

NAVIGATION (AMENDMENT) ACT.

Act No. 8, 1954.

An Act to make further provision in relation to preventing collisions at sea; for this purpose to amend the Navigation Act, 1901-1949, in certain respects; and for purposes connected therewith. [Assented to, 14th April, 1954.]

Elizabeth II,
No. 8, 1954.

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Navigation (Amendment) Act, 1954."

Short title,
citation,
commence-
ment and
savings.

(2)

Navigation (Amendment) Act.**No. 8, 1954.**

(2) The Navigation Act, 1901, as amended by subsequent Acts and by this Act, may be cited as the Navigation Act, 1901-1954.

(3) This Act shall be deemed to have commenced upon the first day of January, one thousand nine hundred and fifty-four.

(4) A person shall not, by reason of the enactment of this Act, be liable to any civil or criminal proceedings in respect of anything done or omitted to be done by him before the date on which Her Majesty's assent to this Act is signified if he would not have been so liable had this Act not been enacted.

Amendment
of Act No.
60, 1901.
Sec. 113.
(Enactment
of regula-
tions
concerning
lights, fog-
signals, and
sailing
rules.)

2. The Navigation Act, 1901-1949, is amended by inserting at the end of section one hundred and thirteen the following new subsections:—

cf. 12, 13 & 14
Geo. VI,
c. 67, s. 52
(1) (5).

(3) (a) The power conferred by subsection two of this section to make new regulations in addition to or in substitution for the regulations contained in the Seventh Schedule hereto shall, without limiting the generality of the power so conferred in relation to vessels for the purpose mentioned in subparagraph (ii) of this paragraph, include power to make regulations in relation to seaplanes—

- (i) for the prevention of collisions at sea between seaplanes on the surface of the water;
- (ii) for the prevention of collisions at sea between vessels and seaplanes on the surface of the water; and
- (iii) for prescribing the lights to be carried and exhibited and the fog-signals to be carried and used by seaplanes on the surface of the water,

and accordingly sections one hundred and fourteen, one hundred and fifteen, one hundred and sixteen,

**Richmond to Kurrajong Railway (Cessation of
Operation) Act.**

15

one hundred and seventeen and one hundred and nineteen of this Act shall apply in relation to seaplanes on the surface of the water as they apply in relation to ships or vessels, except that the reference in the said section one hundred and sixteen to the person in charge of the deck shall be construed as a reference to the pilot or other person on duty in charge of the seaplane. No. 8, 1954.

(b) The Governor may, by proclamation, annul or modify any of the regulations made under subsection two of this section by virtue of the enactment of paragraph (a) of this subsection, or make new regulations in addition thereto or in substitution therefor, and any such alteration in or addition to the regulations shall be of the same force as if it had been enacted in this Act.

(4) For the purposes of this section—

- (a) the expression “seaplane” shall be construed as including a flying boat and any other aircraft designed to manoeuvre on the water;
 - (b) seaplanes taking off from, or alighting on, the water shall be deemed to be on the surface of the water while in contact therewith.
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