

MARINE (No. 2).

No. 66 of 1966.

AN ACT to amend the *Marine Act* 1921 and to repeal certain provisions of the *Merchant Shipping Act* 1894 in their application within this State. [22 December 1966.]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

Short title
and citation.

1—(1) This Act may be cited as the *Marine Act* (No. 2) 1966.

(2) The *Marine Act* 1921, as subsequently amended, is in this Act referred to as the Principal Act.

Commence-
ment.

2 This Act shall not commence until Her Majesty's pleasure thereon has been publicly signified in this State and, after the signification thereof, shall commence on a day to be fixed by proclamation.

3 Sections one hundred and eight and one hundred and nine of the Principal Act are repealed and the following sections are substituted therefor:—

Interpre-
tation.

“108—(1) In this Division—

‘deck line’ has the meaning assigned to that expression by section one hundred and nine;

‘exempted vessel’ means a vessel that, by virtue of the operation of the regulations made for the purposes of subsection (2) of this section, is wholly exempted from compliance with the provisions of this Division;

‘load line’ has the meaning assigned to that expression by section one hundred and nine.

“(2) In the case of such kinds or classes of vessels, or vessels used for such purposes or in such circumstances, as may be prescribed, or trading or plying within such waters as may be prescribed or as the Authority may determine, the regulations may wholly exempt those vessels or any of them from compliance with the provisions of this Division or may provide for the marking or affixing of such deck lines or load lines, or such markings in lieu thereof, as may be prescribed in that behalf.

“109—(1) No vessel (not being an exempted vessel) shall be employed for any purpose of navigation or shipping unless—

Deck and
load lines:
How affixed.

(a) the vessel is marked, in such manner and position as may be prescribed, with—

(i) a mark (in this Division referred to as a ‘deck line’) indicating the position of the uppermost complete deck (as defined in the regulations) being a mark of the prescribed description; and

(ii) marks (in this Division referred to as ‘load lines’) indicating the several maximum depths to which the vessel can safely be loaded in various circumstances prescribed in the regulations, being marks of the prescribed descriptions; or

(b) in the case of a vessel (not being an exempted vessel) to which any regulations made for the purposes of subsection (2) of section one hundred and eight are applicable, the vessel is marked with such deck lines and load lines (if any), or such markings in lieu thereof, as are prescribed in those regulations.

Penalty: Six hundred dollars.

“(2) Where an offence is committed against the provisions of this section in relation to a vessel, both the owner and the master of the vessel are liable to the penalty prescribed in subsection (1) of this section.”.

4 Section one hundred and eleven of the Principal Act is amended by adding at the end thereof the following subsection:—

Regulations
as to fixing
load lines,
&c.

“(2) In addition to any other matters that may be prescribed under this section, the regulations may make provision for or with respect to—

(a) the mode, whether by painting, cutting, or otherwise, in which any deck line, load line, or other marking in lieu thereof shall be marked or affixed to vessels;

(b) the mode of application for, and the issue, duration, and form of, certificates as to the marking or affixing, or the position of, any such deck line, load line, or other marking, the fee payable for any such certificate, and the person by whom any such certificate may be issued; and

(c) the entry of any such certificate and of such other particulars as may be prescribed in relation to the draught or freeboard of a vessel in the official log-book of the vessel and the publication of the entry and particulars on board a vessel.”.

Repeal of certain provisions of the *Merchant Shipping Act 1894*.

5 The provisions of Part V of the Imperial Act intituled the *Merchant Shipping Act 1894*, as amended or affected by any other Imperial Act, are repealed so far as those provisions apply to or in relation to—

- (a) Tasmanian vessels within the meaning of Division IIA of Part XII of the Principal Act;
- (b) the owners, masters, officers, or crews of those vessels; or
- (c) any casualty or collision occurring to or in relation to any such vessel or in any waters within the jurisdiction of the Authority.

MARINE.

No. 67 of 1966.

AN ACT to amend the *Marine Act 1921*.

[22 December 1966.]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

Short title and citation.

1—(1) This Act may be cited as the *Marine Act 1966*.

(2) The *Marine Act 1921*, as subsequently amended, is in this Act referred to as the Principal Act.

2 Section thirty-four of the Principal Act is repealed and the following section is substituted therefor:—

Strahan: Number and appointment of wardens.

“34—(1) The Marine Board of Strahan (in this section referred to as ‘the Board’) shall consist of—

- (a) a master-warden appointed by the Governor;
- (b) two other wardens appointed by the Governor; and
- (c) a warden (in this section referred to as ‘the elected warden’) elected as provided in this section.

“(2) The master-warden and the wardens referred to in paragraph (b) of subsection (1) of this section shall hold office during the Governor’s pleasure.

“(3) The elected warden—

- (a) shall be a person who is qualified under the *Local Government Act 1962* to vote at elections of councillors of the municipality of Strahan;