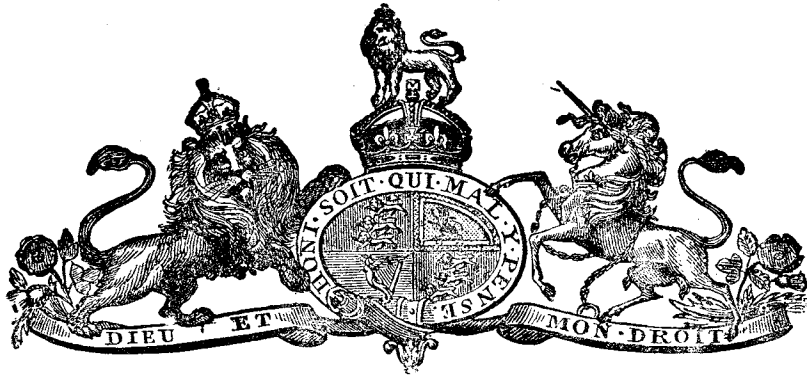


TASMANIA.



1908.

ANNO OCTAVO

EDWARDI VII. REGIS,

No. 31.

ANALYSIS.

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| <ol style="list-style-type: none"> <li>1. Short title.</li> <li>2. Repeal of Section 135 of 53 Vict. No. 34, and substitution of fresh section.</li> <li>3. Moneys may be raised by debentures.</li> <li>4. Repeal and re-enactment of Section II of 59 Vict. No. 27.<br/>Pilots.</li> <li>5. Repeal and re-enactment of Section 110 of Principal Act.<br/>In what cases vessels to take a pilot.</li> <li>6. Repeal and re-enactment of Section 107 of Principal Act.<br/>Board may fix rates of pilotage.</li> <li>7. Amendment of Schedule (6.) to Principal Act.</li> <li>8. Amendment of Section 160 of Principal Act by addition of a new Subsection (7.).<br/>Steamships engaged in fishing to be subject to Section 160.</li> <li>9. Repeal and re-enactment of Section 164 of Principal Act.</li> </ol> | <ol style="list-style-type: none"> <li>Board to grant certificate to owner of steamship on receipt of surveyor's declaration.</li> <li>Certificate to state period covered.</li> <li>To accord with surveyor's declaration as to fitness of ship for the service specified.</li> <li>Board may define limits within which ship may be employed.</li> <li>Number of passengers to be carried to be stated in certificate.</li> <li>Lists to be sent to Collector of Customs.</li> <li>10. Repeal and re-enactment of Sections 168 and 169 of Principal Act.<br/>No steamship to proceed to sea, &amp;c., unless owner holds certificate.<br/>Penalty.<br/>Certificate to be exhibited conspicuously.<br/>Penalty for non-compliance.</li> <li>11. Amendment of Section 7 of 2 Ed. VII. No. 16.</li> </ol> |
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AN ACT to further amend "The Marine Boards Act, 1889." [3 December, 1908.]

A.D. 1908.

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 :—

6d.]

*Marine Board Amendment.*

A.D. 1908.

Short title.

Repeal of Section 135 of 53 Vict. No. 34, and substitution of fresh section.

**1** This Act may be cited as "The Marine Boards Act Amendment Act, 1908."

**2** Section One hundred and thirty-five of "The Marine Boards Act, 1889," is hereby repealed, and the following section substituted in lieu thereof :—

"**135** It shall be lawful for the Marine Board of *Launceston*, with the approval of the Governor in Council, from time to time to borrow, on security of the rates, funds, and property at the disposal of the said Marine Board, any sum or sums of money not exceeding in the whole Thirty thousand Pounds, for the purpose of recouping the said Marine Board for the expense incurred in having a survey made of the River *Tamar*, and for the purpose of constructing any additional wharves, quays, piers, docks, and sheds within the jurisdiction of the said Marine Board, and for the purpose of constructing or paying for the construction or purchasing or recouping the said Marine Board for the expense incurred in the construction or purchase of any steam-vessel, oil-launch, dredge, pontoon, lighter, pile-driver engine, or machinery required by the said Marine Board, and for any purpose for which the said Marine Board shall obtain the approval of the Governor in Council ; and if, after having borrowed the said sum of Thirty thousand Pounds or any part thereof, the said Marine Board pays off any money borrowed under or by the authority of this section, it shall be lawful for the said Marine Board again to borrow, with the approval of the Governor in Council, the amount so paid off or any part thereof, and so from time to time to borrow again and again as the said Marine Board may require or desire."

Moneys may be raised by debentures.

**3** Every sum borrowed under the provisions of the said Section One hundred and thirty-five may be raised by the sale of debentures, and such debentures shall be charged upon the revenues of the Board, and all the provisions of Sections Eight to Thirty-four inclusive of "The Land Reclamation Act, 1904," and the schedule thereto shall, *mutatis mutandis*, apply to debentures issued and money raised by the sale of debentures under the provisions of this section.

Repeal and re-enactment of Section 11 of 59 Vict. No. 27.

Pilots.

**4** Section Eleven of "The Marine Boards Amendment Act, 1895," is hereby repealed, and the following section substituted therefor :—

"**11** In every case in which a pilot shall conduct a vessel into any port, or from one place to another within any port, or to sea out of any port, the master shall be responsible for the fee payable for such pilotage, and the same shall be collected and shall be recoverable by an officer appointed as collector by the Board."

Repeal and re-enactment of Section 110 of Principal Act. See 6 Ed. VII. No. 34, s. 3.

**5** Section One hundred and ten of the Principal Act is hereby repealed, and the following section substituted therefor :—

"**110** If any vessel not having on board a master possessing a certificate exempting him from pilotage proceeds to sea from any port

*Marine Board Amendment.*

for which a pilot is so appointed as aforesaid, or quits her station or anchorage in such port in order to proceed from one place to another within such port, or in order to proceed to sea, without receiving on board some pilot so appointed for the purpose of conducting her to sea or to such other place within the port, the master of such vessel shall, over and above the amount which would have been payable for pilotage if a pilot's services had actually been engaged, forfeit a penalty not exceeding Fifty Pounds."

A.D. 1908.

In what cases vessels to take a pilot.

**6** Section One hundred and seven of the Principal Act is hereby repealed, and the following section substituted therefor:—

Repeal and re-enactment of Section 107 of Principal Act.

"**107** It shall be lawful for the Board from time to time, by by-laws made and published as hereinafter provided, to fix and establish the rates of pilotage, but not exceeding the rates specified in Schedule (6.), on vessels entering into and departing from any port within its jurisdiction, and on vessels quitting their stations or anchorages in any such port in order to proceed from one place to another within such port; and no such pilot as aforesaid shall in any case be bound to conduct a vessel to sea from any port until the full amount of the outward pilotage and of all other rates and charges due to the Board in respect of such vessel have been first paid."

Board may fix rates of pilotage.

**7** Schedule (6.) to the Principal Act is hereby amended by adding the words "The rate for vessels proceeding from one place to another within a port shall not exceed the sum of One Shilling per ton for sailing vessels, nor the sum of Eight Pence per ton for steam vessels.

Amendment of Schedule (6.) to Principal Act.

**8** The following subsection is hereby added to Section One hundred and sixty of the Principal Act, and may be cited as Subsection (7.) of such section:—

"(7.) Steamships engaged in fishing in or out of any port in *Tasmania* shall be subject to the provisions of this section. Provided that it shall in no case be necessary to have any such steamship surveyed more than once in every year."

Amendment of Section 160 of Principal Act. See 59 Vict. No. 27, s. 17, and 62 Vict. No. 36, s. 11.

Steamships engaged in fishing to be subject to Section 160.

**9** Section One hundred and sixty-four of the Principal Act is hereby repealed, and the following section substituted therefor:—

Repeal and re-enactment of Section 164 of Principal Act.

"**164** If the Board is satisfied that the provisions of this Act have been complied with, it shall upon receipt of the declarations of the shipwright surveyor and engineer surveyor cause to be issued to the owner of the steamship to which such declarations relate a certificate, signed by the Master-Warden and the Secretary of the Board, that the provisions of this Act, with regard to the survey of such steamship, have been complied with.

Board to grant certificate to owner of steamship on receipt of surveyor's declaration.

"Every such certificate shall state the period for which the same is to be in force under this Act, and such period shall be computed from the date of the survey. Such certificate shall, in accordance with the declarations of the shipwright surveyor and engineer surveyor, as to

Certificate to state period covered. ]

*Marine Board Amendment.*

A.D. 1908.

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To accord with surveyor's declaration as to fitness of ship for the service specified.

Board may define limits within which ship may be employed.

Number of passengers to be carried to be stated in certificate.

Lists to be sent to Collector of Customs.

Repeal and re-enactment of Sections 168 and 169 of Principal Act.

No steamship to proceed to sea, &c., unless owner holds certificate.

Penalty.

Certificate to be exhibited conspicuously.

Penalty for non-compliance.

the fitness of the ship for the trading to be authorised, authorise the employment of such ship either—

- i. Within some river or harbour : or
- ii. In some coast trade within defined limits : or
- iii. In going to sea without restriction.

“ Each Board shall have power to define by by-law the limits of any river or harbour within its jurisdiction, or of the coast trade within which any such ship may be employed, and the said certificates respectively shall be called ‘ Harbour Certificates,’ ‘ Limited Coastal Certificates,’ and ‘ Sea-going Certificates.’

“ When any such ship is constructed to carry passengers, the Board shall cause to be inserted in the certificate the number of passengers, whether deck passengers or other passengers, which such ship is constructed to carry (not exceeding the number authorised to be carried within any particular limit by any by-law of the Board), and shall also state within what limits the number of passengers specified in the certificate may be carried.

“ The Board shall from time to time transmit lists of the vessels in respect of which such certificates have been issued to the Collector of Customs for *Tasmania*.”

**10** Sections One hundred and sixty-eight and One hundred and sixty-nine of the Principal Act are hereby repealed, and the following section is substituted therefor, and may be cited as Section One hundred and sixty-nine of the said Act :—

“ **169**—(1.) No steamship shall proceed to sea or upon any voyage or excursion, nor shall be engaged in fishing in or out of any port in *Tasmania*, unless the owner thereof holds a valid and unexpired certificate issued in respect of such steamship by a marine board, as hereinbefore provided, or by some other competent authority.

“ If any steamship shall so proceed to sea or upon any voyage or excursion, or be so engaged in fishing, without such certificate being held by the owner thereof, the owner and the master of such steamship shall incur a penalty not exceeding One hundred Pounds.

“ (2.) The owner of every steamship so proceeding to sea or upon any voyage or excursion, or so engaged in fishing, shall cause the certificate issued in respect of such steamship or a true copy in distinct and legible characters to be exhibited in some conspicuous part of such steamship.

“ If any steamship shall so proceed to sea or upon any voyage or excursion, or be so engaged in fishing, without having such certificate or a true copy thereof exhibited as aforesaid, the owner and the master of such steamship shall incur a penalty not exceeding Twenty-five Pounds.

“ (3.) In any proceeding for an offence against Subsection (2.) it shall not be necessary for the informant to prove that such certificate or copy was not exhibited as aforesaid ; but it shall be incumbent upon the defendant to prove that such certificate or copy was duly exhibited pursuant to the provisions of Subsection (2.) ”

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*Marine Board Amendment.*

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**11** Section Seven of "The Marine Boards Amendment Act, 1902," A.D. 1908.  
is hereby amended—

- i. By inserting in line Two, after the word "*Invermay*," the following words, namely:—"or the Municipality of *Beaconsfield*, or the Municipality of *George Town* : and
- ii. By inserting in line Seven, after the word "Towns," the following words, namely:—"or Municipalities."
- Amendment of Section 7 of 2 Ed. VII. No. 16.

