i) is made of a material other than cork;

(ii) is not stuffed with rushes, cork shavings, shavings of a material other than cork, loose granulated cork or loose material other than granulated cork;

(iii) does not require to be inflated before being used; and

(iv) when iron weighing thirty-two pounds is suspended from it, is capable of floating in fresh water for at least twenty-four hours;

“the Ordinance” means the *Pearling Ordinance* 1956.

(2.) In these Regulations, a reference to a form by number shall be read as a reference to the form so numbered in the Schedule to these Regulations and as including a reference to any direction contained in the form.

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\* Regulations 1957, No. 6, in force under the *Pearling Ordinance* 1956–1961; made on 24th April, 1957 notified in *Northern Territory Government Gazette* and commenced on 24th April, 1957.

(3.) Strict compliance with the forms contained in the Schedule to these Regulations is not necessary and substantial compliance is sufficient.

Form of  
pearling  
agreement.

3. A pearling agreement shall be in accordance with Form 1.

Endorsement  
of pearling  
agreement.

4. Where an inspector endorses a pearling agreement he shall do so by signing on the agreement a statement in accordance with the form of endorsement at the foot of Form 1 and adding the date on which he signs the statement.

Form of  
certificate of  
discharge.

5. A certificate of discharge under section twenty-two of the Ordinance shall be in accordance with Form 2.

Life-saving  
appliances.

6.—(1.) The owner and the master of a pearling ship employed as a store ship or tender shall ensure that the pearling ship carries—

(a) a boat or boats of wood or metal—

(i) of sufficient capacity to accommodate at least all persons carried on board; and

(ii) in such a position as to be readily got into the water;

(b) at least one approved lifebelt for each person carried on board;

(c) at least two approved life-buoys;

(d) an approved fire extinguisher; and

(e) an approved first aid kit.

(2.) The owner and the master of a pearling ship which is not employed as a store ship or tender ship shall ensure that the pearling ship carries—

(a) a dinghy which has been examined and approved by an inspector for the purposes of this regulation within the six months immediately preceding the date on which the pearling ship last went to sea;

(b) at least two approved lifebelts;

(c) an approved life-buoy;

(d) an approved fire extinguisher; and

(e) an approved first aid kit.

(3.) The owner and the master of a pearling ship shall ensure that—

(a) all life-buoys carried by the pearling ship are fitted with beackets securely seized; and

(b) all life-buoys and lifebelts carried by the pearling ship are so placed that—

(i) each is readily accessible to all persons on board; and

(ii) the position of a lifebelt is easily ascertainable by the person by whom it is intended that the lifebelt shall be used.

7.—(1.) The owner and the master of a pearling ship shall ensure **Crew.** that when the ship is used for pearling it is manned by a crew consisting of at least—

- (a) a person to whom or in respect of whom a diver's licence has been granted and is in force under sub-section (4.) of section ten of the *Pearl Fisheries Act* 1952-1953;
- (b) a person to whom or in respect of whom a diver's tender's licence has been granted and is in force under sub-section (4.) of section ten of the *Pearl Fisheries Act* 1952-1953; and
- (c) such other persons as the Chief Pearling Inspector by notice in writing to the owner or master directs.

(2.) A person shall not engage in pearling on a pearling ship which is not manned in accordance with the last preceding sub-regulation.

8. A person who contravenes or fails to comply with a provision of **Penalty.** these Regulations is guilty of an offence and is liable, upon conviction, to a penalty of not more than Fifty pounds.

## THE SCHEDULE.

THE NORTHERN TERRITORY OF AUSTRALIA.

*Pearling Ordinance* 1956.

FORM 1.

### PEARLING AGREEMENT.

Regulation 3.

This Agreement made this \_\_\_\_\_ day of \_\_\_\_\_ 195 ,  
between \_\_\_\_\_ of the \_\_\_\_\_ and the several other persons  
who have signed these presents, as parties hereto, witnesseth:

- (1) The said \_\_\_\_\_ engages the several persons in the capacities expressed against their respective names and descriptions on a fishing voyage for pearl-shell in the Territorial waters of the Northern Territory, which will probably last till about the day of \_\_\_\_\_ 195 , and will terminate at one of the following ports, namely:
- (2) The crew severally agree to conduct themselves in an orderly, faithful, honest, and sober manner, and to be at all times diligent in their respective duties and to be obedient to the lawful commands of the Master and of any person who shall lawfully succeed him, and of their superior officers, in everything relating to the said ship, stores and cargo thereof, whether on board, in boats, or on shore, and the said fishing; in consideration of which services to be duly performed the said \_\_\_\_\_ agrees to pay to the several members of the crew as wages, the sum expressed against their names respectively, and, if required, to make the advances there likewise expressed, to supply them with suitable and sufficient provisions and articles of protection against heat and cold, and to give them the additional reward for skill, success, or special exertion set against their names respectively.
- (3) Any embezzlement or wilful or negligent loss or destruction of any part of the ship's cargo or stores shall be made good to the owner out of the wages of the person guilty of the same.
- (4) The crew are to be on board and begin work at the day and hour set against their names respectively.

And it is also  
agreed that:—

## Pearling Regulations

## THE SCHEDULE—continued

NAME OF SHIP

SCHEDULE TO AGREEMENT.

Particulars of Engagement.														Particulars of Discharge.		Balance paid on discharge.	Release.	
Reference No.	Signatures of Parties.	Date of signing.	Nationality.	Age.	Ship in which he last served.	Date of his discharge therefrom.	Capacity.	Day and hour to be on board.	Wages per month.	Advances on or during engagement.	Additional reward for skill, success or special exertion.	Deductions for fines and forfeitures.	Signature of endorsing officer.	Date, place and cause of leaving, or of death.	The undersigned crew release the ship (or ships), the master (or masters) and owners from all claims for wages or otherwise in respect of this engagement, and the master (or masters) and owners release the crew from all claims in respect of this engagement.		Signature of endorsing officer before whom the balance is paid and release signed.	
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## ENDORSEMENT OF PEARLING AGREEMENT.

I am satisfied that—

- (a) the pearling agreement on which this endorsement is written complies with, and has been executed in accordance with the *Pearling Ordinance 1956*;
- (b) each pearl fisher who is a party to the agreement understands, and consents to, the terms of the agreement;
- (c) each such pearl fisher is a male person and, if he is to be employed as a diver, a trial diver or a diver's tender, is a person to or in respect of whom a licence has been granted, and is in force, under sub-section (4.) of section ten of the *Pearl Fisheries Act 1952-1953*; and
- (d) each such pearl fisher has, within the last preceding fourteen days, been examined, and certified to be free from any infectious or communicable disease, by a medical practitioner registered under the *Medical Practitioners Registration Ordinance 1935-1945* and approved by the Administrator.

Dated this

day of

, 195 .

Inspector.

THE NORTHERN TERRITORY OF AUSTRALIA.

*Pearling Ordinance 1956.*

Regulation 5.

THE NORTHERN TERRITORY OF AUSTRALIA.

FORM 2.

CERTIFICATE OF DISCHARGE.

*Pearling Ordinance 1956.*

FORM 2.

*Pearl Fishers*

Name of Ship:

For Pearl Fishers discharged before an Inspector at the Port of:

Name of Ship

Office No.

Port of Registry

Registered Tonnage

Description of Voyage or Employment:

Name of Pearl Fisher:

Name of Pearl Fisher

Age

Place of Birth

No. of Certificate

Capacity

Date of Issue:

Date of Engagement

Place of Engagement

Date of Discharge

Place of Discharge

Place of Issue:

I certify that the above particulars are correct and that the above-named Pearl Fisher was discharged accordingly, and that the character described hereon is a true copy of the report concerning the said Pearl Fisher.

Dated this

day of

195

Authenticated by:

Signature of Master.

Signature of Inspector

Character for Conduct.

Character for Ability.

Signature of Pearl Fisher

*Pearling Regulations*