

## New Zealand.

ANNO TRICESIMO PRIMO

# VICTORIÆ REGINÆ.

No. 33.

---

**AN ACT to amend "The Steam Navigation Act 1866." [10th October 1867.]** Title.

**W**HEREAS it is expedient to amend "The Steam Navigation Act 1866" Preamble.

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

1. The Short Title of this Act shall be "The Steam Navigation Act Amendment Act 1867." Short Title.

2. This Act shall be read as part of "The Steam Navigation Act 1866" hereinafter referred to as the said Act. How to be read.

3. From and after the passing of this Act the fifth section of the said Act shall be read as follows— Amended fifth section.

The owner of every steam vessel trading to or from or in or on any port harbour river or lake in New Zealand (except any of Her Majesty's ships of war and also except British steam vessels surveyed in the United Kingdom under the provisions of any Act or Acts of the Imperial Parliament for the time being in force relating to the survey and inspection of steam vessels and except Foreign steam vessels trading between New Zealand and the Foreign country in which they are owned and where they are officially inspected and possessing an official license or authority to carry passengers) shall if the same be or fall within the description contained in part one of Schedule A. hereto cause such steam vessel and all machinery thereof to be surveyed twice at least in every year and if the same be of or fall within the description contained in part two of the said Schedule A. shall cause the hull of such vessel to be surveyed twice a year and the machinery thereof four times a year by an Inspector and Engineer Surveyor and such owner shall obtain a declaration under the hand of such Inspector of the sufficiency and good condition of the hull of such steamer and of the boats and other equipments thereof required by this Act and also if the Postmaster-General shall so require a statement of the number of passengers (whether deck passengers or other passengers) which such vessel is constructed to carry and a declaration under the hand of such Engineer Surveyor of the sufficiency and good condition of the machinery of such steamer and in every such declaration it shall be distinguished whether such vessel is in construction and equipments adapted for sea service as well as for river service or for river service only and such declaration shall also state the limits within which such vessel is in the judgment of the surveyor adapted for plying and in the case of sea-going vessels the declaration of the Inspector shall contain a statement that he is satisfied the compasses have been properly examined and adjusted by some person holding a license from the Postmaster-General

*Steam Navigation Act Amendment.*

to examine and adjust such compasses and such owner shall transmit every such declaration to the Postmaster-General within fourteen days after the date thereof. Provided that whenever it shall be made to appear by the log of any vessel that the compass deviations have been ascertained from day to day by actual observation with approved means it shall be lawful for the Postmaster-General to dispense with such examination and adjustment. Provided also that nothing in this Act contained shall extend or be construed to take from the Inspectors and Surveyors appointed pursuant to the said Act the powers of inspection conferred by the twenty-second section of the said Act.

Repeal of part of clause six of Act of 1866.

4. So much of clause six of the said Act as provides that "there shall be paid on the issue of every such certificate" as in the said clause mentioned "by the person to whom the same is issued the sum of one pound one shilling" shall be and the same is hereby repealed save and except as to payments already made or which shall have become payable by virtue of the said clause before the passing of this Act.

Part of Applicants' deposit to be retained.

5. Previous to the examination mentioned in the said clause six the sum of one pound and one shilling shall be deposited with the examining officer therein mentioned by each applicant for a certificate of competency as a master or as an engineer to be retained as payment for such certificate. Provided that in the event of any such applicant failing to obtain such certificate the sum of ten shillings and sixpence shall be returned to him.

Amended ninth clause.

6. The ninth clause of the said Act shall from and after the passing of this Act be read as follows—Upon the receipt of every such declaration the Postmaster-General shall register the same and if he is satisfied that the provisions of this Act have been complied with shall cause to be transmitted in duplicate to the master or owner of the steam vessel to which every such declaration refers a certificate signed by him that the provisions of the law with respect to the transmission of declarations in respect of such vessel have been complied with and such certificate shall be called a "Sea-going Certificate" where according to the declaration of the Inspector such vessel is adapted for sea service as well as river service and such certificate shall be called a "River Certificate" where according to such declaration such vessel is adapted for river service only and every certificate shall set out the local limits if any beyond which according to the declaration of the Inspector such vessel is not fit to ply and where any such vessel is constructed to carry passengers the Postmaster-General shall insert in every such certificate the number of passengers whether deck passengers or other passengers which every such sea-going vessel is constructed to carry not exceeding the number authorized by an Act of the Imperial Parliament called "The Passengers' Act 1855" or by any proclamation issued under another Act of the Imperial Parliament called "The Passenger Act (Australian Colonies) 1861" in force within the Colony and also the number which she may carry when plying within restricted limits and the number which every vessel adapted for river service is constructed to carry for such river service only and the master of every such steamer shall be bound to carry one of the said "Duplicate Certificates" attached to the other ship's papers of such steamer and the vessel shall not be cleared unless such duplicate certificate be presented along with such other ship's papers.

Amended tenth clause.

7. The tenth clause of the said Act shall from and after the passing of this Act be read as follows—The Postmaster-General may revoke and cancel such certificates in any case where he has reason to believe

*Steam Navigation Act Amendment.*

that the declarations of the sufficiency and good condition of the hull and machinery of any vessel or either of them have been fraudulently or erroneously made or that such certificate has otherwise been issued upon false or erroneous information or where he has reason to believe that since the making of such declarations or either of them the hull or machinery or equipments of such vessel or any of them has been tampered with or has sustained any injury or is otherwise insufficient and in every such case the Postmaster-General may if he think fit require the owner to have the hull or machinery or equipments of such vessel again surveyed and to transmit a further declaration of the sufficiency and good condition thereof before re-issuing any certificate or granting a fresh one in lieu thereof and the Postmaster-General may at any time revoke any certificate for the purpose of inserting in any certificate to be issued in lieu thereof the number of passengers which the vessel to which such certificate relates is constructed to carry.

8. The twenty-fourth section of the said Act shall from and after the passing of this Act be read as follows—

Amended twenty-fourth section.

It shall not be lawful for any steam vessel of which surveys are required by the provisions of this Act to go to sea from or to ply in or upon any port harbour creek river or lake of the Colony without having upon each boiler in addition to the ordinary or working safety valve a second safety valve so constructed that the pressure on it cannot be increased when the steam is up but provided with proper lifting gear that its working may be tested and the pressure on it diminished at the will of the engineer and having an area not less than the area of the ordinary or working valve and such second safety valve shall be deemed to be a necessary part of the machinery upon the sufficiency of which the Engineer Surveyor is to report as herein provided and if any person shall place an undue weight upon such safety valves or shall by any means unduly increase the pressure in the boilers he shall in addition to any liabilities he may incur by so doing be liable to a penalty not exceeding one hundred pounds.

9. The twenty-sixth section of the said Act shall from and after the passing of this Act be read as follows—No steam vessel which in the opinion of the Inspector is large enough to carry a boat shall ply from place to place or leave any port or harbour in the Colony unless it shall be provided according to its tonnage with boats duly supplied with all requisites for their immediate use and not being fewer in number nor less in measurement than the boats the number and measurements of which are specified in the Schedule C. hereunto annexed. Provided that the limits of dimensions in the said Schedule specified be not considered applicable to vessels engaged in the whale fishery and no steam vessel carrying more than ten passengers shall proceed to sea unless in addition to the boats hereinbefore required it shall also be provided with a life boat furnished with all requisites for immediate use and not less in dimensions than one of the largest boats hereinbefore required or unless one of its largest boats hereinbefore required be rendered buoyant after the manner of life boats and on each survey of such vessel the Surveyor or Inspector shall cause all such boats to be lowered and report on their general efficiency and the time which it takes to lower them and all sea-going steamers above fifty tons register shall from and after the first day of January one thousand eight hundred and sixty-eight have at least one boat fitted with Clifford's Patent Lowering Apparatus or other patent lowering apparatus to be approved of by the Postmaster-General and no steam vessel shall ply from place to place or leave any port or harbour of the Colony carrying passengers unless it be provided with

Steam vessels to be provided with a certain number of boats.

*Steam Navigation Act Amendment.*

two life buoys to be kept ready for immediate use Provided that the enactment with respect to boats and life buoys herein contained shall not apply in any case in which a certificate has been obtained under an Act of the Imperial Parliament called "The Passengers' Act 1855" or under any Act of the like nature which may hereafter be passed by the Imperial Parliament.

Lights &c. to be carried.

10. Section thirty of the said Act is hereby repealed and from and after the passing of this Act all steam vessels and sailing vessels plying within the ports and harbours or on the rivers and lakes of the Colony or at anchor in the same shall carry and display the several lights and signals prescribed for the respective classes of vessels in and shall conform to and be managed in accordance with the Regulations for preventing Collisions at Sea issued in pursuance of an Act of the the Imperial Parliament intituled "The Merchant Shipping Act Amendment Act 1862" and contained in an Order of Her Majesty in Council dated the ninth day of January one thousand eight hundred and sixty-three.

Thirty-seventh clause repealed Proviso.

11. The thirty-seventh clause of the said Act is hereby repealed save and except as to bye-laws already made or which shall have been made by virtue of the said clause before the passing of this Act.

Governor may make bye-laws.

12. The Governor in Council is hereby empowered from time to time to make publish alter modify amend or repeal such bye-laws as to him shall seem meet for carrying into effect and enforcing the provisions of the said Act and of this Act and for regulating the procedure of the Inspector Surveyors Examiners of Masters and Engineers and Adjusters of Compasses appointed under the said Act and for regulating the classification and equipment of steamers and the limits within which they may be authorized to ply and the number of passengers they may carry or for insuring the efficiency of their equipment And all such bye-laws so made shall from time to time be deemed to be incorporated with this Act and shall so long as they shall remain in force be of the same force and effect as if the provisions of such bye-laws were expressly enacted in this Act provided that no such bye-law shall have any effect unless and until the same shall have been published in the *New Zealand Gazette*.

Postmaster-General may delegate powers under Acts.

13. It shall be lawful for the Postmaster-General for the time being at any time and from time to time as he shall think fit by any document in writing under his hand to delegate to any person or persons all or any of the powers duties or authorities by the said Act and by this Act conferred or imposed upon him and such delegation of authority may be either generally for the whole Colony or may be specially for any particular part or parts thereof to be specified in the document whereby the powers duties or authorities shall be delegated and may be to such person or persons by name or generally to the person who shall from time to time be holding or performing the duties of any particular office and in every such last-mentioned case it shall be sufficient to designate such person by the title of his office and every such document shall be published in the *New Zealand Gazette* and until so published shall have no effect or validity Provided that every such delegation of authority to any person therein designated by the title of any office shall continue in force until revoked so long as there shall be any person for the time being performing the duties of such office and shall extend to and include such person And every delegation of authority pursuant to the forty-seventh clause of the said Act or under this Act may be in like manner revoked.