



## ANALYSIS

Title  
1. Short Title

- 2. Amending provisions as to fishing boats
- 3. Engine-room officers

1962, No. 101

**An Act to amend the Shipping and Seamen Act 1952**  
*[6 December 1962]*

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

**1. Short Title**—This Act may be cited as the Shipping and Seamen Amendment Act 1962, and shall be read together with and deemed part of the Shipping and Seamen Act 1952 (hereinafter referred to as the principal Act).

**2. Amending provisions as to fishing boats**—(1) Section 185 of the principal Act is hereby amended by adding the following subsections:

“(4) Except where the passengers or passenger or cargo are carried pursuant to a permit issued by the Minister under section 246A of this Act, nothing in subsection (2) or subsection (3) of this section shall apply with respect to any fishing boat that carries more than six passengers, or carries any passenger for hire or reward, or carries any cargo other than the fish caught by the crew of the fishing boat or, being a foreign-going ship for the purposes of the First Schedule to this Act, carries any passenger.

“(5) For the purposes of subsection (4) of this section, the following persons shall be deemed not to be passengers, namely, any registered medical practitioner or registered nurse travelling in the course of his or her profession, any person necessarily travelling to obtain urgent medical attention, and any constable or officer of the Department travelling on official duties.”

(2) Section 246 of the principal Act is hereby amended by adding to paragraph (a) of subsection (2) the following proviso:

“Provided that, except where the passengers or passenger or cargo are carried pursuant to a permit issued by the Minister under section 246A of this Act, nothing in this section shall apply to any fishing boat that carries more than six passengers or carries any passenger for hire or reward or carries any cargo other than the fish caught by the crew of the fishing boat or, being a foreign-going ship for the purposes of the First Schedule to this Act, carries any passenger:”.

(3) Section 246 of the principal Act is hereby further amended by inserting, after subsection (2), the following subsection:

“(2A) For the purposes of paragraph (a) of subsection (2) of this section, the following persons shall be deemed not to be passengers, namely, any registered medical practitioner or registered nurse travelling in the course of his or her profession, any person necessarily travelling to obtain urgent medical attention, and any constable or officer of the Department travelling on official duties.”

(4) Section 246A of the principal Act (as inserted by section 13 of the Shipping and Seamen Amendment Act 1957) is hereby amended by repealing subsections (1) and (2), and substituting the following subsections:

“(1) No fishing boat shall—

“(a) Carry more than six passengers or carry any passenger for hire or reward; or

“(b) Being a foreign-going ship for the purposes of the First Schedule to this Act, carry any passenger; or

“(c) Carry any cargo other than the fish caught by the crew of the fishing boat,—

otherwise than pursuant to a permit issued by the Minister under subsection (3) of this section.

“(2) For the purposes of subsection (1) of this section, the following persons shall be deemed not to be passengers,

namely, any registered medical practitioner or registered nurse travelling in the course of his or her profession, any person necessarily travelling to obtain urgent medical attention, and any constable or officer of the Department travelling on official duties."

(5) Section 246A of the principal Act (as inserted as aforesaid) is hereby further amended—

(a) By omitting from subsection (3) the words "more than four passengers or to carry any passenger or cargo for hire", and substituting the words "more than six passengers or to carry any passenger for hire or any cargo other than the fish caught by the crew of the fishing boat or, being a foreign-going ship for the purposes of the First Schedule to this Act, carry any passenger":

(b) By omitting from subsection (5) the words "the fishing boat being deemed a passenger ship or a cargo ship", and substituting the words "the carriage of the passengers or cargo".

(6) Section 284 of the principal Act is hereby amended by repealing paragraph (c) of subsection (1) (as substituted by section 14 of the Shipping and Seamen Amendment Act 1957), and substituting the following paragraph:

"(c) A fishing boat:

"Provided that, except where the passengers or passenger or cargo are carried pursuant to a permit issued by the Minister under section 246A of this Act, this section shall apply to every fishing boat that carries more than six passengers or carries any passenger for hire or reward or any cargo other than the fish caught by the crew of the fishing boat or, being a foreign-going ship for the purposes of the First Schedule to this Act, carries any passenger; or".

(7) Section 284 of the principal Act is hereby further amended by inserting, after subsection (1) (as inserted as aforesaid), the following subsection:

"(1A) For the purposes of paragraph (c) of subsection (1) of this section, the following persons shall be deemed not to be passengers, namely, any registered medical practitioner or registered nurse travelling in the course of his or her profession, any person necessarily travelling to obtain urgent medical attention, and any constable or officer of the Department travelling on official duties."

**3. Engine-room officers**—(1) The First Schedule to the principal Act (as substituted by subsection (2) of section 6 of the Shipping and Seamen Amendment Act 1959) is hereby amended by inserting in Part II in the portion of the second column thereof that relates to paragraph (c) of clause 6, after the words "Second-class coastal motor", the symbol "(17)".

(2) The First Schedule to the principal Act (as so substituted) is hereby further amended by adding to Part II, in the portion of that Part headed 'Remarks', the following clause:

"(17) Alternatively, local motorship, provided the certificate has been endorsed by the Secretary to show that the holder has been in charge of the engines of a motorship for a total period of two years or more. The Secretary may, on production of proof of satisfactory service, endorse the certificate accordingly."

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This Act is administered in the Marine Department.

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