



ANNO DECIMO SEPTIMO

ELIZABETHAE II REGINAE**A.D. 1968**

No. 62 of 1968

An Act to amend the Marine Act, 1936-1966.

[Assented to 9th January, 1969.]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows :

Short titles.

1. (1) This Act may be cited as the "Marine Act Amendment Act, 1968".

(2) The Marine Act, 1936-1966, as amended by this Act, may be cited as the "Marine Act, 1936-1968".

(3) The Marine Act, 1936-1966, is hereinafter referred to as "the principal Act".

Reservation
and
commence-
ment.

2. This Act shall not come into operation before Her Majesty's pleasure thereon has been publicly signified in South Australia but after the signification of Her Majesty's pleasure as aforesaid, the Governor may, by proclamation, appoint a day on which this Act shall come into operation.

Amendment of
principal Act,
s. 4—
Arrangement
of Act.

3. Section 4 of the principal Act is amended by inserting after the passage "PART III.—Certificates of masters, mates, and engineers." the passage "PART IIIA.—Manning Committee."

Repeal of s. 6
of principal
Act and
enactment of
new ss. 5a-6.
Validation.

4. Section 6 of the principal Act is repealed and the following sections are enacted and inserted in lieu thereof :—

5a. The Harbors Act and Marine Act Amendment Act, 1947, the Marine Act Amendment Act, 1957, and the Marine Act Amendment Act, 1962, shall (notwithstanding that none of those Acts contained a suspending clause providing that it should not come into operation until Her

Majesty's pleasure thereon had been publicly signified in South Australia) be deemed to have been valid and effectual enactments, and the amendments that those Acts made, or purported to make, to the Marine Act, 1936, the Marine Act, 1936-1947, and the Marine Act, 1936-1957, respectively, shall be deemed to have been validly and effectually made by, and in accordance with, those Acts.

6. The provisions of this Act that are applicable to steamships shall apply, subject to such modifications as the Governor may by regulation prescribe, to ships propelled by electricity or any other mechanical means of propulsion.

Application of provisions relative to steamships to other ships.

5. Section 14 of the principal Act is amended—

Amendment of principal Act, s. 14—
Regulations.

(a) by striking out paragraphs VI and VIIA;

(b) by striking out the passage "and ship surveyors" in paragraph IX and inserting in lieu thereof the passage "ship surveyors and shipwright surveyors"; and

(c) by striking out the word "board" in paragraph XV and inserting in lieu thereof the word "Minister".

6. Subsection (1) of section 15 of the principal Act is amended by striking out the passage "proclamation made" and inserting in lieu thereof the word "proclamation".

Amendment of principal Act, s. 15—
Power to adopt regulations.

7. Sections 19 and 20 of the principal Act are repealed.

Repeal of ss. 19-20 of principal Act.

8. Section 26 of the principal Act is amended by striking out subsection (2) and inserting in lieu thereof the following subsection:—

Amendment of principal Act, s. 26—
Cancellation or suspension of certificates of competency by Minister.

(2) Where the Minister cancels or suspends a certificate under this section, he may, by notice in writing served upon the holder of the certificate, require that person to deliver the certificate to him or to a person named in the notice, within such period as is specified in the notice.

9. The following new Part and sections are enacted and inserted in the principal Act after section 26:—

Enactment of Part IIIA, ss. 26a, 26b and 26c of principal Act—

PART IIIA

MANNING COMMITTEE

26a. (1) There shall be a Committee entitled the "State Manning Committee".

Constitution of Manning Committee.

(2) The Committee shall consist of—

(a) two qualified master mariners and one qualified marine engineer who shall be appointed by the Governor on the recommendation of the Minister and one of whom the Governor shall appoint to be chairman ;

and

(b) any other persons not exceeding two in number who have been duly nominated in accordance with this Act by the owner, or the agent of the owner, of a ship in respect of which the Committee is to make or review a determination under this Act.

(3) Subject to subsection (6) of this section, the members of the Committee shall hold office for such period and upon such terms and conditions as the Governor may determine.

(4) The members of the Committee shall be entitled to such remuneration, allowances and expenses as may be determined by the Governor.

(5) The Governor, on the recommendation of the Minister, shall make such appointments as are necessary to maintain within the Committee the nucleus of three members established by appointment under paragraph (a) of subsection (2) of this section and shall on the recommendation of the Minister appoint a suitable person to be a deputy of a member if the member is unable to perform his duties as a member or if it is otherwise expedient so to do and a person so appointed to be a deputy of the chairman shall be deemed to be the chairman whilst so appointed.

(6) Any person who becomes a member of the Committee by virtue of nomination by the owner, or the agent of the owner, of a ship in respect of which a determination is to be made or reviewed by the Committee shall hold office only whilst business in respect of that ship is being transacted, considered or otherwise dealt with by the Committee.

(7) The Public Service Act, 1967, shall not apply to or in relation to the appointment of a member of the Committee and a member shall not, as such, be subject to the provisions of that Act.

Nomination of
members by
owner or agent.

26b. (1) The Director of Marine and Harbors shall, at least fourteen days before the Committee sits to make or review a determination in respect of a ship or at such time as may be agreed upon by the Director and the owner,

or the agent of the owner, of the ship, by notice in writing served personally or by post upon the owner, or the agent of the owner, of the ship, inform him of the place at which the sitting will be held and the day and time of its commencement and request him to nominate a person or persons to be a member or members of the Committee.

(2) The owner, or the agent of the owner, of the ship may, in a manner approved by the Minister nominate a person or persons (not exceeding two in number) to be a member or members of the Committee.

(3) A person shall not be nominated under subsection (2) of this section unless he is a master mariner or marine engineer, or is, in the opinion of the Minister, otherwise qualified to participate in the deliberations and functions of the Committee.

(4) A nomination under subsection (2) of this section shall be made not less than seven days before the day on which the sitting is to commence or at such time as may be agreed upon by the Director and the owner or the agent of the owner, of the ship.

(5) If the owner, or the agent of the owner, of the ship fails to exercise, in accordance with this section, his right to nominate a person or persons to be a member or members of the Committee, he shall forfeit that right.

26c. (1) Three members shall form a quorum of the Committee but a quorum of the Committee shall, unless the Minister, by instrument in writing otherwise directs, contain all members duly nominated by the owner, or the agent of the owner, of the ship in respect of which the Committee is to make or review a determination. Quorum, etc.

(2) A decision concurred in by a majority of the members of the Committee, or if the members are equally divided, concurred in by the chairman and one other member shall be the decision of the Committee.

(3) A decision, act or proceeding of the Committee shall not be invalid by reason only of a vacancy in its membership and, notwithstanding the subsequent discovery of a defect in the nomination or appointment of a member, any such decision, act or proceeding shall be as valid and effectual as if the member had been duly nominated or appointed.

26d. (1) The owner, or the agent of the owner, of every coast-trade ship or river ship in respect of which a determination has not been made under this section shall, by instrument in writing addressed to the Director of Marine Determination
by Committee.

and Harbors, request that such a determination be made in respect of that ship, and the Director, upon receipt of the request, shall refer it to the Committee.

(2) The owner, the agent of the owner, or the master, of a coast-trade ship or river ship, or any other person who, in the opinion of the Director of Marine and Harbors, has a proper interest in the navigation of the ship, may, by instrument in writing, request that a determination made under this section in respect of the ship be reviewed, and the Director, if satisfied that the request is not frivolous or vexatious, shall refer it to the Committee.

(3) The Director of Marine and Harbors may, at any time, by instrument in writing, request the Committee to make a determination in respect of any coast-trade ship or river ship or to review any such determination previously made.

(4) The Committee shall, as soon as practicable after a request in respect of a coast-trade ship or river ship has been referred or made to it under this section, determine with what minimum complement of officers, engineers and seamen the ship should be manned, and what should be their respective minimum qualifications and experience to ensure the safe navigation of the ship and the safe use of the equipment and machinery of the ship in matters incidental to the navigation thereof or, where such a determination has previously been made under this section, shall review the determination and vary it as it thinks fit.

(5) For the purposes of a determination or the review of a determination under subsection (4) of this section, the Committee shall take into account the nature and condition of the ship and of its equipment and machinery and the conditions under which it is being or is to be navigated and any other relevant factors.

(6) The Minister shall cause a copy of a determination of the Committee, or where a determination has been varied under this section, a copy of the determination as varied, to be published in the *Gazette*.

(7) Sections 19 and 20 of the Marine Act, 1936-1966, and any regulations made under paragraph VI or paragraph VIIIA of section 14 of the Marine Act, 1936-1966, shall, notwithstanding the repeal of those provisions by the Marine Act Amendment Act, 1968, continue to apply to and in relation to any coast-trade ship or river ship that was, at the commencement of the Marine Act Amendment

Act, 1968, trading or plying within South Australian waters, until a determination is made and published under this section in respect of that ship.

(8) A person who—

(a) being the owner, or the agent of the owner, of a coast-trade ship or river ship, fails to comply with subsection (1) of this section ;

or

(b) causes a coast-trade ship or river ship in respect of which a determination has been made and published under this section to go to sea or to be navigated within South Australian waters with a lesser complement of officers, engineers and seamen than that prescribed in the determination, or a complement of officers, engineers and seamen having inferior qualifications or less experience than as prescribed in the determination;

or

(c) causes any coast-trade ship or river ship that was not, at the commencement of the Marine Act Amendment Act, 1968, trading or plying within South Australian waters, to go to sea or to be navigated within South Australian waters before a determination has been made and published under this section,

shall be guilty of an offence and liable to a fine not exceeding two hundred dollars.

(9) This section shall not apply to or in relation to any lighter, barge or hulk possessing no independent motive power or means of propelling itself unless the lighter, barge or hulk is of fifteen tons gross tonnage or more and the owner, the agent of the owner or master thereof intends that the lighter, barge or hulk should go to sea.

26e. (1) For the purposes of this Act the Committee may—

Power to
obtain
information.

(a) by summons under the hand of the chairman or a member require any person to attend before the Committee ;

(b) require any person to give oral or written answers to any questions relating to any matter before the Committee ;

- (c) by summons under the hand of the chairman or a member require any person to produce any books, maps, plans, papers and documents relating to any matter before the Committee ;
 - (d) examine witnesses on oath or affirmation, which may be administered by the chairman or a member ;
 - (e) require any information given to the Committee to be verified by a statutory declaration ;
- and
- (f) enter and inspect any vessel in respect of which a determination is to be made or reviewed under this Act and, for the purposes of such entry and inspection, enter any place or premises adjacent thereto.

(2) If any person—

- (a) who has been duly served with a summons to attend before the Committee, neglects or fails to attend in obedience to such summons ;
- or
- (b) wilfully insults the Committee or any member thereof ;
- or
- (c) misbehaves himself before the Committee ;
- or
- (d) obstructs the Committee or interrupts the proceedings of the Committee ;
- or
- (e) being called or examined as a witness before the Committee, refuses to be sworn or to affirm or to produce documents specified in a summons served upon him, or any of them ;
- or
- (f) being so called or examined refuses to answer any lawful questions or prevaricates in his evidence,

he shall be guilty of an offence and liable to a fine not exceeding two hundred dollars.

Amendment of
principal Act,
s. 33—
Ships in
an unseaworthy
condition.

10. Section 33 of the principal Act is amended by striking out the passage “thereby be endangered” and inserting in lieu thereof the passage “have been endangered thereby”.

11. Subsection (1) of section 35 of the principal Act is amended—

Amendment of principal Act, s. 35—
Power to detain unsafe ships and procedure for detention.

- (a) by striking out the word “it” in paragraph I and inserting in lieu thereof the word “he”;
- (b) by inserting after the word “department” in paragraph II the word “or”;
and
- (c) by striking out the word “its” in paragraph III and inserting in lieu thereof the word “his”.

12. Section 46 of the principal Act is amended by striking out the word “it” and inserting in lieu thereof the word “he”.

Amendment of principal Act, s. 46—
Cables and anchors of ships alleged to be unseaworthy.

13. Subsection (2) of section 47 of the principal Act is amended by striking out the word “board” and inserting in lieu thereof the word “Minister”.

Amendment of principal Act, s. 47—
Ship's draught of water and clear side to be recorded.

14. Section 56 of the principal Act is amended by striking out the proviso.

Amendment of principal Act, s. 56—
Road line certificates.

15. Section 59 of the principal Act is amended—

Amendment of principal Act, s. 59—
Regulations and rules concerning lights, fog signals and sailing rules.

- (a) by inserting after the word “regulations” in subsection (1) the passage “or rules”;
- (b) by striking out the passage “come into operation and” in subsection (1);
- (c) by inserting after the word “regulations” wherever it occurs in subsection (2) the passage “or rules”;
and
- (d) by inserting after subsection (2) the following subsections :—

(3) If any of the regulations or rules is not complied with by a vessel within South Australian waters, the owner, the agent of the owner (if there is such an agent) and the master of the vessel shall each be guilty of an offence and each liable to a penalty not exceeding two hundred dollars.

(4) If under the regulations or rules a duty or obligation is imposed upon any person and he fails diligently to discharge that duty or obligation he shall be guilty of an offence and liable to a penalty not exceeding two hundred dollars.

Amendment of
principal Act,
s. 60—
Regulations
applicable
to River
Murray

16. Section 60 of the principal Act is amended by inserting after subsection (2) the following subsections:—

(3) If any of the regulations is not complied with by a river ship in South Australia on the River Murray or on any South Australian tributary of that river, the owner, the agent of the owner (if there is such an agent) and the master of the ship shall each be guilty of an offence and each liable to a penalty not exceeding two hundred dollars.

(4) If under the regulations a duty or obligation is imposed upon any person and he fails diligently to discharge that duty or obligation, he shall be guilty of an offence and liable to a penalty not exceeding two hundred dollars.

Amendment of
principal Act,
s. 61—
Owners and
masters
bound to obey
regulations.

17. Section 61 of the principal Act is amended by inserting after the word "regulations" wherever it occurs the passage "or rules".

Amendment of
principal Act,
s. 62—
Breach of
regulations
to imply wilful
default of
person in
charge.

18. Section 62 of the principal Act is amended by inserting after the word "regulations" wherever it occurs the passage "or rules".

Amendment of
principal Act,
s. 64—
Signals
of distress.

19. Subsection (1) of section 64 of the principal Act is amended by inserting after the word "regulations" the passage "or rules".

Enactment of
s. 67aa of
principal Act.

20. The following section is enacted and inserted in the principal Act after section 67 and before the heading "DIVISION XA":—

Penalty for
improper
weight on
safety-valve.

67aa. A person who places an undue weight upon the safety-valve of a steamship or, if the steamship has been surveyed under this Act, increases the weight upon the safety-valve beyond the limits fixed by the engineer surveyor, shall, in addition to any other liability that he may incur by so doing, be guilty of an offence and liable to a penalty not exceeding two hundred dollars.

21. The following section is enacted and inserted in the principal Act after section 67g:—

Enactment of new section 67h of principal Act.

67h. The provisions of Part V of this Act shall apply *mutatis mutandis* to, and in relation to, fishing vessels.

Inquiries and investigations in relation to fishing vessels.

22. Section 68 of the principal Act is repealed.

Repeal of s. 68 of principal Act.

23. Section 70 of the principal Act is amended by striking out the passage “or engineer surveyors or both” in paragraph (a) and inserting in lieu thereof the passage “, engineer surveyors or shipwright surveyors or to hold any two or more of those offices in conjunction”.

Amendment of principal Act, s. 70—
Appointment of surveyors.

24. Subsection (1) of section 71 of the principal Act is amended by striking out the passage “and ship surveyors” and inserting in lieu thereof the passage “ship surveyors and shipwright surveyors”.

Amendment of principal Act, s. 71—
Surveyors to have power to inspect.

25. Subsection (1) of section 73 of the principal Act is amended by striking out the word “board” and inserting in lieu thereof the word “Minister”.

Amendment of principal Act, s. 73—
Mode of survey and declaration of survey.

26. Subsection (1) of section 78 of the principal Act is amended by striking out the word “it” and inserting in lieu thereof the word “he”.

Amendment of principal Act, s. 78—
Power to cancel certificates and require fresh declarations.

27. The following section is enacted and inserted in the principal Act after section 78 :—

Enactment of new s. 78a of principal Act.

78a. A person who, without the prior consent in writing of the Minister, makes or causes to be made any alteration to the equipment or machinery, or any structural alteration to the hull of a ship in respect of which a certificate of survey is in force, shall be guilty of an offence and liable to a penalty not exceeding two hundred dollars.

Alterations to ship in respect of which a certificate has been issued.

Amendment of principal Act, s. 79—
Certificate to be placed in conspicuous part of ship.

28. Subsection (2) of section 79 of the principal Act is amended by striking out the word "it" and inserting in lieu thereof the word "he".

Amendment of principal Act, s. 81—
Power of Minister to extend certificate granted by him.

29. Section 81 of the principal Act is amended by striking out the word "it" and inserting in lieu thereof the word "he".

Amendment of principal Act, s. 83—
Surveyors to make returns of the build and other particulars of the ship.

30. Subsection (1) of section 83 of the principal Act is amended by striking out the word "it" and inserting in lieu thereof the word "he".

Amendment of principal Act, s. 84—
Ships with Board of Trade certificates.

31. Subsection (2) of section 84 of the principal Act is amended by striking out the word "it" and inserting in lieu thereof the word "he".

Repeal of s. 85 of principal Act and enactment of new s. 85.

32. Section 85 of the principal Act is repealed and the following section is enacted and inserted in lieu thereof:—

Permit exempting certain ships from survey.

85. (1) If the Minister is satisfied that a ship subject to this Division is not to be used for the carriage of passengers, he may, by writing under his hand, grant to the owner, the agent of the owner, or the master, of the ship a permit exempting the ship from the provisions of this Division.

(2) If a passenger is carried by a ship in respect of which a permit is in force under this section, the owner, the agent of the owner (if there is such an agent) and the master of the ship shall each be guilty of an offence and each liable to a fine not exceeding two hundred dollars.

(3) The Minister may grant a permit under this section subject to such limitations and conditions as he deems expedient, and may, in his discretion, revoke and cancel a permit at any time.

(4) A permit granted by the South Australian Harbors Board under section 85 of the Marine Act, 1936-1962, shall, for the purpose of this section, be deemed to be a permit granted by the Minister under this section.

33. Subsection (2) of section 86 of the principal Act is amended—

Amendment of principal Act, s. 86—

(a) by striking out the word “its” in paragraph (a) and inserting in lieu thereof the word “his”;

Appeal to court of survey.

and

(b) by striking out the word “them” in paragraph (b) and inserting in lieu thereof the passage “the Minister”.

34. Section 108 of the principal Act is amended by striking out subsection (4).

Amendment of principal Act, s. 108—
List of assessors.

35. Subsection (1) of section 117 of the principal Act is amended by striking out the word “its” and inserting in lieu thereof the word “his”.

Amendment of principal Act, s. 117—
Conduct of case.

36. Section 120 of the principal Act is amended by striking out the word “it” and inserting in lieu thereof the word “he”.

Amendment of principal Act, s. 120—
Payment of costs by board.

37. Subsection (1) of section 126 of the principal Act is amended by striking out the passage “as the” and inserting in lieu thereof the word “as”.

Amendment of principal Act, s. 126—
Superintendents of mercantile marine officers.

38. Subsection (1) of section 127 of the principal Act is amended by inserting after the passage “Navigation Act” the passage “and sections 215, 265, and 268 of the Navigation Act”.

Amendment of principal Act, s. 127—
Application of certain portions of the Navigation Act.

39. Section 132 of the principal Act is amended—

(a) by striking out the word “it” in subsection (1) and inserting in lieu thereof the word “he”;

Amendment of principal Act, s. 132—
Private signals.

and

(b) by striking out the word “its” in subsection (2) and inserting in lieu thereof the word “his”.

40. Section 139 of the principal Act is amended by striking out the passage “or it”.

Amendment of principal Act, s. 139—
Recovery by Minister of expenses.

41. Section 145 of the principal Act is repealed.

Repeal of s. 145 of principal Act.

Amendment to
Second
Schedule of
Principal Act.

42. The Second Schedule to the principal Act is amended by striking out the whole of the First Part and inserting in lieu thereof the following :—

FIRST PART

RULES FOR PREVENTING COLLISIONS AT SEA

PRELIMINARY AND DEFINITIONS.

Rule 1.

(a) These Rules shall be followed by all vessels and seaplanes upon the high seas and in all waters connected therewith navigable by seagoing vessels, except as provided in Rule 30. Where, as a result of their special construction it is not possible for seaplanes to comply fully with the provisions of Rules specifying the carrying of lights and shapes, these provisions shall be followed as closely as circumstances permit.

(b) The Rules concerning lights shall be complied with in all weathers from sunset to sunrise, and during such times no other lights shall be exhibited, except such lights as cannot be mistaken for the prescribed lights or do not impair their visibility or distinctive character, or interfere with the keeping of a proper look-out. The lights prescribed by these Rules may also be exhibited from sunrise to sunset in restricted visibility and in all other circumstances when it is deemed necessary.

(c) In the following Rules, except where the context otherwise requires—

- (i) the word “vessel” includes every description of water craft, other than a seaplane on the water, used or capable of being used as a means of transportation on water ;
- (ii) the word “seaplane” includes a flying boat and any other aircraft designed to manoeuvre on the water ;
- (iii) the term “power-driven vessel” means any vessel propelled by machinery ;
- (iv) every power-driven vessel which is under sail and not under power is to be considered a sailing vessel, and every vessel under power, whether under sail or not, is to be considered a power-driven vessel ;
- (v) a vessel or seaplane on the water is “under way” when she is not at anchor, or made fast to the shore, or aground ;
- (vi) the term “height above the hull” means height above the uppermost continuous deck ;
- (vii) the length and breadth of a vessel shall be her length overall and largest breadth ;
- (viii) the length and span of a seaplane shall be its maximum length and span as shown in its certificate of airworthiness, or as determined by measurement in the absence of such certificate ;
- (ix) vessels shall be deemed to be in sight of one another only when one can be observed visually from the other ;
- (x) the word “visible”, when applied to lights, means visible on a dark night with a clear atmosphere ;
- (xi) the term “short blast” means a blast of about one second’s duration ;
- (xii) the term “prolonged blast” means a blast of from four to six seconds’ duration ;
- (xiii) the word “whistle” means any appliance capable of producing the prescribed short and prolonged blasts ;
- (xiv) the term “engaged in fishing” means fishing with nets, lines or trawls but does not include fishing with trolling lines.

LIGHTS AND SHAPES.

Rule 2.

(a) A power-driven vessel when under way shall carry :—

- (i) On or in front of the foremast, or if a vessel without a foremast then in the forepart of the vessel, a white light so constructed as to show an unbroken light over an arc of the horizon of 225 degrees (20 points of the compass), so fixed as to show the light $112\frac{1}{2}$ degrees (10 points) on each side of the vessel, that is, from right ahead to $22\frac{1}{2}$ degrees (2 points) abaft the beam on either side, and of such a character as to be visible at a distance of at least 5 miles.
- (ii) Either forward or abaft the white light prescribed in subsection (i) a second white light similar in construction and character to that light. Vessels of less than 150 feet in length shall not be required to carry this second white light but may do so.
- (iii) These two white lights shall be so placed in a line with and over the keel that one shall be at least 15 feet higher than the other and in such a position that the forward light shall always be shown lower than the after one. The horizontal distance between the two white lights shall be at least three times the vertical distance. The lower of these two white lights or, if only one is carried, then that light, shall be placed at a height above the hull of not less than 20 feet, and, if the breadth of the vessel exceeds 20 feet, then at a height above the hull not less than such breadth, so however that the light need not be placed at a greater height above the hull than 40 feet. In all circumstances the light or lights, as the case may be, shall be so placed as to be clear of and above all other lights and obstructing superstructures.
- (iv) On the starboard side a green light so constructed as to show an unbroken light over an arc of the horizon of $112\frac{1}{2}$ degrees (10 points of the compass), so fixed as to show the light from right ahead to $22\frac{1}{2}$ degrees (2 points) abaft the beam on the starboard side, and of such a character as to be visible at a distance of at least 2 miles.
- (v) On the port side a red light so constructed as to show an unbroken light over an arc of the horizon of $112\frac{1}{2}$ degrees (10 points of the compass), so fixed as to show the light from right ahead to $22\frac{1}{2}$ degrees (2 points) abaft the beam on the port side, and of such a character as to be visible at a distance of at least 2 miles.
- (vi) The said green and red sidelights shall be fitted with inboard screens projecting at least 3 feet forward from the light, so as to prevent these lights from being seen across the bows.

(b) A seaplane under way on the water shall carry :—

- (i) In the forepart amidships where it can best be seen a white light, so constructed as to show an unbroken light over an arc of the horizon of 220 degrees of the compass, so fixed as to show the light 110 degrees on each side of the seaplane, namely, from right ahead to 20 degrees abaft the beam on either side, and of such a character as to be visible at a distance of at least 3 miles.
- (ii) On the right or starboard wing tip a green light, so constructed as to show an unbroken light over an arc of the horizon of 110 degrees of the compass, so fixed as to show the light from right ahead to 20 degrees abaft the beam on the starboard side, and of such a character as to be visible at a distance of at least 2 miles.
- (iii) On the left or port wing tip a red light, so constructed as to show an unbroken light over an arc of the horizon of 110 degrees of the compass, so fixed as to show the light from right ahead to 20 degrees abaft the beam on the port side, and of such a character as to be visible at a distance of at least 2 miles.

Rule 3.

(a) A power-driven vessel when towing or pushing another vessel or seaplane shall, in addition to her sidelights, carry two white lights in a vertical line one over the other, not less than 6 feet apart, and when towing and the length of the tow, measuring from the stern of the towing vessel to the stern of the last vessel towed, exceeds 600 feet, shall carry three white lights in a vertical line one over the other, so that the upper and lower lights shall be the same distance from, and not less than 6 feet above or below, the middle light. Each of these lights shall be of the same construction and character and one of them shall be carried in the same position as the white light prescribed in Rule 2 (a) (i). None of these lights shall be carried at a height of less than 14 feet above the hull. In a vessel with a single mast, such lights may be carried on the mast.

(b) The towing vessel shall also show either the stern light prescribed in Rule 10 or in lieu of that light a small white light abaft the funnel or aftermast for the tow to steer by, but such light shall not be visible forward of the beam.

(c) Between sunrise and sunset, a power-driven vessel engaged in towing, if the length of tow exceeds 600 feet, shall carry, where it can best be seen, a black diamond shape at least 2 feet in diameter.

(d) A seaplane on the water, when towing one or more seaplanes or vessels, shall carry the lights prescribed in Rule 2 (b) (i), (ii) and (iii); and, in addition, she shall carry a second white light of the same construction and character as the white light prescribed in Rule 2 (b) (i), and in a vertical line at least 6 feet above or below such light.

Rule 4.

(a) A vessel which is not under command shall carry, where they can best be seen, and, if a power-driven vessel, in lieu of the lights prescribed in Rule 2 (a) (i) and (ii), two red lights in a vertical line one over the other not less than 6 feet apart, and of such a character as to be visible all round the horizon at a distance of at least 2 miles. By day, she shall carry in a vertical line one over the other not less than 6 feet apart, where they can best be seen, two black balls or shapes each not less than 2 feet in diameter.

(b) A seaplane on the water which is not under command may carry where they can best be seen, and in lieu of the light prescribed in Rule 2 (b) (i), two red lights in a vertical line, one over the other, not less than 3 feet apart, and of such a character as to be visible all round the horizon at a distance of at least 2 miles, and may by day carry in a vertical line one over the other not less than 3 feet apart, where they can best be seen, two black balls or shapes, each not less than 2 feet in diameter.

(c) A vessel engaged in laying or in picking up a submarine cable or navigation mark, or a vessel engaged in surveying or underwater operations, or a vessel engaged in replenishment at sea, or in the launching or recovery of aircraft when from the nature of her work she is unable to get out of the way of approaching vessels, shall carry, in lieu of the lights prescribed in Rule 2 (a) (i) and (ii), or Rule 7 (a) (i), three lights in a vertical line one over the other so that the upper and lower lights shall be the same distance from, and not less than 6 feet above or below the middle light. The highest and lowest of these lights shall be red, and the middle lights shall be white, and they shall be of such a character as to be visible all round the horizon at a distance of at least 2 miles. By day, she shall carry in a vertical line one over the other not less than 6 feet apart, where they can best be seen, three shapes each not less than 2 feet in diameter, of which the highest and lowest shall be globular in shape and red in colour, and the middle one diamond in shape and white.

(d) (i) A vessel engaged in minesweeping operations shall carry at the foretruck a green light, and at the end or ends of the foreyard on the side or sides on which danger exists, another such light or lights. These lights shall be carried in addition to the light prescribed in Rule 2 (a) (i) or Rule 7 (a) (i) as appropriate, and shall be of such a character as to be visible all round the horizon at a distance of at least 2 miles. By day she shall carry black balls, not less than 2 feet in diameter, in the same position as the green lights.

(ii) The showing of these lights or balls indicates that it is dangerous for other vessels to approach closer than 3,000 feet astern of the minesweeper or 1,500 feet on the side or sides of which danger exists.

(e) The vessels and seaplanes referred to in this Rule, when not making way through the water, shall show neither the coloured sidelights nor the stern light, but when making way they shall show them.

(f) The lights and shapes prescribed in this Rule are to be taken by other vessels and seaplanes as signals that the vessel or seaplane showing them is not under command and cannot therefore get out of the way.

(g) These signals are not signals of vessels in distress and requiring assistance. Such signals are contained in Rule 31.

Rule 5.

(a) A sailing vessel under way and any vessel or seaplane being towed shall carry the same lights as are prescribed in Rule 2 for a power-driven vessel or a seaplane under way, respectively, with the exception of the white lights prescribed therein, which they shall never carry. They shall also carry stern lights as prescribed in Rule 10, provided that vessels towed, except the last vessel of a tow, may carry, in lieu of such stern light, a small white light as prescribed in Rule 3 (b).

(b) In addition to the lights prescribed in section (a), a sailing vessel may carry on the top of the foremast two lights in a vertical line one over the other, sufficiently separated so as to be clearly distinguished. The upper light shall be red and the lower light shall be green. Both lights shall be constructed and fixed as prescribed in Rule 2 (a) (i) and shall be visible at a distance of at least 2 miles.

(c) A vessel being pushed ahead shall carry, at the forward end, on the starboard side a green light and on the port side a red light, which shall have the same characteristics as the lights prescribed in Rule 2 (a) (iv) and (v) and shall be screened as provided in Rule 2 (a) (vi), provided that any number of vessels pushed ahead in a group shall be lighted as one vessel.

(d) Between sunrise and sunset a vessel being towed, if the length of the tow exceeds 600 feet, shall carry where it can best be seen a black diamond shape at least 2 feet in diameter.

Rule 6.

(a) When it is not possible on account of bad weather or other sufficient cause to fix the green and red sidelights, these lights shall be kept at hand lighted and ready for immediate use, and shall, on the approach of or to other vessels, be exhibited on their respective sides in sufficient time to prevent collision, in such manner as to make them most visible, and so that the green light shall not be seen on the port side nor the red light on the starboard side, nor, if practicable, more than $22\frac{1}{2}$ degrees (2 points) abaft the beam on their respective sides.

(b) To make the use of these portable lights more certain and easy, the lanterns containing them shall each be painted outside with the colour of the lights they respectively contain, and shall be provided with proper screens.

Rule 7.

Power-driven vessels of less than 65 feet in length, vessels under oars or sails of less than 40 feet in length, and rowing boats, when under way shall not be required to carry the lights prescribed in Rules 2, 3 and 5, but if they do not carry them they shall be provided with the following lights :—

(a) Power-driven vessels of less than 65 feet in length except as provided in sections (b) and (c), shall carry :—

(i) In the forepart of the vessel, where it can best be seen, and at a height above the gunwale of not less than 9 feet, a white light constructed and fixed as prescribed in Rule 2 (a) (i) and of such a character as to be visible at a distance of at least 3 miles.

(ii) Green and red sidelights constructed and fixed as prescribed in Rule 2 (a) (iv) and (v), and of such a character as to be visible at a distance of at least 1 mile, or a combined lantern showing a green light and a red light from right ahead to $22\frac{1}{2}$ degrees (2 points) abaft the beam on their respective sides. Such lantern shall be carried not less than 3 feet below the white light.

(b) Power-driven vessels of less than 65 feet in length when towing or pushing another vessel shall carry :—

(i) In addition to the sidelights or the combined lantern prescribed in section (a) (ii) two white lights in a vertical line, one over the other not less than 4 feet apart. Each of these lights shall be of the same construction and character as the white light prescribed in section (a) (i) and one of them shall be carried in the same position. In a vessel with a single mast such lights may be carried on the mast.

(ii) Either a stern light as prescribed in Rule 10 or in lieu of that light a small white light abaft the funnel or aftermast for the tow to steer by, but such light shall not be visible forward of the beam.

(c) Power-driven vessels of less than 40 feet in length may carry the white light at a less height than 9 feet above the gunwale but it shall be carried not less than 3 feet above the sidelights or the combined lantern prescribed in section (a) (ii).

(d) Vessels of less than 40 feet in length, under oars or sails, except as provided in section (f), shall, if they do not carry the sidelights, carry, where it can best be seen, a lantern showing a green light on one side and a red light on the other, of such a character as to be visible at a distance of at least 1 mile, and so fixed that the green light shall not be seen on the port side, nor the red light on the starboard side. Where it is not possible to fix this light, it shall be kept ready for immediate use and shall be exhibited in sufficient time to prevent collision and so that the green light shall not be seen on the port side nor the red light on the starboard side.

(e) The vessels referred to in this Rule when being towed shall carry the sidelights or the combined lantern prescribed in sections (a) or (d) of this Rule, as appropriate, and a stern light as prescribed in Rule 10, or, except the last vessel of the tow, a small white light as prescribed in section (b) (ii). When being pushed ahead they shall carry at the forward end the sidelights or combined lantern prescribed in sections (a) or (d) of this Rule, as appropriate, provided that any number of vessels referred to in this Rule when pushed ahead in a group shall be lighted as one vessel under this Rule unless the overall length of the group exceeds 65 feet when the provisions of Rule 5 (c) shall apply.

(f) Small rowing boats, whether under oars or sail, shall only be required to have ready at hand an electric torch or a lighted lantern showing a white light, which shall be exhibited in sufficient time to prevent collision.

(g) The vessels and boats referred to in this Rule shall not be required to carry the lights or shapes prescribed in Rules 4 (a) and 11 (e) and the size of their day signals may be less than is prescribed in Rules 4 (c) and 11 (c)

Rule 8.

- (a) A power-driven pilot-vessel when engaged on pilotage duty and under way :—
- (i) Shall carry a white light at the masthead at a height of not less than 20 feet above the hull, visible all round the horizon at a distance of at least 3 miles and at a distance of 8 feet below it a red light similar in construction and character. If such a vessel is of less than 65 feet in length she may carry the white light at a height of not less than 9 feet above the gunwale and the red light at a distance of 4 feet below the white light.
 - (ii) Shall carry the sidelights or lanterns prescribed in Rule 2 (a) (iv) and (v) or Rule 7 (a) (ii) or (d) as appropriate, and the stern light prescribed in Rule 10.
 - (iii) Shall show one or more flare-up lights at intervals not exceeding 10 minutes. An intermittent white light visible all round the horizon may be used in lieu of flare-up lights.
- (b) A sailing pilot-vessel when engaged on pilotage duty and under way :—
- (i) Shall carry a white light at the masthead visible all round the horizon at a distance of at least 3 miles.
 - (ii) Shall be provided with the sidelights or lantern prescribed in Rules 5 (a) or 7 (d), as appropriate, and shall, on the near approach of or to other vessels, have such lights ready for use, and shall show them at short intervals to indicate the direction in which she is heading, but the green light shall not be shown on the port side nor the red light on the starboard side. She shall also carry the stern light prescribed in Rule 10.
 - (iii) Shall show one or more flare-up lights at intervals not exceeding 10 minutes.
- (c) A pilot-vessel when engaged on pilotage duty and not under way shall carry the lights and show the flares prescribed in sections (a) (i) and (iii) or (b) (i) and (iii), as appropriate, and if at anchor shall also carry the anchor lights prescribed in Rule 11.
- (d) A pilot-vessel when not engaged on pilotage duty shall show the lights or shapes for a similar vessel of her length.

Rule 9.

- (a) Fishing vessels when not engaged in fishing shall show the lights or shapes for similar vessels of their length.
- (b) Vessels engaged in fishing, when under way or at anchor, shall show only the lights and shapes prescribed in this Rule, which lights and shapes shall be visible at a distance of at least 2 miles.
- (c) (i) Vessels when engaged in trawling, by which is meant the dragging of a dredge net or other apparatus through the water, shall carry two lights in a vertical line, one over the other, not less than 4 feet nor more than 12 feet apart. The upper of these lights shall be green and the lower light white and each shall be visible all round the horizon. The lower of these two lights shall be carried at a height above the sidelights not less than twice the distance between the two vertical lights.
- (ii) Such vessels may in addition carry a white light similar in construction to the white light prescribed in Rule 2 (a) (i) but such light shall be carried lower than and abaft the all-round green and white lights.
- (d) Vessels when engaged in fishing, except vessels engaged in trawling, shall carry the lights prescribed in section (c) (i) except that the upper of the two vertical lights shall be red. Such vessels if of less than 40 feet in length may carry the red light at a height of not less than 9 feet above the gunwale and the white light not less than 3 feet below the red light.
- (e) Vessels referred to in sections (c) and (d), when making way through the water, shall carry the sidelights or lanterns prescribed in Rule 2 (a) (iv) and (v) or Rule 7 (a) (ii) or (d) as appropriate, and the stern light prescribed in Rule 10. When not making way through the water they shall show neither the sidelights nor the stern light.
- (f) Vessels referred to in section (d) with outlying gear extending more than 500 feet horizontally into the seaway shall carry an additional all-round white light at a horizontal distance of not less than 6 feet nor more than 20 feet away from the vertical lights in the directions of the outlying gear. This additional white light shall be placed at a height not exceeding that of the white light prescribed in section (c) (i) and not lower than the sidelights.
- (g) In addition to the lights which they are required by this Rule to carry, vessels engaged in fishing may, if necessary in order to attract the attention of an approaching vessel, use a flare-up light, or may direct the beam of their searchlight in the direction of a danger threatening the approaching vessel, in such a way as not to embarrass other vessels. They may also use working lights but fishermen shall take into account that specially bright or insufficiently screened working lights may impair the visibility and distinctive character of the lights prescribed in this Rule.

(h) By day vessels when engaged in fishing shall indicate their occupation by displaying where it can best be seen a black shape consisting of two cones each not less than 2 feet in diameter with their points together one above the other. Such vessels if of less than 65 feet in length may substitute a basket for such black shape. If their outlying gear extends more than 500 feet horizontally into the seaway vessels engaged in fishing shall display in addition one black conical shape, point upwards, in the direction of the outlying gear.

Rule 10.

(a) Except where otherwise provided in these Rules, a vessel when under way shall carry at her stern a white light, so constructed that it shall show an unbroken light over an arc of the horizon of 135 degrees (12 points of the compass), so fixed as to show the light 67½ degrees (6 points) from the right aft on each side of the vessel, and of such a character as to be visible at a distance of at least 2 miles.

(b) In a small vessel, if it is not possible on account of bad weather or other sufficient cause for this light to be fixed an electric torch or a lighted lantern showing a white light shall be kept at hand ready for use and shall on the approach of an overtaking vessel, be shown in sufficient time to prevent collision.

(c) A seaplane on the water when under way shall carry on her tail a white light, so constructed as to show an unbroken light over an arc of the horizon of 140 degrees of the compass, so fixed as to show the light 70 degrees from right aft on each side of the seaplane, and of such a character as to be visible at a distance of at least 2 miles.

Rule 11.

(a) A vessel of less than 150 feet in length, when at anchor, shall carry in the forepart of the vessel, where it can best be seen, a white light visible all round the horizon at a distance of at least 2 miles. Such a vessel may also carry a second white light in the position prescribed in section (b) of this Rule but shall not be required to do so. The second white light, if carried, shall be visible at a distance of at least 2 miles and so placed as to be as far as possible visible all round the horizon.

(b) A vessel of 150 feet or more in length, when at anchor, shall carry near the stem of the vessel, at a height of not less than 20 feet above the hull, one such light, and at or near the stern of the vessel and at such a height that it shall be not less than 15 feet lower than the forward light, another such light. Both these lights shall be visible at a distance of at least 3 miles and so placed as to be as far as possible visible all round the horizon.

(c) Between sunrise and sunset every vessel when at anchor shall carry in the forepart of the vessel, where it can best be seen, one black ball not less than 2 feet in diameter.

(d) A vessel engaged in laying or in picking up a submarine cable or navigation mark, or a vessel engaged in surveying or underwater operations, when at anchor, shall carry the lights or shapes prescribed in Rule 4 (c) in addition to those prescribed in the appropriate preceding sections of this Rule.

(e) A vessel aground shall carry the light or lights prescribed in sections (a) or (b) and the two red lights prescribed in Rule 4 (a). By day she shall carry, where they can best be seen, three black balls, each not less than 2 feet in diameter, placed in a vertical line one over the other, not less than 6 feet apart.

(f) A seaplane on the water under 150 feet in length, when at anchor, shall carry, where it can best be seen, a white light, visible all round the horizon at a distance of at least 2 miles.

(g) A seaplane on the water 150 feet or upwards in length when at anchor, shall carry, where they can best be seen, a white light forward and a white light aft, both lights visible all round the horizon at a distance of at least 3 miles; and, in addition, if the seaplane is more than 150 feet in span, a white light on each side to indicate the maximum span, and visible, so far as practicable, all round the horizon at a distance of 1 mile.

(h) A seaplane aground shall carry an anchor light or lights as prescribed in sections (f) and (g), and in addition may carry two red lights in a vertical line, at least 3 feet apart, so placed as to be visible all round the horizon.

Rule 12.

Every vessel or seaplane on the water may, if necessary in order to attract attention, in addition to the lights which she is by these Rules required to carry, show a flare-up light or use a detonating or other efficient sound signal that cannot be mistaken for any signal authorized elsewhere under these Rules.

Rule 13.

(a) Nothing in these Rules shall interfere with the operation of any special rules made by the Government of any nation with respect to additional station and signal lights for ships of war, for vessels sailing under convoy, for fishing vessels engaged in fishing as a fleet or for seaplanes on the water.

(b) Whenever the Government concerned shall have determined that a naval or other military vessel or waterborne seaplane of special construction or purpose cannot comply fully with the provisions of any of these Rules with respect to the number, position, range or arc of visibility of lights or shapes, without interfering with the military function of the vessel or seaplane, such vessel or seaplane shall comply with such other provisions in regard to the number, position, range or arc of visibility of lights or shapes as her Government shall have determined to be the closest possible compliance with these Rules in respect of that vessel or seaplane.

Rule 14.

A vessel proceeding under sail, when also being propelled by machinery, shall carry in the daytime forward, where it can best be seen, one black conical shape, point downwards, not less than 2 feet in diameter at its base.

SOUND SIGNALS AND CONDUCT IN RESTRICTED VISIBILITY.

Preliminary.

1. The possession of information obtained from radar does not relieve any vessel of the obligation of conforming strictly with the Rules and, in particular, the obligations contained in Rules 15 and 16.

2. The Annex to the Rules contains recommendations intended to assist in the use of radar as an aid to avoiding collision in restricted visibility.

Rule 15.

(a) A power-driven vessel of 40 feet or more in length shall be provided with an efficient whistle, sounded by steam or by some substitute for steam, so placed that the sound may not be intercepted by any obstruction, and with an efficient fog horn to be sounded by mechanical means, and also with an efficient bell. A sailing vessel of 40 feet or more in length shall be provided with a similar fog horn and bell.

(b) All signals prescribed in this Rule for vessels under way shall be given—

- (i) by power-driven vessels on the whistle ;
- (ii) by sailing vessels on the fog horn ;
- (iii) by vessels towed on the whistle or fog horn.

(c) In fog, mist, falling snow, heavy rainstorms, or any other condition similarly restricting visibility, whether by day or night, the signals prescribed in this Rule shall be used as follows :—

- (i) A power-driven vessel making way through the water shall sound at intervals of not more than 2 minutes a prolonged blast.
- (ii) A power-driven vessel under way, but stopped and making no way through the water, shall sound at intervals of not more than 2 minutes two prolonged blasts, with an interval of about 1 second between them.
- (iii) A sailing vessel under way shall sound, at intervals of not more than 1 minute, when on the starboard tack one blast, when on the port tack two blasts in succession, and when with the wind abaft the beam three blasts in succession.
- (iv) A vessel when at anchor shall at intervals of not more than 1 minute ring the bell rapidly for about 5 seconds. In vessels of more than 350 feet in length the bell shall be sounded in the forepart of the vessel, and in addition there shall be sounded in the after part of the vessel, at intervals of not more than 1 minute for about 5 seconds, a gong or other instrument the tone and sounding of which cannot be confused with that of the bell. Every vessel at anchor may in addition, in accordance with Rule 12, sound three blasts in succession, namely, one short, one prolonged, and one short blast, to give warning of her position and of the possibility of collision to an approaching vessel.
- (v) A vessel when towing, a vessel engaged in laying or in picking up a submarine cable or navigation mark, and a vessel under way which is unable to get out of the way of an approaching vessel through being not under command or unable to manoeuvre as required by these Rules shall, instead of the signals prescribed in subsections (i), (ii) and (iii) sound, at intervals of not more than 1 minute, three blasts in succession, namely, one prolonged blast followed by two short blasts.
- (vi) A vessel towed, or, if more than one vessel is towed, only the last vessel of the tow, if manned, shall, at intervals of not more than 1 minute, sound four blasts in succession, namely, one prolonged blast followed by three short blasts. When practicable, this signal shall be made immediately after the signal made by the towing vessel.

- (vii) A vessel aground shall give the bell signal and, if required, the gong signal, prescribed in subsection (iv) and shall, in addition, give 3 separate and distinct strokes on the bell immediately before and after such rapid ringing of the bell.
- (viii) A vessel engaged in fishing when under way or at anchor shall at intervals of not more than 1 minute sound the signal prescribed in subsection (v). A vessel when fishing with trolling lines and under way shall sound the signals prescribed in subsections (i), (ii) or (iii) as may be appropriate.
- (ix) A vessel of less than 40 feet in length, a rowing boat, or a seaplane on the water, shall not be obliged to give the abovementioned signals but if she does not, she shall make some other efficient sound signal at intervals of not more than 1 minute.
- (x) A power-driven pilot vessel when engaged on pilotage duty may, in addition to the signals prescribed in subsections (i), (ii) and (iv), sound an identity signal consisting of 4 short blasts.

Rule 16.

(a) Every vessel, or seaplane, when taxi-ing on the water, shall, in fog, mist, falling snow, heavy rainstorms or any other conditions similarly restricting visibility, go at a moderate speed, having careful regard to the existing circumstances and conditions.

(b) A power-driven vessel hearing, apparently forward of her beam, the fog signal of a vessel the position of which is not ascertained, shall, so far as the circumstances of the case admit, stop her engines, and then navigate with caution until danger of collision is over.

(c) A power-driven vessel which detects the presence of another vessel forward of her beam before hearing her fog signal or sighting her visually may take early and substantial action to avoid a close quarters situation but, if this cannot be avoided, she shall, so far as the circumstances of the case admit, stop her engines in proper time to avoid collision and then navigate with caution until danger of collision is over.

STEERING AND SAILING RULES.

Preliminary.

1. In obeying and construing these Rules, any action taken should be positive, in ample time, and with due regard to the observance of good seamanship.
2. Risk of collision can, when circumstances permit be ascertained by carefully watching the compass bearing of an approaching vessel. If the bearing does not appreciably change, such risk should be deemed to exist.
3. Mariners should bear in mind that seaplanes in the act of landing or taking off, or operating under adverse weather conditions, may be unable to change their intended action at the last moment.
4. Rules 17 to 24 apply only to vessels in sight of one another.

Rule 17.

(a) When two sailing vessels are approaching one another, so as to involve risk of collision, one of them shall keep out of the way of the other as follows :—

- (i) When each has the wind on a different side, the vessel which has the wind on the port side shall keep out of the way of the other.
- (ii) When both have the wind on the same side, the vessel which is to windward shall keep out of the way of the vessel which is to leeward.

(b) For the purposes of this Rule the windward side shall be deemed to be the side opposite to that on which the mainsail is carried or, in the case of a square-rigged vessel, the side opposite to that on which the largest fore-and-aft sail is carried.

Rule 18.

(a) When two power-driven vessels are meeting end on, or nearly end on, so as to involve risk of collision, each shall alter her course to starboard, so that each may pass on the port side of the other. This Rule only applies to cases where vessels are meeting end on, or nearly end on, in such a manner as to involve risk of collision, and does not apply to two vessels which must, if both keep on their respective course, pass clear of each other. The only cases to which it does apply are when each of two vessels is end on, or nearly end on, to the other; in other words, to cases in which, by day, each vessel sees the masts of the other in a line, or nearly in a line, with her own; and by night to cases in which each vessel is in such a position as to see both the sidelights of the other. It does not apply, by day, to cases in which a vessel sees another ahead crossing her own course; or by night, to cases where the red light of one vessel is opposed to the red light

of the other or where the green light of one vessel is opposed to the green light of the other or where a red light without a green light or a green light without a red light is seen ahead, or where both green and red lights are seen anywhere but ahead.

(b) For the purposes of this Rule and Rules 19 to 29 inclusive, except Rule 20 (c) and Rule 28, a seaplane on the water shall be deemed to be a vessel, and the expression "power-driven vessel" shall be construed accordingly.

Rule 19.

When two power-driven vessels are crossing, so as to involve risk of collision, the vessel which has the other on her own starboard side shall keep out of the way of the other.

Rule 20.

(a) When a power-driven vessel and a sailing vessel are proceeding in such directions as to involve risk of collision, except as provided for in Rules 24 and 26, the power-driven vessel shall keep out of the way of the sailing vessel.

(b) This Rule shall not give to a sailing vessel the right to hamper, in a narrow channel, the safe passage of a power-driven vessel which can navigate only inside such channel.

(c) A seaplane on the water shall, in general, keep well clear of all vessels and avoid impeding their navigation. In circumstances, however, where risk of collision exists, she shall comply with these Rules.

Rule 21.

Where by any of these Rules one or two vessels is to keep out of the way, the other shall keep her course and speed. When, from any cause, the latter vessel finds herself so close that collision cannot be avoided by the action of the giving-away vessel alone, she also shall take such action as will best aid to avert collision (see Rules 27 and 29).

Rule 22.

Every vessel which is directed by these Rules to keep out of the way of another vessel shall, so far as possible, take positive early action to comply with this obligation, and shall, if the circumstances of the case admit, avoid crossing ahead of the other.

Rule 23.

Every power-driven vessel which is directed by these Rules to keep out of the way of another vessel shall, on approaching her, if necessary, slacken her speed or stop or reverse.

Rule 24.

(a) Notwithstanding anything contained in these Rules, every vessel overtaking any other shall keep out of the way of the overtaken vessel.

(b) Every vessel coming up with another vessel from any direction more than 22½ degrees (2 points) abaft her beam, *i.e.*, in such a position, with reference to the vessel which she is overtaking, that at night she would be unable to see either of that vessel's sidelights, shall be deemed to be an overtaking vessel; and no subsequent alteration of the bearing between the two vessels shall make the overtaking vessel a crossing vessel within the meaning of these Rules, or relieve her of the duty of keeping clear of the overtaken vessel until she is finally past and clear.

(c) If the overtaking vessel cannot determine with certainty whether she is forward of or abaft this direction from the other vessel, she shall assume that she is an overtaking vessel and keep out of the way.

Rule 25.

(a) In a narrow channel every power-driven vessel when proceeding along the course of the channel shall, when it is safe and practicable, keep to that side of the fairway or mid-channel which lies on the starboard side of such vessel.

(b) Whenever a power-driven vessel is nearing a bend in a channel where a vessel approaching from the other direction cannot be seen, such power-driven vessel, when she shall have arrived within one-half (½) mile of the bend, shall give a signal by one prolonged blast on her whistle which signal shall be answered by a similar blast given by any approaching power-driven vessel that may be within hearing around the bend. Regardless of whether an approaching vessel on the farther side of the bend is heard such bend shall be rounded with alertness and caution.

(c) In a narrow channel a power-driven vessel of less than 65 feet in length shall not hamper the safe passage of a vessel which can navigate only inside such channel.

Rule 26.

All vessels not engaged in fishing, except vessels to which the provisions of Rule 4 apply, shall, when under way, keep out of the way of vessels engaged in fishing. This Rule shall not give to any vessel engaged in fishing the right of obstructing a fairway used by vessels other than fishing vessels.

Rule 27.

In obeying and construing these Rules due regard shall be had to all dangers of navigation and collision, and to any special circumstances, including the limitations of the craft involved, which may render a departure from the above Rules necessary in order to avoid immediate danger.

SOUND SIGNALS FOR VESSELS IN SIGHT OF ONE ANOTHER.

Rule 28.

(a) When vessels are in sight of one another, a power-driven vessel under way, in taking any course authorized or required by these Rules, shall indicate that course by the following signals on her whistle, namely :—

One short blast to mean "I am altering my course to starboard".

Two short blasts to mean "I am altering my course to port".

Three short blasts to mean "My engines are going astern".

(b) Whenever a power-driven vessel which, under these Rules, is to keep her course and speed, is in sight of another vessel and is in doubt whether sufficient action is being taken by the other vessel to avert collision, she may indicate such doubt by giving at least five short and rapid blasts on the whistle. The giving of such a signal shall not relieve a vessel of her obligations under Rules 27 and 29 or any other Rule, or of her duty to indicate any action taken under these Rules by giving the appropriate sound signals laid down in this Rule.

(c) Any whistle signal mentioned in this Rule may be further indicated by a visual signal consisting of a white light visible all round the horizon at a distance of at least 5 miles, and so devised that it will operate simultaneously and in conjunction with the whistle-sounding mechanism and remain lighted and visible during the same period as the sound signal.

(d) Nothing in these Rules shall interfere with the operation of any special rules made by the Government of any nation with respect to the use of additional whistle signals between ships of war or vessels sailing under convoy.

MISCELLANEOUS.

Rule 29.

Nothing in these Rules shall exonerate any vessel, or the owner, master or crew thereof, from the consequences of any neglect to carry lights or signals, or of any neglect to keep a proper look-out, or of the neglect of any precaution which may be required by the ordinary practice of seamen, or by the special circumstances of the case.

*Rule 30.**Reservation of Rules for Harbour and Inland Navigation.*

Nothing in these Rules shall interfere with the operation of a special rule duly made by local authority relative to the navigation of any harbour, river, lake, or inland water, including a reserved seaplane area.

*Rule 31.**Distress Signals.*

(a) When a vessel or seaplane on the water is in distress and requires assistance from other vessels or from the shore, the following shall be the signals to be used or displayed by her, either together or separately, namely :—

(i) A gun or other explosive signal fired at intervals of about a minute.

(ii) A continuous sounding with any fog-signalling apparatus.

(iii) Rockets or shells, throwing red stars fired one at a time at short intervals.

(iv) A signal made by radiotelegraphy or by any other signalling method consisting of the group . . . — — — . . . in the Morse Code.

(v) A signal sent by radiotelephony consisting of the spoken word "Mayday".

(vi) The International Code Signal of distress indicated by N.C.

- (vii) A signal consisting of a square flag having above or below it a ball or anything resembling a ball.
- (viii) Flames on the vessel (as from a burning tar barrel, oil barrel, etc.).
- (ix) A rocket parachute flare or a hand flare showing a red light.
- (x) A smoke signal giving off a volume of orange-coloured smoke.
- (xi) Slowly and repeatedly raising and lowering arms outstretched to each side.

NOTE.—Vessels in distress may use the radiotelegraph alarm signal or the radiotelephone alarm signal to secure attention to distress calls and messages. The radiotelegraph alarm signal, which is designed to actuate the radiotelegraph auto alarms of vessels so fitted, consists of a series of twelve dashes, sent in 1 minute, the duration of each dash being 4 seconds, and the duration of the interval between 2 consecutive dashes being 1 second. The radiotelephone alarm signal consists of 2 tones transmitted alternatively over periods of from 30 seconds to 1 minute.

(b) The use of any of the foregoing signals, except for the purpose of indicating that a vessel or seaplane is in distress, and the use of any signals which may be confused with any of the above signals, is prohibited.

NOTES RELATING TO BUT NOT FORMING PART OF RULES FOR PREVENTING COLLISIONS AT SEA.

Recommendations on the Use of Radar Information as an Aid to Avoiding Collisions at Sea.

- (1) Assumptions made on scanty information may be dangerous and should be avoided.
- (2) A vessel navigating with the aid of radar in restricted visibility must, in compliance with Rule 16 (a), go at a moderate speed. Information obtained from the use of radar is one of the circumstances to be taken into account when determining moderate speed. In this regard it must be recognized that small vessels, small icebergs and similar floating objects may not be detected by radar. Radar indications of one or more vessels in the vicinity may mean that "moderate speed" should be slower than a mariner without radar might consider moderate in the circumstances.
- (3) When navigating in restricted visibility the radar range and bearing alone do not constitute ascertainment of the position of the other vessel under Rule 16 (b) sufficiently to relieve a vessel of the duty to stop her engines and navigate with caution when a fog signal is heard forward of the beam.
- (4) When action has been taken under Rule 16 (c) to avoid a close quarters situation, it is essential to make sure that such action is having the desired effect. Alterations of course or speed or both are matters as to which the mariner must be guided by the circumstances of the case.
- (5) Alteration of course alone may be the most effective action to avoid close quarters provided that :—
 - (a) There is sufficient sea room.
 - (b) It is made in good time.
 - (c) It is substantial. A succession of small alterations of course should be avoided.
 - (d) It does not result in a close quarters situation with other vessels.
- (6) The direction of an alteration of course is a matter in which the mariner must be guided by the circumstances of the case. An alteration to starboard, particularly when vessels are approaching apparently on opposite or nearly opposite courses, is generally preferable to an alteration to port.
- (7) An alteration of speed, either alone or in conjunction with an alteration of course, should be substantial. A number of small alterations of speed should be avoided.
- (8) If a close quarters situation is imminent, the most prudent action may be to take all way off the vessel.

43. The provisions of the principal Act specified in the first column of the Schedule to this Act are amended in the manner shown in the second column of the Schedule.

Decimal
Currency.

SCHEDULE

| First Column Provision Amended | Second Column How Amended |
|-----------------------------------|--|
| Section 11 | By striking out the passage "twenty pounds" and inserting in lieu thereof the passage "forty dollars". |
| Section 12 | By striking out the passage "one hundred pounds" and inserting in lieu thereof the passage "two hundred dollars". |
| Section 14, paragraph xx .. | By striking out the passage "fifty pounds" and inserting in lieu thereof the passage "one hundred dollars" and by striking out the passage "ten pounds" and inserting in lieu thereof the passage "twenty dollars". |
| Section 22, subsection (1) . | By striking out the passage "fifty pounds" and inserting in lieu thereof the passage "one hundred dollars". |
| Section 26, subsection (3) . | By striking out the passage "One hundred pounds" and inserting in lieu thereof the passage "Two hundred dollars". |
| Section 33 | By striking out the passage "fifty pounds" and inserting in lieu thereof the passage "one hundred dollars" and by striking out the passage "one hundred pounds" and inserting in lieu thereof the passage "two hundred dollars". |
| Section 34 | By striking out the passage "one hundred pounds" and inserting in lieu thereof the passage "two hundred dollars". |
| Section 36, subsection (2) . | By striking out the passage "one hundred pounds" and inserting in lieu thereof the passage "two hundred dollars". |
| Section 37 | By striking out the passage "one hundred pounds" and inserting in lieu thereof the passage "two hundred dollars". |
| Section 47, subsection (3) . | By striking out the passage "twenty pounds" and inserting in lieu thereof the passage "forty dollars". |
| subsection (4) . | By striking out the passage "five pounds" and inserting in lieu thereof the passage "ten dollars". |
| Section 49, subsection (2) . | By striking out the passage "one hundred pounds" and inserting in lieu thereof the passage "two hundred dollars". |
| Section 52, subsection (2) . | By striking out the passage "one hundred pounds" and inserting in lieu thereof the passage "two hundred dollars". |
| Section 55, subsection (1) . | By striking out the passage "one hundred pounds" and inserting in lieu thereof the passage "two hundred dollars". |
| subsection (2) . | By striking out the passage "one hundred pounds" and inserting in lieu thereof the passage "two hundred dollars". |
| Section 58 | By striking out the passage "one hundred pounds" and inserting in lieu thereof the passage "two hundred dollars" and by striking out the passage "fifty pounds" and inserting in lieu thereof the passage "one hundred dollars". |
| Section 65, subsection (2) . | By striking out the passage "fifty pounds" and inserting in lieu thereof the passage "one hundred dollars". |
| Section 67, subsection (2) . | By striking out the passage "one hundred pounds" and inserting in lieu thereof the passage "two hundred dollars" and by striking out the passage "fifty pounds" and inserting in lieu thereof the passage "one hundred dollars". |
| Section 67e | By striking out the passage "one hundred pounds" and inserting in lieu thereof the passage "two hundred dollars". |

| First Column Provision Amended | Second Column How Amended |
|-----------------------------------|--|
| Section 67g, paragraph (i) . | By striking out the passage "one hundred pounds" and inserting in lieu thereof the passage "two hundred dollars". |
| Section 71, subsection (2) . | By striking out the passage "five pounds" and inserting in lieu thereof the passage "ten dollars". |
| Section 72 | By striking out the passage "fifty pounds" and inserting in lieu thereof the passage "one hundred dollars". |
| Section 79, subsection (2) . | By striking out the passage "ten pounds" and inserting in lieu thereof the passage "twenty dollars". |
| Section 80, subsection (2) . | By striking out the passage "ten pounds" and inserting in lieu thereof the passage "twenty dollars". |
| subsection (3) . | By striking out the passage "one hundred pounds" and inserting in lieu thereof the passage "two hundred dollars" and by striking out the passage "twenty pounds" and inserting in lieu thereof the passage "forty dollars". |
| Section 81 | By striking out the passage "two pounds two shillings" and inserting in lieu thereof the passage "four dollars and twenty cents". |
| Section 82 | By striking out the passage "twenty pounds" and inserting in lieu thereof the passage "forty dollars" and by striking out the passage "five shillings" wherever it occurs and inserting in lieu thereof in each case, the passage "fifty cents". |
| Section 83, subsection (3) . | By striking out the passage "five pounds" and inserting in lieu thereof the passage "ten dollars". |
| Section 85a, subsection (1) | By striking out the passage "One hundred pounds" and inserting in lieu thereof the passage "Two hundred dollars". |
| Section 88, subsection (2) . | By striking out the passage "one hundred pounds" and inserting in lieu thereof the passage "two hundred dollars" and by striking out the passage "ten pounds" and inserting in lieu thereof the passage "twenty dollars". |
| Section 89 | By striking out the passage "five hundred pounds" and inserting in lieu thereof the passage "one thousand dollars". |
| Section 92, subsection (2) . | By striking out the passage "one hundred pounds" and inserting in lieu thereof the passage "two hundred dollars". |
| Section 93, subsection (2) . | By striking out the passage "three hundred pounds" and inserting in lieu thereof the passage "six hundred dollars". |
| Section 94, subsection (3) . | By striking out the passage "one hundred pounds" and inserting in lieu thereof the passage "two hundred dollars". |
| Section 95, subsection (2) . | By striking out the passage "three hundred pounds" and inserting in lieu thereof the passage "six hundred dollars". |
| Section 96, subsection (3) . | By striking out the passage "fifty pounds" and inserting in lieu thereof the passage "one hundred dollars". |
| Section 98 | By striking out the passage "five pounds" and inserting in lieu thereof the passage "ten dollars". |
| Section 99 | By striking out the passage "twenty pounds" and inserting in lieu thereof the passage "forty dollars". |
| Section 101 | By striking out the passage "twenty pounds" and inserting in lieu thereof the passage "forty dollars". |
| Section 103, subsection (2) | By striking out the passage "fifty pounds" and inserting in lieu thereof the passage "one hundred dollars". |
| Section 116, subsection (2) | By striking out the passage "fifty pounds" and inserting in lieu thereof the passage "one hundred dollars". |
| Section 130, subsection (4) | By striking out the passage "five pounds" and inserting in lieu thereof the passage "ten dollars". |
| Section 135 | By striking out the passage "ten pounds" and inserting in lieu thereof the passage "twenty dollars". |

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

J. W. HARRISON, Governor.