



ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

No. 97 of 1971

An Act to amend the Harbors Act, 1936-1970.

[Assented to 3rd December, 1971]

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

1. (1) This Act may be cited as the "Harbors Act Amendment Act, 1971". Short titles.

(2) The Harbors Act, 1936-1970, as amended by this Act, may be cited as the "Harbors Act, 1936-1971".

(3) The Harbors Act, 1936-1970, is hereinafter referred to as "the principal Act".

2. Section 89 of the principal Act is amended—

(a) by striking out from subsection (1) the passage "any foreign-going or interstate ship of sixty tons register or any greater registered tonnage or of any coast trade ship of one hundred tons register or any greater registered tonnage" and inserting in lieu thereof the passage "a ship having a gross tonnage of or exceeding one hundred tons, on";

Amendment of
principal Act,
s. 89—
Duty to take
or pilot.

(b) by striking out subsection (1a) and inserting in lieu thereof the following subsection:—

(1a) Subsections (1) and (2) of this section shall not apply to a master who has been granted a pilotage exemption certificate under section 116 of this Act

or a pilotage permit under section 116a of this Act in respect of the port into or from which he proposes to navigate.;

- (c) by striking out from subsection (3) the passage “, unless he has a pilotage exemption certificate enabling him to pilot the ship within the limits aforesaid,”;

and

- (d) by striking out from subsection (3) the passage “of not less than ten dollars nor more than sixty dollars” and inserting in lieu thereof the passage “not exceeding five hundred dollars”.

Amendment of
principal Act,
s. 90—
Duty to
display pilot
signal.

3. Section 90 of the principal Act is amended—

- (a) by striking out from subsection (1) the passage “an exemption certificate as aforesaid” and inserting in lieu thereof the passage “a pilotage exemption certificate or pilotage permit referred to in section 89 of this Act in respect of that port”;

and

- (b) by striking out from subsection (3) the passage “ten dollars” and inserting in lieu thereof the passage “one hundred dollars”.

Enactment of
s. 116a of
principal Act—

4. The following section is enacted and inserted in the principal Act immediately after section 116 thereof:—

Pilotage
permits.

116a. (1) Subject to this section, the Minister, on the recommendation of the Director, may grant to the master of a ship which has a gross tonnage of or exceeding one hundred tons, a pilotage permit authorizing him to navigate that ship within and into and out of such port or ports as are specified in the permit.

(2) A permit under this section shall be granted only in respect of a ship referred to in subsection (1) of this section and to a master—

(a) who is or is to be engaged in—

- (i) dredging operations or other similar operations;
- (ii) exploratory operations of a hydrographic or oceanographic nature;

or

(iii) servicing vessels or structures used in the search for or winning of oil or other substances from the bed of the sea,

where those operations or services take place within, or require that ship to be navigated into and out of, the port or ports in respect of which the permit is sought;

- (b) who proposes to navigate that ship regularly within or into and out of that port or ports;
- (c) who has been examined by a person appointed by the Minister for that purpose and certified by that person to be competent to navigate that ship within or into and out of that port or ports;

and

(d) who has paid a fee of ten dollars to the Minister.

(3) A permit granted under this section—

- (a) shall state the period of time for which it is effective;
- (b) shall be subject to such conditions as the Minister may impose;

and

(c) shall not be transferable.

5. Section 117 of the principal Act is amended—

- (a) by inserting in subsection (1) after the passage “pilotage exemption certificate” the passage “or pilotage permit”;
- (b) by inserting in subsection (1) after the word “certificate” secondly occurring the passage “or permit, as the case may be,”;
- (c) by inserting in subsection (2) after the passage “pilotage exemption certificate” the passage “or pilotage permit”;
- and
- (d) by striking out from subsection (2) the passage “less than four dollars nor”.

Amendment of
principal Act,
s. 117—
Duty of
master.

6. Section 118 of the principal Act is amended—

- (a) by inserting after the passage “pilotage exemption certificate” the passage “or pilotage permit”;

Amendment of
principal Act,
s. 118—
Power to
suspend,
cancel, and
re-issue
certificate
or permit.

- (b) by inserting after the word "certificate" secondly occurring the passage "or the permit";
 - (c) by inserting after the passage "his ship," the passage "or has committed a breach of the conditions subject to which the permit was granted,";
 - (d) by striking out the passage "his said certificate" and inserting in lieu thereof the passage "the certificate or the permit, as the case may require";
- and
- (e) by inserting after the word "certificate" lastly occurring the passage "or the permit".

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

M. L. OLIPHANT, Governor