

MARINE.

No. 73 of 1955.

AN ACT to amend the *Marine Act 1921*. [22 December, 1955.]

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 1955*.
(2) The *Marine Act 1921*, as subsequently amended, is in this Act referred to as the Principal Act.

Existing
trusts con-
tinuation.

- 2** Section seven of the Principal Act is amended by adding at the end thereof the following subsection:—

“(3) From and after the first day of January 1956 the Leven Harbour Trustees shall, for all purposes, be styled and known as the Ulverstone Harbour Trustees.”.

General
powers of
boards.

- 3** Section sixty-four of the Principal Act is amended—
(a) by inserting after paragraph XI B the following paragraph:—

“XIC To regulate the exercise by any person of any statutory power to do an act interfering with navigation:”; and

- (b) by adding at the end thereof the following subsection:—

“(2) A by-law made for the purposes of paragraph XIC of subsection (1) of this section—

I May empower the board, master-warden, or harbourmaster—

(a) To direct when the power may or may not be exercised: and

(b) To prohibit navigation in the vicinity during the exercise of the power: and

II Has no effect until it has been approved by the Governor.”.

4 Section seventy-five of the Principal Act is amended by omitting from paragraph v thereof the words "five hundred" (first occurring) and substituting therefor the words "three thousand", by omitting from that paragraph the words "five hundred" (second occurring) and substituting therefor the words "two thousand", and by omitting from that paragraph the words "three hundred" (twice occurring) and substituting therefor, in each case, the words "seven hundred and fifty".

Application of revenues.

- 5** Section eighty-four of the Principal Act is amended—
- (a) by omitting from sub-paragraph (c) of paragraph I the word "twenty" and substituting therefor the word "fifty"; and
 - (b) by omitting from sub-paragraph (f) of that paragraph the word "Leven" and substituting therefor the word "Ulverstone".

Modes of borrowing.

6 Section one hundred and three of the Principal Act is amended by adding at the end thereof the following paragraph:—

Meaning of equipment.

“: and

“v Telecommunication equipment for communicating with shore stations and other ships in cases of emergency and for receiving warnings to mariners.”.

7 Section one hundred and four of the Principal Act is amended by omitting from subsection (1) the words "paragraph IV" and substituting therefor the words "paragraphs IV and v".

Sufficiency thereof, how determined

8 Section one hundred and twenty-eight of the Principal Act is amended by omitting subsections (2) and (3).

Application of Part XIV.

9 After section one hundred and twenty-eight of the Principal Act the following section is inserted:—

“128A.—(1) Where the Governor is satisfied that public convenience with regard to the transport of passengers or cargo from a port to any other port or place in this State cannot otherwise be reasonably and economically served, the board or trust in whose jurisdiction the port of departure lies, may, with the approval in writing of the Minister, grant to the owner of any sailing or auxiliary vessel not exceeding fifty tons nett register, and usually engaged in fishing, a permit to carry passengers and cargo or either passengers or cargo, not exceeding such number or quantity respectively as may be specified in the permit, between the port of departure and the other port or place, in either direction, without compliance with such of the provisions of this Part as may be specified in the permit, subject to such conditions as the board or trust may impose.

Exemptions.

(2) A permit in force under this section shall, subject to compliance with its conditions, be deemed to be a valid certificate under this Part in respect of the matters to which it relates.”.

Open launches.

10 Section one hundred and thirty-nine of the Principal Act is amended—

(a) by omitting subsection (2) and substituting therefor the following subsection:—

“(2) A board may, in manner prescribed by by-law—

I Grant a licence for any launch to ply for hire and—

(a) Grant a licence to any person to have charge of any launch so licensed, or of her engines, or both, or of a similar launch or engine or both: and

(b) Provide for the examination of persons applying for licences under sub-paragraph (a) of this paragraph:

II Grant a licence for any launch to be hired without master, engineer, crew, or boatman: and

III In either case, provide for fixing by the licence the number of persons to be carried in the launch and in what waters it may ply or be used.”;

(b) by inserting in subsection (6), after the word “hire”, the words “and the person hiring any unlicensed launch hired without master, engineer, crew, or boatman”; and

(c) by inserting in subsection (8), after the word “hire”, the words “or hired without master, engineer, crew, or boatman.”.

Grant of certificates.

11 Section one hundred and forty-four of the Principal Act is amended by adding at the end of subsection (1) the following paragraph:—

“ : and

“ IV Marine engine-drivers and marine motor-drivers.”.

12 After section one hundred and sixty-seven of the Principal Act the following Division is inserted:—

“ *Division VA—General.*

Temporary closing of public navigation.

“ 167A The Governor, after giving notice, as prescribed, to the relevant board or trust, may, by proclamation, suspend or restrict any public right of navigation during the time

necessary for laying a cable or pipe, building or repairing a bridge, or doing any other public work over, on, in, or under any public navigable waters.”.

13 The Principal Act is amended—

Schedules.

- (a) by omitting from the second schedule the word “*Leven*” (first occurring) and substituting therefor the word “*Ulverstone*”;
- (b) by omitting from the third schedule the words “*Leven Harbour Trust*” (thrice occurring) and substituting therefor, in each case, the words “*Ulverstone Harbour Trust*”;
- (c) by omitting from the fifth schedule the word “*Leven*” and substituting therefor the word “*Ulverstone*”; and
- (d) by omitting from Diagram A in the Appendix the words “*Leven Harbour Trust*” (twice occurring) and substituting therefor, in each case, the words “*Ulverstone Harbour Trust*”.

SURVEY CO-ORDINATION.

No. 74 of 1955.

AN ACT to amend the *Survey Co-ordination Act* 1944. [22 December, 1955.]

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:—

1—(1) This Act may be cited as the *Survey Co-ordination Act* 1955. Short title and citation.

(2) The *Survey Co-ordination Act* 1944, as subsequently amended, is in this Act referred to as the Principal Act.