



ANNO QUADRAGESIMO SECUNDO ET QUADRAGESIMO TERTIO

VICTORIÆ REGINÆ.

A.D. 1879.

No. 155.

An Act to further amend the "Marine Board Act of 1860."

[Assented to, 25th October, 1879.]

WHEREAS it is desirable to further amend the "Marine Board Act of 1860," as hereinafter provided—Be it therefore Enacted by the Governor of the Province of South Australia, with the advice and consent of the Legislative Council and House of Assembly of the said province, in this present Parliament assembled, as follows:

Preamble.

1. Part VII. (clauses 34 to 44, inclusive,) of the Marine Board Amendment Act, 1873, shall be and are hereby repealed.

Repeal Part VII. of Marine Board Amendment Act, 1873.

2. It shall be lawful for the Treasurer, notwithstanding anything to the contrary contained in sections 8, 9, and 10, of the "Marine Board Act of 1860" by regulations to be made in that behalf, to transfer any of the duties by the said section 10 imposed upon the Marine Board to the department of the Engineer of Harbors and Jetties, or of any other officer, and from and after the coming into force of such regulations the said Marine Board, Engineer of Harbors and Jetties, or other officer as aforesaid, shall respectively have, exercise, and enjoy such powers, rights, and privileges, and perform such duties, as may be specified or declared by such regulations. Such regulations shall be published in the *Government Gazette*, and shall thereupon be deemed to be in force.

Treasurer may by regulations transfer the duties, &c., of the Marine Board.

3. It shall be lawful for the Treasurer, from time to time, to vary or rescind such regulations or any of them, and such regulations shall, from time to time, when varied or rescinded, subject to such variation

Treasurer may vary or rescind regulations.

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variation or rescission when published in the *Government Gazette*, be in force and valid for the purposes of the last preceding section.

Abolition of compulsory pilotage in certain cases.

4. No owner, master, consignee, or agent of any ship, the port of registration whereof is situated within any of the Australian Colonies or New Zealand, and whereof the master for the time being is in possession of a certificate from the Marine Board of exemption from pilotage, shall, after the passing of this Act, be compelled to employ a pilot, anything in the said "Marine Board Act of 1860," or any amendment thereof, to the contrary notwithstanding, or in case such owner, master, consignee, or agent does not employ a pilot, to forfeit or pay any sum of money by way of pilotage dues or rates, or of penalty for not employing a pilot.

Saving of rights of qualified pilots.

5. Nothing in this Act contained, except so far as is herein expressly provided, shall affect the powers, rights, and privileges of any "qualified pilot" within the meaning of the said Act.

Gunpowder whenever used in Marine Board Acts of 1860 and 1873 to include every explosive substance, as herein defined.

6. In the construction, and for the purposes of the "Marine Board Act of 1860," the "Marine Board Amendment Act, 1873," and of this Act, the expression "gunpowder," whenever used, shall be deemed to include nitro-glycerine, dynamite, lithofracteur, gun cotton, blasting powder, fulminate of mercury, or other metals, colored fires, and every other substance, whether similar to those above-mentioned or not, used or manufactured with a view to produce a practical effect by explosion or a pyrotechnic effect—as well as fog signals, fireworks, fuzes, rockets, percussion caps, detonators cartridge, ammunition of all descriptions, and every adaptation or preparation of any of the said substances; and also every other material or substance which the Governor may, by Proclamation published in the *South Australian Government Gazette*, direct to be included within the meaning of the expression "gunpowder" for the purposes of the said Acts.

Marine Board to have power of fixing magazines.

7. The Marine Board may, from time to time, fix upon any suitable building built of brick or stone, and having a lightning conductor thereto, and being at a distance of not less than two hundred yards distant from any dwelling-house or public road, or may fix upon any suitable ship, dredge, boat, or barge, to be a magazine for the storage of gunpowder, and such magazine shall be deemed to be a public magazine within the meaning of the said Acts.

Marine Board may make regulations for fixing the quantity of "gunpowder" which may be kept by persons in places other than magazines, &c

8. The Marine Board may, anything to the contrary in the said Act contained notwithstanding, by regulations to be made in that behalf, determine the respective quantities of the said substances hereinbefore included in the expression "gunpowder," which may be kept by any person, being either a dealer in "gunpowder" or not respectively, in any house, storehouse, warehouse, shop, cellar, yard, wharf, building, or place other than a public magazine, and may, from time to time, vary or rescind such regulations, and may in such regulations fix penalties for the breach thereof.

9. The

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9. The last three preceding sections of this Act shall come into force and take effect on a day to be fixed by the Governor by Proclamation in the *Government Gazette*; the remaining sections shall come into force and take effect on the passing hereof. Commencement of Act.

10. This Act and the said “Marine Board Act of 1860” and “The Marine Board Amendment Act, 1873,” shall be incorporated and shall be read and construed together as forming one Act. Incorporation.

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

WM. F. DRUMMOND JERVOIS, Governor.