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# VICTORIÆ REGINÆ.

A. D. 1891.

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No. 541.

An Act to amend the "Marine Board and Navigation Act, 1881."

*[Reserved, December 19th, 1891.]*

**B**E it Enacted by the Governor of the Province of South Australia, with the advice and consent of the Legislative Council and House of Assembly :

1. This Act may be cited as the "Marine Board and Navigation Act Amendment Act, 1891," and, except so far as inconsistent therewith, this Act shall be incorporated and read as one with the "Marine Board and Navigation Act, 1881," hereinafter referred to as the "said Act." Short title.

2. The "said Act" shall be construed as if in the one hundred and ninety-second and one hundred and ninety-third sections thereof the following sub-sections were inserted, instead of the sub-section numbered (11.) in those sections respectively— Compulsory mark of load-line.

"11. The centre of this disc shall be placed at such level below the deck-line marked under the provisions of this Act as may be approved by the Board, and shall indicate the maximum load-line in salt water to which it shall be lawful to load the ship."

Provided that the position of the disc shall be fixed in accordance with the tables adopted by the Board of Trade of the United Kingdom, or Lloyd's Rules and Regulations, subject to any such allowances as may be made necessary by any difference between the position of the deck-line marked under the provisions of the said

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Act and the position of the line from which freeboard is measured under the said tables, and subject also to such modifications, if any, of the tables and the application thereof as may from time to time be sanctioned by the Board of Trade or Lloyd's Rules and Regulations. And that no ocean-going vessel leaving South Australia, and having twenty-one feet depth of hold or under, shall have a less freeboard for each foot depth of hold than two and a half inches for iron vessels and two and three-quarter inches for wooden vessels, and that all vessels having over twenty-one feet depth of hold shall have the freeboard required by the Board of Trade of the United Kingdom and Lloyd's Rules and Regulations.

Regulations.

**3.** The Board may make regulations—

- (a) Determining the lines or marks to be used in connection with the disc, in order to indicate the maximum load-line under different circumstances and at different seasons, and declaring that the provisions of the said Act are to have effect as if any such line were drawn through the centre of the disc:
- (b) As to the mode in which the disc, and the lines or marks to be used in connection therewith, are to be marked or affixed on the ship, whether by painting, cutting, or otherwise:
- (c) As to the mode of application for and form of certificates under this Act: and
- (d) Requiring the entry of such certificates and other particulars as to the draught of water and freeboard of the ship in the official log-book of the ship, or other publication thereof on board the ship, and as to delivering copies of such entries.

All such regulations shall, while in force, have effect as if enacted by this Act.

Appointment of  
assessor, and fees.

**4.** The Board may appoint an officer, who shall be an authorised representative of an incorporated Association for the survey and classification of ships, or any officer of the Board, to approve and certify on their behalf, from time to time, the position of any such disc as aforesaid, and any alteration thereof, and appoint fees to be taken in respect of any such approval or certificate.

Provisions relating to  
British ships.

**5.** Where the Legislature of the United Kingdom of Great Britain and Ireland, or of any British possession other than South Australia, by an enactment provides for the fixing, marking, and certifying of load-lines on ships registered in that kingdom or possession, and it appears to the Governor that the provisions of that enactment are based on the same principles as the provisions of this Act, and are equally effective for ascertaining and determining the maximum load-lines to which such ships can be safely loaded in salt water, and for giving notice of the load-line to persons interested

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interested, it shall be lawful for the Governor to declare that any load-line fixed and marked, and any certificate given, in pursuance of that enactment, shall, with respect to ships so registered, have the same effect as if it had been fixed, marked, or given in pursuance of this Act.

Sections 2 and 3 of this Act shall not apply in the case of a ship registered in a British possession, other than South Australia, until the expiration of twelve months after the passing of this Act.

6. Where the Board certify that the laws and regulations for the time being in force in any foreign State with respect to overloading and improper loading are equally effective with the provisions of the said Act, and this Act with respect thereto, it shall be lawful for the Governor to direct that, on proof of a ship of that State having complied with those regulations, she shall not, when in a port of the said province, be liable to detention for non-compliance with the said provisions of the said Act and this Act, nor shall there arise any liability to any penalty which would otherwise arise for non-compliance with those provisions: Provided that this section shall not apply in the case of ships of any foreign country calling at any port in this province to discharge cargo or passengers only, or in the case of ships of any foreign country in which it appears to the Governor that corresponding provisions are not extended to British ships.

Provisions relating to foreign ships.

7. For the purposes of the "Marine Board and Navigation Act, 1881," as amended by this Act, the expression "amidships" shall mean the middle of the length of the load water-line, as measured from the fore side of the stem to the aft side of the sternpost.

Definition of "amidships."

8. This Act shall come into operation on a day to be fixed by the Governor by Proclamation in the *Government Gazette*.

Commencement of Act.

I reserve this Act for the signification of Her Majesty's pleasure.

KINTORE, Governor.