Navigation Act 1912

Act No. 4 of 1913 as amended

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Volume 1 includes:Table of Contents
Sections 1-427

The text of any of those amendments not in force
on that date is appended in the Notes section

The operation of amendments that have been incorporated may be
affected by application provisions that are set out in the Notes section

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An Act relating to Navigation and Shipping

Part I-Introductory

1Short title [see Note 1]

This Act may be cited as the Navigation Act 1912.

2Application of Act

(1)Except in so far as the application of this section is expressly excluded by a provision of this Act, this Act does not apply in relation to:
(a)a trading ship proceeding on a voyage other than an overseas voyage or an inter-State voyage;
(b)an Australian fishing vessel proceeding on a voyage other than an overseas voyage;
(ba)a fishing fleet support vessel proceeding on a voyage other than an overseas voyage;
(c)an inland waterways vessel; or
(d)a pleasure craft;
or in relation to its owner, master or crew.

(2)A ship shall, for the purposes of this section, be deemed to be proceeding on a voyage from the time when it is got under way for the purpose of proceeding on the voyage until the time when it is got under way for the purpose of proceeding on another voyage.

(3)A voyage of an Australian fishing vessel, being a ship that is regularly engaged in making voyages from a port or ports in Queensland, commencing at a port in that State and ending at the same port or another port in that State shall not be taken to be an overseas voyage by reason only that, as an incidental part of its fishing operations on that voyage, the ship calls at a port or ports in Papua New Guinea.

(4)A ship's voyage is to be taken not to be an overseas voyage for the purposes of this Act if the voyage:
(a)commences in a port in an external Territory; and
(b)ends at a port in that Territory.

2AAct to bind the Crown

This Act binds the Crown in right of the Commonwealth, of each of the States and of the Northern Territory.

3Act does not apply to naval ships etc.

Except where the contrary intention appears, this Act does not apply to or in relation to a ship belonging to, or operated by:
(a)the Australian Defence Force; or
(b)the naval, military or air forces of a country other than Australia.

4Application of provisions relating to steam-ships

The provisions of this Act relating to steam-ships shall apply, with such modifications as are prescribed, to ships propelled by electricity or other mechanical power.

5Application of the Criminal Code

Chapter 2 (except Part 2.5) of the Criminal Code applies to all offences created by this Act.

Note: Chapter 2 of the Criminal Code sets out the general principles of criminal responsibility.

6Interpretation

(1)In this Act, unless the contrary intention appears:

agreement, in relation to a ship, means the agreement between the master of the ship and the crew of the ship and, in relation to a seaman belonging to a ship, means the agreement between the master of the ship and the seaman.

articles of agreement has the same meaning as agreement.

Australian coastal sea means:
(a)the territorial sea of Australia; and
(b)the sea on the landward side of the territorial sea of

Australia and not within the limits of a State or Territory.

Australian fishing vessel means a fishing vessel that is registered, or entitled to be registered, in Australia or in relation to which an instrument under subsection 4(2) of the Fisheries Management Act 1991 is in force.

Authority means the Australian Maritime Safety Authority established by the Australian Maritime Safety Authority Act 1990.

bank includes, but is not limited to, a body corporate that is an ADI (authorised deposit-taking institution) for the purposes of the Banking Act 1959.

Collector means a Collector of Customs or other principal officer of Customs doing duty at a port under the Customs Act.

Commonwealth authority means an authority or body, whether a body corporate or not, established or incorporated for a public purpose by a law of the Commonwealth or of a Territory (other than the Northern Territory), and includes a body corporate incorporated under a law of the Commonwealth, of a State or of a Territory, being a body corporate in which the Commonwealth has a controlling interest.

Commonwealth ship means a ship:
(a)that belongs to the Commonwealth or to a Commonwealth authority;
(b)the beneficial interest in which is vested in the Commonwealth or in a Commonwealth authority; or
(c)that is for the time being demised or sub-demised to, or in the exclusive possession of, the Commonwealth or a Commonwealth authority;
but does not include a ship:
(d)that belongs to ANL Limited;
(e)the beneficial interest in which is vested in ANL Limited; or
(f)that is for the time being demised or sub-demised to, or in the exclusive possession of, ANL Limited.

consul includes:
(a)ambassador, high commissioner, commissioner or other head of mission;
(b)minister;
(c)chargé d'affaires; and
(d)counsellor, secretary or attaché of an embassy or other mission.

Co-ordinated Universal Time means Co-ordinated Universal Time as determined by the International Bureau of Weights and Measures.

diplomatic or consular representative of Australia means a person appointed to hold, or to act in, any of the following offices (being an office of the Commonwealth) in a country or place outside Australia:
(a)ambassador;

(b)minister;
(c)head of mission;
(d)chargé d'affaires;
(e)counsellor, secretary or attaché of an embassy, legation or other post; and
(f)consul.

discharge means the certificate of discharge given to a seaman upon his or her discharge from a ship.

effects includes documents.

engage in conduct means:
(a)do an act; or
(b)omit to perform an act.

equipment, in relation to a ship, includes every thing or article belonging to or to be used in connexion with, or necessary for the navigation and safety of, the ship and, in particular, includes boats, tackle, pumps, apparel, furniture, life-saving appliances, spars, masts, rigging, sails, fog signals, lights, signals of distress, signalling lamps, pilot ladders, radio equipment, medicines, medical and surgical stores and appliances, fire prevention, detecting and extinguishing appliances, inert gas systems, echo-sounding devices, mechanical pilot hoists, buckets, compasses, charts, axes, lanterns and gear and apparatus for loading or unloading, or otherwise handling, cargo.

exclusive economic zone has the same meaning as in the Seas and Submerged Lands Act 1973.

fish includes turtles, dugong, crustacea, molluscs and any other living resources of the sea or of the seabed.

fishing fleet support vessel means:
(a)a ship that is used wholly or primarily in activities in support of the fishing operations of an Australian fishing vessel or vessels; or
(b)a ship that:
(i)is not a ship to which paragraph (a) applies; and
(ii)is being used in support of the fishing operations of an Australian fishing vessel or vessels; and
(iii) is not covered by a declaration under subsection (1C); or
(c)a ship that:
(i)is in the course of construction; and
(ii)is intended to be used wholly or primarily in activities in support of the fishing operations of an Australian fishing vessel or vessels;
but does not include:
(d)a Commonwealth ship; or
(e)an inland waterways vessel.

Note: for in support of fishing operations see subsection (1B).

fishing operations means:

(a)the taking, catching or capturing of fish for trading or manufacturing purposes; and
(b)the processing or carrying of the fish that are taken, caught or captured.

fishing vessel means:
(a)a ship that is used wholly or principally for fishing operations; or
(b)a ship that:
(i)is in the course of construction; and
(ii)is intended to be used wholly or principally for fishing operations;
but does not include:
(c)a Commonwealth ship; or
(d)an inland waterways vessel.

Government ship means a ship:
(a)that belongs to the Commonwealth or a State or Territory;
(b)the beneficial interest in which is vested in the Commonwealth or a State or Territory; or
(c)that is for the time being demised or sub-demised to, or in the exclusive possession of, the Commonwealth or a State or Territory;
and includes a ship that belongs to, or that is operated by, the Australian Defence Force, but does not include a ship:
(d)that belongs to a trading corporation that is an authority or agency of the Commonwealth or of a State or of a Territory;
(e)the beneficial interest in which is vested in such a trading corporation; or
(f)that is for the time being demised or sub-demised to, or in the exclusive possession of, such a trading corporation.

Great Barrier Reef Region has the same meaning as in the Great Barrier Reef Marine Park Act 1975.

harbour means a harbour properly so called, whether natural or artificial, and includes an estuary, navigable river, creek, channel, haven, roadstead, dock, pier, jetty or other work in or at which ships can obtain shelter or ship and unship goods or passengers.

inland waterways vessel means a ship that is used, or, being a ship in the course of construction, is intended to be used, wholly in waters other than waters of the sea, but does not include a Commonwealth ship.

inter-State voyage, in relation to a ship, means a voyage (other than an overseas voyage) in the course of which the ship travels between:
(a)a port in a State and a port in another State;
(b)a port in a State and a port in a Territory; or
(c)a port in a Territory and a port in another Territory;
whether or not the ship travels between 2 or more ports in any one State or Territory in the course of the voyage.

justice means Justice of the Peace.

master means a person having command or charge of a ship.

Medical Inspector of Seamen means a person appointed under section 123 to be a Medical Inspector of Seamen.

nuclear ship means a ship provided with a nuclear power plant.

officer means the master, a mate or an engineer of a ship.

officer of Customs means a person who is an officer for the purposes of the Customs Act.

officer of police means a member or special member of the Australian Federal Police or a member of the police force of a State or of a Territory.

official means a superintendent, a surveyor, a Medical Inspector of Seamen or any other person, including a Collector or other officer of Customs, required to perform functions or discharge duties for the purposes of this Act.

official log-book, in relation to a ship, means the official log-book kept by the master of the ship in pursuance of section 171 or in pursuance of the law of a country other than Australia.

order means an order made under this Act.

overseas voyage, in relation to a ship, means a voyage in the course of which the ship travels between:
(a)a port in Australia and a port outside Australia;
(b)a port in Australia and a place in the waters of the sea above the continental shelf of a country other than Australia;
(c)a port outside Australia and a place in the waters of the sea above the continental shelf of Australia;
(d)a place in the waters of the sea above the continental shelf of Australia and a place in the waters of the sea above the continental shelf of a country other than Australia;
(e)ports outside Australia; or
(f)places beyond the continental shelf of Australia;
whether or not the ship travels between 2 or more ports in Australia in the course of the voyage.

passenger means a person carried on board a ship with the knowledge or consent of the owner, charterer, agent or master of the ship, not being:
(a)a person employed or engaged in any capacity on board the ship on the business of the ship;
(b)a person on board the ship in pursuance of an obligation imposed on the master by any law (including a law of a country other than Australia) to assist shipwrecked, distressed or other persons or by reason of circumstances that could not have been prevented or forestalled by the owner, charterer, agent or master of the ship; or

(c)a child under the age of one year.

pilot means a person who does not belong to, but has the conduct of, a ship.

pleasure craft means a ship that is used, or, being a ship in the course of construction, is intended to be used, wholly for recreational or sporting activities (whether or not let, or intended to be let, for hire or reward or consideration of any kind), but does not include a Commonwealth ship or an inland waterways vessel.

port includes place and harbour.

proper authority means:
(a)a superintendent;
(b)in relation to a prescribed country:
(i)a person who, under the law of that country, has powers, duties and functions similar to the powers, duties and functions of a superintendent under this Act; or
(ii)a diplomatic or consular representative of Australia or a consul of a prescribed country; or
(c)in relation to a foreign country other than a prescribed country-a diplomatic or consular representative of Australia or a consul of a prescribed country.

radio equipment includes radio navigational aid equipment.

regulated ship has the meaning given by section 186G.

sea includes any waters within the ebb and flow of the tide.

seaman means a person employed or engaged in any capacity on board a ship on the business of the ship, other than:
(a)the master of the ship;
(b)a pilot; or
(c)a person temporarily employed on the ship in port.

ship means any kind of vessel used in navigation by water, however propelled or moved, and includes:
(a)a barge, lighter or other floating vessel;
(b)an air-cushion vehicle, or other similar craft, used wholly or primarily in navigation by water;
(c)an off-shore industry mobile unit;
but (except in Part IIIA, in section 192B, in Division 1, 3, 4, 5, 6, 10, 11 or 13 of Part IV, in Part VII or IX, in Division 1, 3 or 4 of Part X or in Part XI) does not include an off-shore industry mobile unit that is not self-propelled.

superintendent means a superintendent appointed under section 13.

survey authority means a corporation or association for the survey of shipping, approved by the Authority, in writing, for the purposes of this definition.

surveyor means a person appointed to be a surveyor under section 190.

the Court, in relation to proceedings under this Act, means the court exercising jurisdiction in respect of those proceedings.

the Customs Act means the Customs Act 1901.

the Marine Council means the Marine Council established under section 424.

the regulations, except in section 425 or to the extent that the regulations provide otherwise, includes orders made under this Act or pursuant to the regulations.

this Act includes the regulations and, except to the extent that the regulations provide otherwise, includes orders made under this Act.

trading ship means a ship that is used, or, being a ship in the course of construction, is intended to be used, for, or in connection with, any business or commercial activity and, without limiting the generality of the foregoing, includes a ship that is used, or, being a ship in the course of construction, is intended to be used, wholly or principally for:
(a)the carriage of passengers or cargo for hire or reward; or
(b)the provision of services to ships or shipping, whether for reward or otherwise;
but does not include a Commonwealth ship, a fishing vessel, a fishing fleet support vessel, an off-shore industry mobile unit, an off-shore industry vessel to which this Act applies, an inland waterways vessel or a pleasure craft.

wages includes emoluments.

(1A)For the purposes of this section, a ship that has been launched, but has not been completed and delivered under the relevant building contract, shall be deemed to be a ship in the course of construction.

(1B)For the purposes of this Act, activities in support of the fishing operations of a fishing vessel include:
(a)the storage and transport of fish taken, caught or captured by the fishing vessel; and
(b)the provision of food, fuel and other supplies to the fishing vessel while it is engaged in fishing operations; and
(c)the transport of crew members to and from the fishing vessel while it is engaged in fishing operations.

(1C)The Authority may declare, in writing, that a class of ships specified in the declaration are not to be taken to be fishing fleet support vessels under paragraph (b) of the definition of fishing fleet support vessel in subsection (1).

(2)A reference in this Act to failure to do an act or thing shall

be read as including a reference to refusal or neglect to do that act or thing.

(4)Unless the contrary intention appears, a reference in this Act (except in Division 3 or 4 of Part VII) to the owner of a ship shall, in the case of a ship that is operated by a person other than the owner, be read as including a reference to the operator.

(4A)Where, in pursuance of articles of agreement, a person becomes a member of the crew of a ship, he or she is to, until he or she ceases to be a member of the crew of the ship, be deemed, for the purposes of this Act, to belong to the ship.

(4B)A person who, in pursuance of articles of agreement, ceases temporarily to be a member of the crew of a ship shall be deemed, for the purposes of this Act, to cease to belong to the ship and does not again belong to the ship until he or she again becomes a member of the crew of the ship.

(4C)A person who, in pursuance of articles of agreement, ceases temporarily to be a member of the crew of a ship shall not be taken to have been discharged from the ship.

(5)Unless the contrary intention appears, a reference in a provision of this Act to a prescribed country shall be read as a reference to a country prescribed for the purposes of that provision, and includes:
(a)a colony, overseas territory or protectorate of a country so prescribed; and
(b)a territory for the international relations of which a country so prescribed is responsible.

(6)Unless the contrary intention appears, a reference in this Act to the certificates of a master, officer or seaman shall be read as a reference to the certificates or other documents issued under, or having effect for the purposes of, this Act that are evidence that the master, officer or seaman, as the case may be, is a qualified master, officer or seaman, as the case may be, of any designation.

(7)For the purposes of this Act, a port in the Great Barrier Reef Region shall be taken to be a port in Australia.

6AAnswering questions

A person who, by this Act, is required to answer a question asked under or for the purposes of this Act shall be deemed not to have complied with that requirement unless he or she answers the question truly to the best of his or her knowledge, information and belief.

6BDesertion

For the purposes of this Act, a seaman has deserted from his or her ship:
(a)if the seaman is absent from his or her ship with the intention

of not returning to the ship; or
(b)if the seaman is absent from his or her ship for a continuous period exceeding 48 hours without leave, lawful cause or reasonable excuse.

6CIncompetency and misconduct of officers

For the purposes of this Act:
(a)an officer is incompetent if he or she is inefficient in the performance of any of his or her duties as an officer; and
(b)an officer is guilty of misconduct if he or she is guilty of careless navigation, drunkenness, tyranny, improper conduct or, without reasonable cause or excuse, failure of duty.

6DTaking of ships to sea

(1)For the purposes of this Act but subject to subsection (2), a ship shall be deemed to have been taken or sent to sea, or to have gone or proceeded to sea, if the ship has been got under way for the purpose of:
(a)going to sea;
(b)plying or running; or
(c)proceeding on a voyage.

(2)A ship shall not be deemed, for the purposes of this Act, to have been taken or sent to sea, or to have gone or proceeded to sea, by reason only that the ship has been got under way for the purpose of moving the ship from one berth or place in a port to another berth or place in the port.

6EProper return port

(1)For the purposes of this Act, but subject to subsection (2):
(a)the proper return port of a master who has been engaged for service on a ship is:
(i)such port as is agreed upon between the owner of the ship and the master; or
(ii)in the absence of agreement-the port at which the master shipped; and
(b)the proper return port of a seaman who has been engaged for service on a ship is:
(i)such port as is agreed upon between the master of the ship and the seaman, either in the seaman's agreement or otherwise; or
(ii)in the absence of agreement-the port at which the seaman shipped.

(2)A master or seaman and the owner of a ship may agree to refer a question which has arisen between them as to the proper return port of the master or seaman to a proper authority for his or her decision.

(3)Section 81 applies to and in relation to such an agreement as if it were an agreement to which that section applies and the reference in that section to a superintendent were a reference to a

proper authority.

7Definition of coasting trade

(1)A ship shall be deemed to be engaged in the coasting trade, within the meaning of this Act, if it takes on board passengers or cargo at any port in a State, or a Territory, to be carried to, and landed or delivered at, any other port in the same State or Territory or in any other State or other such Territory:
Provided that a ship shall not be deemed to be engaged in the coasting trade by reason of the fact that it carries:
(a)passengers who hold through tickets to or from a port beyond Australia and the Territories; or
(b)cargo consigned on a through bill of lading to or from a port beyond Australia and those Territories and which is not transhipped to or from any ship trading exclusively in Australian waters which is not licensed under this Act; or
(c)mails between any ports in Australia or in any of those Territories; or
(d)as a passenger:
(i)the owner of the ship or a person who is a servant, or a member of the family, of the owner of the ship; or
(ii)a pilot who is proceeding from his or her home station for the purpose of meeting a ship requiring the pilot's services or is returning to his or her home station after piloting a ship:
Provided further that the Governor-General may by order declare that the carrying of passengers or cargo between ports in any Territory, or between ports in any such Territory and any other Australian ports, or ports in any other such Territory shall not be deemed engaging in the coasting trade.

(2)In this section, owner, in relation to a ship, includes a person who is the manager or secretary of a body corporate which is the owner of the ship.

7AShips registered in Australia

A reference in this Act to a ship registered in Australia shall be read as a reference to a ship registered under the Shipping Registration Act 1981 and as including a reference to a ship that is required to be registered under that Act but is not so registered.

8Off-shore industry fixed structures, mobile units and vessels

(1)In this section:

Australia includes such of the external Territories as are prescribed for the purposes of this section.

natural resources means the mineral and other non-living resources of the seabed and its subsoil.

(2)A reference in this Act to an off-shore industry fixed

structure shall be read as a reference to a structure (including a pipeline) that:

(a)is fixed to the seabed and is not able to move or be moved as an entity from one place to another; and

(b)is used or intended for use in, or in any operations or activities associated with or incidental to, exploring or exploiting the natural resources of any or all of the following, namely:

(i)the continental shelf of Australia;

(ii)the seabed of the Australian coastal sea; and

(iii) the subsoil of that seabed.

(3)A reference in this Act to an off-shore industry mobile unit shall be read as a reference to:

(a)a vessel that is used or intended for use wholly or primarily in, or in any operations or activities associated with or incidental to, exploring or exploiting the natural resources of any or all of the following, namely:

(i)the continental shelf of Australia;

(ii)the seabed of the Australian coastal sea; and

(iii) the subsoil of that seabed;

by drilling the seabed or its sub-soil, or by obtaining substantial quantities of material from the seabed or its sub-soil, with equipment that is on or forms part of the vessel;

(b)a structure (not being a vessel) that:

(i)is able to float or be floated;

(ii)is able to move or be moved as an entity from one place to another; and

(iii) is used or intended for use wholly or primarily in, or in any operations or activities associated with or incidental to, exploring or exploiting the natural resources of any or all of the following, namely:

(A)the continental shelf of Australia;

(B)the seabed of the Australian coastal sea; and

(C)the subsoil of that seabed;

by drilling the seabed or its sub-soil, or by obtaining substantial quantities of material from the seabed or its sub-soil, with equipment that is on or forms part of the structure; or

(c)a barge or like vessel fitted with living quarters for more than 12 persons and used or intended for use wholly or primarily in connection with the construction, maintenance or repair of off-shore industry fixed structures.

(4)A reference in this Act to an off-shore industry vessel shall be read as a reference to:

(a)a ship (not being an off-shore industry mobile unit) that is used or intended for use wholly or primarily in, or in any operations or activities associated with or incidental to, exploring or exploiting the natural resources of any or all of the following, namely:

(i)the continental shelf of Australia;

(ii)the seabed of the Australian coastal sea; and

(iii) the subsoil of that seabed; or

(b)any other ship (not being an off-shore industry mobile unit, or

a ship, or a ship included in a class of ships, declared by the Minister, by instrument in writing, to be a ship or a class of ships, as the case requires, to which this paragraph does not apply) at any time when it is being so used.

(5)A vessel or other structure that is used or intended for use in, or in any operations or activities associated with or incidental to, exploring or exploiting natural resources referred to in paragraph (3)(a) or subparagraph (3)(b)(iii) shall not be taken not to be an off-shore industry mobile unit by reason only that the vessel or other structure is also used or intended for use in, or in operations or activities associated with or incidental to, exploring or exploiting other natural resources.

(6)A barge or like vessel that is used or intended for use in connection with the construction, maintenance or repair of off-shore industry fixed structures shall not be taken not to be an off-shore industry mobile unit by reason only that the vessel is also used or intended for use in connection with the construction, maintenance or repair of other structures.

(7)A ship that is used or intended for use in, or in any operations or activities associated with or incidental to, exploring or exploiting natural resources referred to in paragraph (4)(a) shall not be taken not to be an off-shore industry vessel by reason only that the ship is also used or intended for use in, or in operations or activities associated with or incidental to, exploring or exploiting other natural resources.

8AOff-shore industry vessels to which Act applies

(1)The owner of an off-shore industry vessel may apply to the Authority for a declaration under subsection (2) in relation to the off-shore industry vessel.

(2)The Authority may, in writing, declare the off-shore industry vessel to be an off-shore industry vessel to which this Act applies.

(2A)A declaration under subsection (2) is not a legislative instrument for the purposes of the Legislative Instruments Act 2003.

(3)A reference in this Act to an off-shore industry vessel to which this Act applies is a reference to an off-shore industry vessel in relation to which a declaration under subsection (2) is in force.

8AADeclaration that Act applies in relation to trading ships engaging in intra-state trade

(1)The owner of a trading ship may apply to the Authority for a declaration under subsection (2) in relation to the ship.

(2)The Authority may, in writing, declare that this Act applies in

relation to the ship even when the ship is proceeding on a voyage other than an overseas voyage or an inter-state voyage.

(3)The declaration has effect despite section 2.

(4)A declaration under subsection (2) is not a legislative instrument for the purposes of the Legislative Instruments Act 2003.

(5)If a declaration under subsection (2) is in force in relation to a trading ship, then, for the purposes of this Act, the ship is to be taken not to be a ship referred to in subsection 2(1).

8ABDeclarations that Act applies in relation to fishing fleet support vessels on inter-state or intra-state voyages

(1)The owner of a fishing fleet support vessel may apply to the Authority for a declaration under subsection (1A) in relation to the vessel.

(1A)Despite subsection (2), the Authority may, in writing, declare that this Act applies to the fishing fleet support vessel even when the vessel is proceeding on a voyage that is not an overseas voyage.

(1B)A declaration under subsection (1A) is not a legislative instrument for the purposes of the Legislative Instruments Act 2003.

(2)If a declaration under subsection (1A) is in force in relation to a fishing fleet support vessel, the ship is taken not to be a ship referred to in paragraph 2(1)(ba).

8ACExpiration or revocation of declarations

(1)A declaration made under section 8A, 8AA or 8AB ceases to have effect, unless sooner revoked, at the end of the period, if any, specified in the declaration.

(2)The Authority must revoke a declaration made under section 8A, 8AA or 8AB if requested to do so by the owner of the vessel or ship to which the declaration relates.

(3)The Authority may revoke a declaration made under section 8A, 8AA or 8AB if the Authority is satisfied:
(a)that the vessel or ship to which the declaration relates no longer exists or has been lost; or
(b)that the name or any other details of the vessel or ship have been changed since the making of the declaration; or
(c)that the vessel or ship no longer operates in Australia.

8BShips imported into Australia deemed to be registered in Australia

(1)Subject to subsection (2) and except where the contrary intention appears, the provisions of this Act apply in relation to

a ship (other than an off-shore industry vessel or an off-shore industry mobile unit) not registered in Australia that has been imported into Australia within the meaning of the Customs Act 1901 as if it were registered in Australia and were not registered in any other country.

(2)The Minister or the Authority may, by instrument in writing, direct that, in relation to a ship, or ships included in a class of ships, specified in the direction, subsection (1) does not have effect or does not have effect in respect of a provision or provisions of this Act specified in the direction.

(3)A direction under subsection (2):
(a)is subject to such conditions (if any) as are specified in the direction; and
(b)may be confined to a particular period or to one or more particular voyages or operations.

(4)If a condition that is applicable to a ship by virtue of a direction under subsection (2) is contravened, the master and the owner of the ship are each guilty of an offence punishable on conviction by a fine not exceeding $2,000.

(5)An offence under subsection (4) is an offence of strict liability.

Note: For strict liability, see section 6.1 of the Criminal Code.

9Delegation

(1)The Minister may, either generally or as otherwise provided by the instrument of delegation, by writing signed by him or her, delegate to a person any of his or her powers or functions under this Act, other than this power of delegation.

(2)A power or function so delegated, when exercised or performed by the delegate, shall, for the purposes of this Act, be deemed to have been exercised or performed by the Minister.

(3)A delegation under this section does not prevent the exercise of a power or performance of a function by the Minister.

Part II-Masters and seamen

Division 1-General

9ADefinitions

In this Part, unless the contrary intention appears:

ship does not include a barge, lighter or other floating vessel that is not self-propelled.

STCW Convention means the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 adopted at London by the International Maritime Organization on 7 July 1978 as affected by any amendments made under Article XII of the Convention that have entered into force for Australia.

Note: The text of the Convention is set out in the Australian Treaties Series 1984, No. 7. In 2005 this was available in the Australian Treaties Library of the Department of Foreign Affairs and Trade, accessible on the Internet through that Department's world-wide web site.

10Application of Part

Except so far as the contrary intention appears, this Part applies only to:
(a)a ship registered in Australia;
(b)a ship (other than a ship registered in Australia) engaged in the coasting trade; or
(c)a ship (other than a ship registered in Australia or engaged in the coasting trade) of which the majority of the crew are residents of Australia and which is operated by any of the following (whether or not in association with any other person, firm or company, being a person, firm or company of any description), namely:
(i)a person who is a resident of, or has his or her principal place of business in, Australia;
(ii)a firm that has its principal place of business in Australia; or
(iii) a company that is incorporated, or has its principal place of business, in Australia;
and to the owner, master and crew of such a ship.

Division 2-Superintendents

13Superintendents

The Authority may, in writing, appoint a person to be a superintendent.

Division 2A-The manning of ships

14Minimum complement of ships

(1)Subject to this section, the Authority may, having regard to such principles as are prescribed for the purposes of this subsection, by order, require a ship, or each ship included in a class of ships, to carry a qualified master of a specified designation and to carry not less than:
(a)a specified number of qualified officers of specified designations; and
(b)a specified number of qualified seamen of specified designations.

(3)The Authority is not to exercise its powers under subsection (1) except to the extent that it appears to it necessary or expedient in the interests of safety or the protection of the marine environment.

(4)An order under subsection (1) may require a ship, or each ship included in a class of ships, to carry a master of a different designation and to carry different crews:
(a)for different voyages;
(b)for the carriage of different cargoes;
(c)for the performance (whether in port or at sea) of different operations done by, or in relation to, the ship; and
(d)according to whether the ship is in port or at sea.

(5)Nothing in this section shall be construed as preventing more than one order under subsection (1) from applying in relation to a ship.

(6)The Authority may, by instrument in writing, exempt a ship, or ships included in a class of ships, from the application of an order under subsection (1).

(7)An exemption under subsection (6):
(a)is subject to such conditions (if any) as are specified in the exemption; and
(b)may be confined to a particular period or to one or more particular voyages or operations.

(8)If an order under subsection (1) is contravened in relation to a ship, or a condition that is applicable to a ship by virtue of an exemption under subsection (6) is contravened, the master and the owner of the ship are each guilty of an offence punishable on conviction by a fine not exceeding 60 penalty units.

(8A)An offence under subsection (8) is an offence of strict liability.

Note: For strict liability, see section 6.1 of the Criminal Code.

(9)Where a ship does not carry a master of such designation, and such officers and seamen, as it is required to carry by virtue of an order under subsection (1) or the conditions of an exemption under subsection (6):
(a)the Authority may cause the ship to be detained for the purpose of preventing it from going to sea; or
(b)the Authority may, by notice in writing addressed to the master or owner of the ship and served in accordance with the regulations, require that a specified operation by, or in relation to, the ship shall not commence or shall cease within a time specified in the notice, as the case may be.

(10)Nothing in this section shall be construed as preventing the service under paragraph (9)(b) of more than one notice in respect

of a ship.

(11)If a notice under paragraph (9)(b) is contravened in relation to a ship, the master and owner of the ship are each guilty of a further offence punishable on conviction by a fine not exceeding $5,000.

(11A) An offence under subsection (11) is an offence of strict liability.

Note: For strict liability, see section 6.1 of the Criminal Code.

(13)In the preceding provisions of this section, a reference to a ship shall be read as including a reference to a ship that is intended to be constructed or is in the course of construction and, in either case, is intended to become a ship of a kind referred to in paragraph 10(a), (b) or (c).

Division 3-Qualifications of masters, officers and seamen

15Regulations respecting qualifications and watchkeeping obligations of masters, officers and seamen

(1)The regulations may specify standards of competence to be attained and other conditions to be satisfied, or specify conditions to be satisfied, by a person in order to be a qualified master, officer or seaman of any designation for the purposes of this Act.

(1A)Without limiting the generality of subsection (1), regulations may give effect to the STCW Convention.

(1B)Regulations giving effect to the STCW Convention are not intended to exclude the operation of a law of a State or of the Northern Territory that gives effect to that Convention.

(2)Without limiting the generality of subsection (1), the conditions specified in regulations made for the purposes of that subsection may include conditions as to age, character, health, nationality, citizenship or residence, and regulations made for the purposes of that subsection may make provision for and in relation to:
(a)the manner in which:
(i)the attainment of a standard; or
(ii)the satisfaction of a condition;
is to be evidenced, including, in particular, the obtaining of certificates and other documents to be held by masters, officers and seamen as evidence that they are qualified masters, officers or seamen of particular designations for the purposes of this Act;
(b)the issue, recall, surrender, replacement, form and recording of such certificates and other documents;
(c)the duration, variation, renewal, suspension and cancellation

of such certificates and other documents;
(d)the instruction, training and examination of masters, officers and seamen, including the gaining of sea service and other experience, and the conduct of examinations, the conditions for admission to examinations and the appointment and remuneration of examiners;
(e)the recognition, for the purposes of this Act, in whole or in part and whether conditionally or unconditionally, of certificates and other documents granted or issued to or in respect of masters, officers and seamen under the laws of a State or Territory or of a country other than Australia;
(f)the reconsideration of decisions made under regulations made for the purposes of subsection (1) or under orders made in pursuance of regulations made by virtue of paragraph (h) of this subsection;
(g)the exemption of persons, in whole or in part and whether conditionally or unconditionally, from any requirement in relation to which provision is made by the regulations made for the purposes of subsection (1).

(3)In subsection (2), decision has the same meaning as in the Administrative Appeals Tribunal Act 1975.

16Unqualified person performing duties of master, officer or seaman

A person shall not:
(a)falsely represent himself or herself to be a qualified master, officer or seaman of any designation;
(b)perform duties that, under the regulations and orders, are the duties of a master, officer or seaman of a particular designation if the person is not a qualified master, officer or seaman of that designation; or
(c)take another person into employment to perform duties that, under the regulations and orders, are the duties of a master, officer or seaman of a particular designation if the other person is not a qualified master, officer or seaman of that designation.

Penalty: 50 penalty units.

17Certificates to be produced

(1)A person who is serving on a ship, or is entering or has entered into an agreement to serve on a ship, as a qualified master, officer or seaman of any designation shall not fail to produce on demand his or her certificates to a proper authority.

Penalty: $500.

(2)Subsection (1) does not apply if the person has a reasonable excuse.

Note: A defendant bears an evidential burden in relation to the matter in subsection (2) (see subsection 13.3(3) of the Criminal Code).

(3)An offence under subsection (1) is an offence of strict liability.

Note: For strict liability, see section 6.1 of the Criminal Code.

Division 4-Supplying seamen

32Penalty for receiving fees for supply of seamen

(1)A person shall not demand or receive, directly or indirectly, remuneration for providing, or promising to provide, a seaman with employment on a ship (whether or not it is a ship to which this Part applies).

Penalty: $1,000.

(2)In this section:

seaman includes a person who is seeking employment as a seaman.

Division 7-Crew work in port

45Employment of crew in loading and unloading

(1)Except as prescribed, a member of the crew of a ship (whether or not it is a ship to which this Part applies) that is engaged in making overseas voyages shall not be employed at a port in Australia in handling cargo or ballast in connexion with the loading or unloading of a ship:
Provided that the regulations shall not allow the employment of the crew of such ship in handling cargo or ballast where a sufficiency of shore labour is available.

(1A)The rates of wages to be paid in any port in Australia to shore labourers employed in handling cargo or ballast in connexion with the loading or unloading of any such ship shall be not less than the rates in any scale prescribed, under an award or agreement (if any) made or agreed to under any law of the Commonwealth or of a State or the Northern Territory, for the payment of such labour at that port.

Penalty (on master, owner, agent or charterer) for any offence against subsection (1) or (1A):$2,000.

(1B)If a sufficiency of shore labour cannot be obtained at such rates of wages it shall, for the purposes of this section, be deemed to be not available, and, in that case, the crew may be employed to the extent of the insufficiency.

(2)The regulations may forbid the employment, except as prescribed, of members of the crew of a ship that is engaged in

making inter-State voyages in handling cargo or ballast in connexion with the loading or unloading of ships.

Division 8-Engagement of seamen

46Engagement of seamen

(1)Where a seaman is engaged to serve on a ship the master of the ship shall not take the ship to sea with that seaman as a member of the crew of the ship, and the owner of the ship shall not suffer or permit the ship to be so taken to sea, unless the master has entered into an agreement with the seaman in accordance with this section.

Penalty: $2,000.

(2)The agreement:
(a)shall, subject to subsection (2A), be in the prescribed form or, if an agreement in another form is already in force between the master and other members of the crew, in the other form;
(b)shall be prepared in duplicate and signed first by the master and then by the seaman; and
(c)shall be dated:
(i)if the agreement is entered into when the crew is first engaged-as at the time the master signs; or
(ii)in any other case-as at the time the seaman signs.

(2A)The Authority may, if it is satisfied that there are special reasons for so doing, approve an agreement under this section between the master of a ship and a seaman, being in a form other than that required by paragraph (2)(a).

(4)An agreement under this section may, with the approval of a proper authority, include any lawful provisions agreed upon between the master and seaman in addition to the provisions specified in the prescribed form.

(4A)An agreement under this section between the master of a ship and a seaman may include provision for or in relation to the observance by the parties to the agreement of a code of conduct.

47Persons unsuitable for engagement

(1)The Marine Council may determine that the character of a person is such, or the conduct of a person has been such, that the person is unsuitable for engagement as a seaman.

(2)The Marine Council shall revoke the determination if it is satisfied that the person is no longer unsuitable for engagement as a seaman.

(3)The Marine Council shall exercise its powers under subsections (1) and (2) in accordance with such rules and principles as are prescribed.

(4)Regulations made for the purposes of subsection (3) may prescribe that, if it is established that the character of a person is such, or the conduct of a person has been such, as is specified in the regulations, the Marine Council must determine that the person is unsuitable for engagement as a seaman.

(5)The Marine Council shall:
(a)immediately give written notice of:
(i)the making of a determination under subsection (1); or
(iii) the revocation of the determination;
to the person to whom the determination relates; and
(b)take such steps as the Marine Council considers appropriate to bring the event referred to in subparagraph (a)(i) or (iii) to the attention of persons concerned with the engagement of seamen.

(6)Where the Marine Council makes a decision refusing to revoke a determination, the Marine Council shall give notice in writing of the decision to the person to whom the determination relates.

(7)A person who knows that a determination under subsection (1) is in force in relation to him or her shall not engage as a master or seaman or join or re-join the crew of a ship.

Penalty: $2,000.

(8)A master, owner or agent who knows that a determination under subsection (1) is in force in relation to a person shall not take the person into employment as a master or seaman or permit the person to join or re-join the crew of a ship.

Penalty: $2,000.

48Report of circumstances rendering person unsuitable for engagement

Where the character of a seaman is such, or the conduct of a seaman has been such, that the seaman is, in the opinion of a master, unsuitable for engagement as a seaman, the master shall report the circumstances to a superintendent and, if practicable, immediately inform the seaman of the report.

48AMinimum age for employment at sea

(1)Except as provided by the regulations, a person shall not engage another person for service at sea in any capacity unless that other person has attained the age prescribed in respect of that capacity.

Penalty: $1,000.

50Period of agreements

(1)An agreement under section 46 may be made for a voyage, or, if the voyages of the ship average less than 6 months in duration, may

be made to extend over 2 or more voyages, and agreements so made to extend over 2 or more voyages are in this Act referred to as running agreements.

(2)A running agreement shall not extend beyond 6 months from the date thereof:
Provided that every such agreement shall, subject to subsections (3), (4) and (5), remain in force until the ship's arrival at its port of destination, and the crew shall be considered engaged when the agreement is first signed, and discharged when the employment ends.

(3)When a ship, the crew of which have been engaged under a running agreement which has been in force more than 6 months, reaches a port in Australia other than its port of destination, and the ship is not then proceeding, either directly or by intermediate ports, to the port of discharge mentioned in the agreement, the master may discharge any seaman, and any seaman may obtain his or her discharge.

(4)No seaman shall be discharged, nor be entitled to be discharged, under subsection (3), unless he or she has received from, or given to, the master, on any day other than Saturday and at least 24 hours before the ship leaves the port, 24 hours' notice of the proposed or required discharge.

(5)Any seaman discharged, or who claims his or her discharge, under subsection (3), shall be entitled to receive from the master or owner:
(a)a free passage to the proper return port of the seaman;
(b)wages, at the rate provided for in his or her agreement, until he or she arrives at the proper return port;
(c)where a passage to the proper return port is not made available to the seaman at the time he or she is discharged and it is necessary for the seaman to obtain accommodation ashore, an allowance for victualling and accommodation at the rate of $2 per day or at such other rate as is provided for in the seaman's agreement, whichever is the higher, for the period during which it is necessary for the seaman to reside ashore and until the passage to the proper return port is made available; and
(d)where the passage provided to the proper return port is otherwise than by sea, an allowance for victualling at the rate of $1.50 per day or at such other rate as is provided for in the seaman's agreement, whichever is the higher, for the period occupied by the journey:
Provided that if his or her return to the proper return port is delayed by any act or default of the seaman, he or she shall not be entitled to wages or allowance for victualling and accommodation during the period of the delay.

(6)Victualling and accommodation allowances provided for in this section may be sued for and recovered by the seaman in the same manner as wages.

52Owner or master to furnish details of crew of ship

(1)The owner or master of a ship to which this Part applies shall, at such times as are required by the Authority, furnish to a prescribed person such details of, and such details of changes in, the crew of the ship as are prescribed.

Penalty (on owner and master): $1,000.

(2)An offence under subsection (1) is an offence of strict liability.

Note: For strict liability, see section 6.1 of the Criminal Code.

53Copy of agreement to be posted up

(1)The master of a ship shall cause a legible copy of the agreement (being a copy which does not contain the names or signatures of, or particulars relating to, the master and members of the crew of the ship) to be posted up in a part of the ship to which all members of the crew have access and shall use all reasonable precautions to keep the copy so posted up until the termination of the agreement.

Penalty: $1,000.

(2)A person commits an offence if:
(a)a copy of an agreement has been posted under subsection (1); and
(b)the person does an act; and
(c)the act results in the defacing or destruction of the agreement.

Penalty: $500.

(3)Strict liability applies to paragraph (2)(a).

Note: For strict liability, see section 6.1 of the Criminal Code.

54Agreements to be delivered to proper authority

The master of a ship shall, within 7 days after the discharge of the ship's crew, deliver the agreement, or a copy of it, to a proper authority.

Penalty: $1,000.

55Erasures and alterations

(1)Every erasure, interlineation or alteration in the agreement, shall be wholly inoperative unless proved to have been made with the consent of all the persons interested in the erasure, interlineation, or alteration.

(2)A certificate signed by a proper authority that an erasure, interlineation or alteration in an agreement was made with the consent of all the persons interested is, in all courts, evidence of the matter certified to.

56Offences

Any person who:
(a)fraudulently alters an agreement, or
(b)makes a false entry in an agreement, or
(c)delivers a false copy of an agreement;
shall be guilty of an offence punishable on conviction by a fine not exceeding $5,000 or imprisonment for a period not exceeding 2 years, or both.

57Evidence as to agreement

A seaman may, in any proceeding, bring forward evidence to prove the contents of the agreement, or otherwise to support his or her case, without producing or giving notice to produce the agreement or a copy thereof.

59Obligation as to seaworthiness

In every contract of service, express or implied, between:
(a)the owner of a ship and the master; or
(b)the owner or master and a seaman;
there shall be implied, notwithstanding any agreement to the contrary, an obligation on the owner of the ship that the owner and the master, and every agent charged with loading the ship or preparing the ship for sea or sending the ship to sea, shall use all reasonable means to insure the seaworthiness of the ship for the voyage at the time when the voyage begins, and to keep the ship in seaworthy condition for the voyage during the voyage.

59AAbolition of defence of common employment

(1)Where injury or damage is suffered by a seaman by reason of the wrongful act, neglect or default of another person engaged in common employment with the seaman, the employer is liable in damages in respect of that injury or damage in the same manner and in the same cases as if they had not been engaged in common employment.

(2)This section applies to injury or damage arising from a wrongful act, neglect or default committed after the date of commencement of this section, whether the contract of service was made before or is made after that date.

(2A)Notwithstanding sections 2 and 10, this section applies in relation to all ships.

(3)In this section, seaman includes master.

59BShipowner not entitled to limit liability in respect of certain claims

(1)In this section:

Convention has the same meaning as in the Limitation of Liability for Maritime Claims Act 1989.

(2)The owner of a ship is not entitled to limit his, her or its liability in respect of any claim of a kind specified in paragraph (1)(a) of Article 2 of the Convention made by:
(a)a servant of the owner whose duties are connected with the ship; or
(b)any heir or dependant of the servant or any other person who is, within the meaning of paragraph (e) of Article 3 of the Convention, a person entitled to make such a claim.

Division 9-Discharge of seamen

61Provision of discharges to seamen

When a seaman is discharged from a ship, the master of the ship shall:
(a)sign and give to the seaman a discharge in accordance with the prescribed form; and
(b)return to the seaman any previous discharge of the seaman in the possession of the master.

Penalty: $1,000.

62ADischarge of seamen outside Australia

(1)The master of a ship shall not, at a port outside Australia, discharge a seaman from the ship unless:
(a)the master has given the seaman such notice as is reasonable in the circumstances of the master's intention to discharge the seaman; and
(b)in a case where the seaman has requested the master to obtain the approval of a proper authority to the discharge-a proper authority has approved the discharge.

Penalty: $1,000.

(2)A proper authority may withhold his or her approval to the discharge of a seaman under subsection (1) if he or she is of the opinion:
(a)that the discharge cannot be effected except in contravention of the agreement with the seaman, of a provision of this Act or of a law of the country in which the discharge is to be made; or
(b)that the discharge of the seaman would be unjust.

(3)If a ship is sold, transferred or otherwise disposed of while the ship is at a port in a country other than a prescribed country, the master shall, notwithstanding anything contained in the ship's

agreement, discharge each seaman entered on board the ship other than a seaman who consents in writing to continue to serve on the ship.

(4)Subsection 50(5) applies to and in relation to a seaman discharged in pursuance of subsection (3) of this section as if that seaman had been discharged in pursuance of subsection 50(3).

63False discharges

No person shall give to any seaman a discharge which falsely indicates the capacity in which the seaman actually served or the time during which the seaman served in that capacity.

Penalty: $2,000.

68Offences in relation to certificates of discharge

(1)A person shall not:
(a)sign or give a false certificate of discharge;
(b)forge or fraudulently alter a certificate of discharge;
(c)fraudulently use, or fraudulently produce to a proper authority, a certificate of discharge that is forged, is altered or does not relate to the person; or
(d)allow a person to use fraudulently a certificate of discharge that does not relate to the last-mentioned person.

Penalty: $5,000 or imprisonment for 2 years, or both.

(2)In this section:

certificate of discharge includes a copy of such a certificate.

Division 10-Seamen's wages

70Allotment of seaman's wages

(1)Subject to this section, a seaman who is engaged in Australia for service in a ship may make stipulations for the allotment and payment of portion of his or her wages as a seaman:
(a)a person who is or is stated by the seaman to be:
(i)the grandparent, parent, wife, husband, brother, sister, child or grandchild of the seaman; or
(ii)a person towards the maintenance of whom the seaman contributes; or
(b)a bank.

(2)Except by agreement with the master of the ship on which he or she engages to serve, a seaman is not entitled to make stipulations under this section for the allotment of a portion of his or her wages which, or of portions of his or her wages the total of which, is greater than three-fourths of the wages.

(3)A stipulation under this section is of no force unless:

(a)an allotment note in the prescribed form, or in a form approved by the Authority by instrument in writing, is signed by the master and the seaman; and
(b)the sum allotted is specified in the agreement with the seaman.

(4)A seaman engaged in Australia for service in a ship shall not make stipulations for the allotment and payment of his or her wages, or any portion of his or her wages, otherwise than in accordance with this section.

71Right to sue upon allotment notes

(1)When an allotment note is made in favour of any person, he or she may sue for and recover the wages allotted by it, when and as they are made payable, with costs, from any person who has authorized the drawing of the note, in a County Court, District Court, or Local Court of any State, or in a court of summary jurisdiction.

(2)In any such proceeding, it shall be sufficient for the claimant to prove that he or she is the person mentioned in the note, and that the note was given by the owner or master, or some authorized agent; and the seaman shall be presumed to be duly earning his or her wages unless the contrary is shown to the satisfaction of the Court by:
(b)a certified copy of some entry in the official log-book to the effect that he or she has left the ship; or
(c)such other evidence as the Court, in its absolute discretion, considers sufficient to show satisfactorily that the seaman has ceased to be entitled to the wages out of which the allotment is to be paid.

(3)No recovery shall be made on an allotment note if the seaman is shown, in manner aforesaid, to have forfeited or ceased to be entitled to the wages out of which the allotment is to be paid.

72Commencement of payment

(1)Payment under an allotment note shall, except as provided by subsection (2), begin at the expiration of one month from the date of the agreement and shall be made at the expiration of every subsequent month after the first month, and shall be made only in respect of wages earned before the date of payment.

(2)By agreement with the master an allotment note may be granted to a seaman providing for payment at a period earlier than one month from the date of the agreement and at intervals more frequent than one month.

73Allotment to banks

An allotment to a bank shall be in favour of such persons, and carried into effect in such manner, as is prescribed.

75Payment of wages on discharge

(1)Where a seaman is discharged, the seaman shall, before or at the time of discharge, be paid the amount of wages due up to that time, less any deductions specified in the account required to be delivered under subsection 76(1).

Penalty (on the owner and master):$1,000.

(3)It is a defence to a prosecution for an offence against subsection (1) if the person charged proves that the failure to pay to the seaman the amount of his or her wages in accordance with that subsection was due to the seaman's act or default, to a reasonable dispute as to liability for those wages or to any other cause not attributable to the wrongful act or default of the person charged or of any person acting on his or her behalf.

75AComputation of wages

(1)Where the wages of a seaman are payable at a rate per month, a month shall, for the purposes of this Act, be deemed to be:
(a)the period from and including a day in one calendar month to and including the day before the numerically corresponding day in the next succeeding month; or
(b)where there is not in the next succeeding month a day numerically corresponding to the day in the first-mentioned month, the period from and including the first-mentioned day to and including the last day of that next succeeding month.

(2)In the calculation of the wages of a seaman for a period of less than a month, being wages payable at a rate per month, each day in that period shall, for the purposes of this Act, be deemed to be one-thirtieth part of a month.

76Account of wages on discharge

(1)The master of a ship who discharges a seaman at any port shall deliver to the seaman at the prescribed time and in the prescribed form or in a form approved by the Authority by instrument in writing, a full and true account of the wages of the seaman and of the deductions made or to be made for any reason from those wages.

Penalty: $1,000.

(3)Subject to subsection (5), the master shall during the voyage enter in a book to be kept for that purpose, as they occur, the various matters in respect of which any deductions from wages are made and the amounts of the respective deductions which shall be initialed or signed by the seaman and no deduction shall be allowed unless so entered.

(4)The Authority may disallow any such deduction.

(5)The Authority may, by instrument in writing, direct that, subject to such conditions (if any) as are specified in the direction, subsection (3) does not apply in relation to the master

of a specified ship or the master of a ship included in a specified class of ships.

77Time for payment of wages

(1)Subject to any provision to the contrary in his or her agreement and to subsection (2), a seaman entered on board a ship shall, after all lawful deductions have been made:
(a)be paid, on the first day of each month, the wages earned by the seaman during the period that commenced on the sixteenth day, and ended on the last day, of the month last preceding that month; and
(b)be paid, on the sixteenth day of each month, the wages earned by the seaman during the period that commenced on the first day, and ended on the fifteenth day, of that month.

(2)Where, on a day on which a seaman is required to be paid wages under subsection (1), the ship on which he or she is entered is not in port, or is in a port at which there is no bank, the seaman shall be paid the wages within a period of 24 hours after the arrival of the ship at a port at which there is a bank.

(3)Subject to subsection (5), if a payment of wages is not made to a seaman at or before the time when the payment is required to be made to the seaman under the preceding provisions of this section, he or she is entitled to recover from the owner or master of the ship, in addition to the wages due to the seaman, a sum equal to 2 days' pay for each of the days, not including days in excess of 14, during which payment of the wages is delayed beyond that time or such lesser sum as the Court thinks just in the circumstances.

(4)An amount which a seaman is entitled to recover under subsection (3) may be recovered in the same Court and in the same manner as wages due to the seaman.

(5)It is a defence to an action for the recovery of an amount under subsection (3) if the person against whom the action is brought satisfies the Court:
(a)that:
(i)the seaman became entitled to the payment of wages on a day on which it was impracticable for moneys with which to pay the wages to be obtained by the master from a bank in the port in which the ship lay; and
(ii)the wages were paid as soon as practicable after that day; or
(b)that the delay in payment of the wages was due to the seaman's act or default, to a reasonable dispute as to liability for the wages or to any other cause not attributable to the wrongful act or default of the owner or master of the ship.

(6)In this section:

wages, in relation to a seaman, does not include a payment or allowance for the working of overtime or any other payment or allowance not included in the ordinary wages of the seaman.

78Wages to run on in certain cases

If a seaman's wages are not paid in accordance with section 75 before or at the time the seaman is given his or her discharge from a ship, the seaman's wages shall continue to run until the time of the final settlement of his or her wages (and shall be payable at double rates for any period after the time the seaman is given his or her discharge from the ship) unless the delay is due to the seaman's act or default, to a reasonable dispute as to liability for the wages or to any other cause not attributable to the wrongful act or default of the owner or master of the ship.

81Reference of differences to superintendent

(1)A master or owner may agree with a seaman to refer a question which has arisen between them to a superintendent for his or her decision.

(2)A superintendent may hear and decide a question referred to him or her under subsection (1).

(3)An agreement referred to in subsection (1) shall, unless the contrary intention appears from the agreement, be deemed to contain a provision that the decision of the superintendent shall be final and binding on each party to the agreement and a person claiming under such a party.

(4)A superintendent who gives a decision on a question referred to him or her under this section shall record that decision in a document under his or her hand and that document is admissible in evidence.

82Commencement of right to wages

(1)Subject to this Act, a seaman's right to wages begins:
(a)at the time at which he or she commences work; or
(b)at the time specified in his or her agreement for his or her commencement of work or presence on board;
whichever is the earlier.

(2)If the engagement of a seaman for service on a ship terminates and, on the same day, the seaman is engaged again for service on the same ship, he or she is not entitled to wages in respect of that day under both engagements, but, if the seaman works under the new engagement on that day and the rate of his or her wages under the new engagement is higher than the rate of his or her wages under the old engagement, he or she is entitled to wages in respect of that day at the higher rate.

83Recovery of wages

(1)No seaman shall, by any agreement:
(a)be deprived of any remedy for the recovery of his or her wages; or
(b)forfeit his or her lien upon the ship for his or her wages; or

(c)abandon his or her right to wages in case of the loss of the ship; or
(d)abandon any right that he or she may have or obtain in the nature of salvage.

(2)The lien for seamen's wages shall have priority over all other liens.

(3)Every stipulation in any agreement, inconsistent with any provision of this Act, shall be void.

(4)Nothing in this section shall apply to a stipulation made by any seaman, belonging to a ship which according to the terms of the agreement is to be employed exclusively on salvage service, with respect to the remuneration to be paid to the seaman for salvage service to be rendered by that ship to any other ship.

84Wages not to be dependent on the earning of freight

The right to wages shall not depend on the earning of freight; and every seaman who would be entitled to demand and recover any wages, if the ship in which the seaman has served had earned freight, shall, subject to all other rules of law and conditions applicable to the case, be entitled to claim and recover his or her wages, notwithstanding that freight has not been earned.
But in all cases of wreck or loss of the ship, proof that any seaman has not exerted himself or herself to the utmost to save the ship, human life, cargo, stores, and equipment, shall bar his or her claim to wages.

85Right to conveyance and wages in case of termination of services by wreck or loss

(1)Where the service of a seaman belonging to a ship is terminated, before the time contemplated in the seaman's agreement, by reason of the wreck or loss of the ship, the seaman is, subject to this section, entitled to:
(a)conveyance, by or at the cost of the owner of the ship, to the proper return port of the seaman; and
(b)wages, at the rate payable on the day of the termination of the seaman's services, in respect of each day during the period commencing on the day after the day of the termination of the seaman's service to the day on which he or she reaches the port to which the seaman is so conveyed and for a period of one month after he or she reaches that port.

(2)A seaman is not entitled to wages in respect of a day on which the seaman's conveyance is delayed by his or her own act, default or neglect.

(3)Where:
(a)the period for which a seaman is entitled to wages under subsection (1) is less than 2 months; and
(b)the seaman is unemployed after he or she reaches the port to which he or she is conveyed under that subsection;

the seaman is entitled to wages, at the rate payable on the day of the termination of his or her service, for each day on which the seaman is so unemployed, not being a day which is more than 2 months after the day on which the seaman's services were terminated.

(4)A seaman is not entitled to wages under subsection (3):
(a)where the owner shows that the unemployment was not due to the wreck or loss of the ship; or
(b)for a day in respect of which the owner shows that the seaman was able to obtain suitable employment.

(5)Where a seaman whose service is terminated by the wreck or loss of the ship was engaged by the run, the seaman is entitled to the wages to which he would have been entitled if the agreement had not been terminated until the end of the run, subject to all just deductions.

(6)In this section:

seaman includes a person employed or engaged in any capacity on board the ship, but, in the case of a ship which is a fishing vessel, does not include a person who is entitled to be remunerated only by a share in the profits or the gross earnings of the working of the ship.

wages includes such allowances as are prescribed.

88Compensation for premature discharge

(1)If a seaman is discharged, otherwise than in accordance with the terms of his or her agreement or the provisions of this Act, without fault on the part of the seaman justifying that discharge, and without the seaman's consent, the seaman shall be entitled to receive from the master or owner, in addition to any wages the seaman has earned, compensation not being less than one month's wages, and may recover that compensation as if it were wages duly earned.

(2)If the seaman is so discharged elsewhere than at the proper return port of the seaman, the provisions of subsections 50(5) and (6) shall also apply as if the seaman had been discharged in pursuance of subsection 50(3).

91Jurisdiction as to wages

(1)The Supreme Court of any State, and, to the extent that the Constitution permits, the Supreme Court of the Australian Capital Territory or the Supreme Court of the Northern Territory and any Court having civil jurisdiction in respect of the amount of the claim, shall have jurisdiction to try and determine the following causes:
(a)Any claim by or on behalf of a seaman of a ship for wages earned by the seaman on board the ship, whether under a special contract or otherwise;

(b)Any claim by or on behalf of the master of a ship for wages earned by the master on board the ship, and for disbursements made by the master on account of the ship.

93Wages not recoverable abroad in certain cases

(1)Where a seaman is engaged in Australia for a voyage or engagement which is to terminate in Australia the seaman shall not be entitled to sue in any Court abroad for wages, unless the seaman is discharged with such sanction as is required by law and with the written consent of the master or proves such ill-usage on the part or by the authority of the master as to warrant reasonable apprehension of danger to his or her life or health if the seaman were to remain on board.

(2)If a seaman, on his or her return to Australia, proves that the master or owner has been guilty of any conduct or default which, but for this section, would have entitled the seaman to sue for wages before the termination of the voyage or engagement, the seaman shall be entitled to recover, in addition to his or her wages, such compensation as the Court hearing the case thinks reasonable.

94Master's remedies for wages

(1)The master of a ship shall, so far as the case permits, have the same rights, liens, and remedies for the recovery of his or her wages as a seaman has by law or custom.

(2)The master of a ship shall, so far as the case permits, have the same rights, liens, and remedies for the recovery of disbursements or liabilities properly made or incurred by the master on account of the ship as a master has for the recovery of his or her wages.

(3)If in any proceeding in any Court touching the claim of a master in respect of wages, or of such disbursements or liabilities as aforesaid, any right of set-off or counter-claim is set up, the Courts may enter into and adjudicate upon all questions and settle all accounts then arising or outstanding and unsettled between the parties to the proceeding, and may direct payment of any balance found to be due.

Division 12-Discipline

101Smuggling by crew

(1)If a seaman commits any act of smuggling by which loss or damage is occasioned to the master or owner of the ship, the seaman may be ordered by any court of summary jurisdiction to pay to the master or owner a sum sufficient to recoup the loss or damage, and that sum may, without prejudice to any other remedy, be deducted from any wages due to the seaman.

(2)Nothing in this section shall relieve any seaman from any penalty incurred on account of any act of smuggling.

104Stowaways and distressed seamen

(1)No person shall secrete himself or herself and go to sea in a ship (whether or not it is a ship to which this Part applies) without the consent of some person entitled to give that consent.

Penalty: $1,000.

(2)Every person whom the master of a ship is legally compelled to convey, and every person who goes to sea in a ship without such consent as aforesaid, shall, so long as he or she remains in the ship, be subject to the same laws and regulations for preserving discipline as if he or she were a member of the crew, and had signed the agreement.

110Return of foreign-going seaman to ship

(1)When a seaman belonging to a ship that is about to proceed on an overseas voyage from an Australian port is imprisoned on summary conviction for any term, and his or her ship will leave Australia before the expiration of the seaman's sentence, the Authority may, with the consent of the seaman, cause the seaman to be delivered to the master of the ship at any time within 24 hours before sailing, and the master shall keep the seaman on board under custody till the ship has left port.

(2)All expenses incurred in connexion with such delivery and custody shall be paid by the master.

113Questions as to deductions

Any question concerning deductions from the wages of a seaman may be determined in any proceeding lawfully instituted with respect to those wages, notwithstanding that the offence in respect of which the question arises has not been made the subject of any criminal proceeding.

Division 13-Provisions

116Bad provisions or water

(1)If 3 or more of the crew of a ship consider that their provisions or water are of bad quality, or deficient in quantity, they may complain thereof to a superintendent, who shall examine the provisions and water or cause them to be examined.

(2)If the Authority is satisfied, from the report of the superintendent or other official making the examination, that the provisions or water are of bad quality or deficient in quantity, it shall, by writing, require the master to provide provisions and water of good quality, or sufficient in quantity, as the case may

be, and to cease to use or supply to the crew any provisions or water found to be of bad quality, and the master shall comply with the requisition.

Penalty (on master):$2,000.

(3)The superintendent or person making the examination shall enter the result thereof in the official log-book.

(4)If the Authority certifies that there was no reasonable ground for the complaint, each of the complainants shall be liable to forfeit out of his or her wages a sum not exceeding one week's wages.

(5)For the purposes of subsection (2), any requirement made by the Authority may be made by telegram signed by the Authority and addressed to the master of the ship in question.

117Provisions adequate for voyage

The master of a ship must not undertake a voyage unless the ship is carrying:
(a)water of suitable quality and quantity; and
(b)food of suitable quality, quantity, nutritive value and variety;
having regard to the nature and duration of the voyage and the size of the crew.

117AAdequate food catering facilities to be provided

The owner of a ship must not allow the ship to undertake a voyage unless the ship has catering facilities that are so arranged and equipped as to enable proper meals to be served to the crew.

119Weights and measures

In the event of any dispute as to the quantities of articles served out to the crew of a ship, the master shall cause the quantities to be weighed or measured in the presence of a witness by just and correct weights and measures.

Penalty: $500.

120Inspection of provisions and water

(1)The Authority may, in any case where it thinks it necessary or desirable so to do, authorize an official to inspect the provisions and water which are on a ship at a port in Australia and are intended for the use of the crew of the ship.

(2)If the person so inspecting finds that the provisions or water are not of good quality, the ship shall be detained until provisions or water are supplied to the satisfaction of that person.

(3)If any provisions or water are found deficient in quality under this section, the master of the ship shall be guilty of an offence, unless it is proved to the satisfaction of the Court:
(a)that the finding of the inspecting official was not justified; or
(b)that the responsibility for the defects in the provisions or water rests upon some other person.

Penalty: $1,000.

(4)The owner of any ship, or the agent of the owner, or any other person, supplying or causing to be supplied provisions or water which are afterwards found deficient under this section shall be guilty of an offence unless it is proved to the satisfaction of the Court:
(a)that the provisions or water were not deficient when supplied; or
(b)that when the provisions or water were supplied he or she did not know and had no reasonable cause to believe that they were deficient in quality, and had taken reasonable precautions to ascertain that they were not so deficient.

Penalty: $1,000.

122Disposal of bad provisions

All provisions examined or inspected under this Division and found to be of bad quality shall be disposed of as the Authority directs.

Division 14-Health

123Medical Inspectors of Seamen

(1)The Authority may appoint a person who is a duly qualified medical practitioner to be a Medical Inspector of Seamen.

(2)Before the examination of a person by a Medical Inspector of Seamen for the purposes of this Act, the person at whose request the examination is to be made shall pay the prescribed fee.

124Medical examination of masters and seamen

(1)The regulations may make provision for or in relation to the medical examination of, and the issue of certificates of fitness to, masters, seamen and persons proposing to engage in employment as masters or seamen.

(2)The regulations made by virtue of subsection (1) may include provisions prohibiting the engagement of a person as a master or seaman unless that person is the holder of a certificate issued under those regulations.

125Medicines etc. to be carried on ships

(1)The master of a ship shall not take the ship to sea, and the owner or agent of the ship shall not permit the ship to be taken to sea, unless the ship is provided, in accordance with the regulations, with:
(a)medicines, medical and surgical stores and appliances and anti-scorbutics; and
(b)instructions for dispensing and using medicines, medical and surgical stores and appliances.

Penalty: $2,000.

(2)It is a defence to a prosecution for an offence against subsection (1) if the person charged with the offence satisfies the court in which the prosecution is brought that the failure to comply with the subsection was not due to any act or default on his or her part.

126Inspection of medicines

(1)The Authority may nominate any duly qualified person to inspect the medicines, medical and surgical stores, and anti-scorbutics, required by this Part to be carried.

(2)The master, on being required by that person, shall make good any deficiency in quantity or quality of such articles.

Penalty: $2,000 or imprisonment for 12 months, or both.

127Owner liable for medical attendance etc.

(1)If a seaman belonging to a ship:
(a)receives a hurt or injury, or contracts a disease; or
(b)suffers from any illness, not being an illness due to a wilful act or default, or to misbehaviour, on the part of the seaman;
and the seaman is not at his or her proper return port, the expense of:
(c)providing the necessary surgical and medical advice and attendance, and medicine, until the seaman is cured, dies or arrives at that port;
(d)the maintenance of the seaman until he or she is cured, dies or arrives at that port;
(e)the conveyance of the seaman to that port; and
(f)if the seaman dies before arriving at that port-his or her burial or, if the seaman's body is conveyed to that port at the request of a member of his or her family, the conveyance of the seaman's body to that port;
shall be defrayed by the owner of the ship without deduction from the wages of the seaman.

(2)For the purposes of subsection (1), where a seaman suffers from a venereal disease, that disease shall not be deemed to be due to a wilful act or default, or to misbehaviour, on the part of the seaman.

(3)If:
(a)a seaman belonging to a ship is suffering from a disease or illness; and
(b)the seaman is, for the purpose of preventing infection or otherwise for the convenience of the ship, temporarily removed from his or her ship;
the expense of:
(c)the removal of the seaman from, and the seaman's return to, the ship;
(d)providing the necessary surgical and medical advice and attendance, and medicine, while the seaman is away from the ship; and
(e)the maintenance of the seaman while he or she is away from the ship;
shall be defrayed by the owner of the ship without deduction from the wages of the seaman.

(5)The expense of all surgical and medical advice and attendance, and medicine, given to a seaman belonging to a ship while the seaman is on board the ship shall be defrayed by the owner of the ship without deduction from the wages of the seaman.

(6)Any reasonable expenses incurred by the owner of a ship in respect of:
(a)an illness of a seaman belonging to the ship; or
(b)the burial of such a seaman who dies while on service;
not being expenses which are required to be defrayed by the owner of the ship under the preceding provisions of this section, may be deducted from the wages of the seaman.

(7)In this section, seaman includes master.

128Recovery of expenses from owner

(1)If:
(a)any of the expenses attendant on the illness, hurt, or injury of a seaman, which are to be paid under this Act by the master or owner, are paid by any authority on behalf of the Commonwealth; or
(b)any other expenses in respect of the illness, hurt, or injury of any seaman whose wages are not accounted for under this Act to that authority are so paid;
those expenses shall be repaid to the authority by the master of the ship.

(2)If the expenses are not so repaid, the amount thereof shall with costs be a charge upon the ship, and be recoverable:
(a)from the master or owner of the ship for the time being; or
(b)where the ship has been lost-from the person who was the owner of the ship immediately prior to the time of its loss or abandonment; or
(c)where the ship has been transferred to some person not being a British subject or a citizen of a prescribed country-either from the owner for the time being or from the person who was the owner at the time of transfer;

as a debt to the Commonwealth, either by ordinary process of law or in the same court and manner as wages due to seamen.

(3)In any proceeding for such recovery, a certificate of the facts, signed by the said authority, together with such vouchers (if any) as the case requires, shall be sufficient proof that the expenses were duly paid by that authority.

132Wages of seaman left on shore sick or injured

(1)Where a seaman belonging to a ship is left on shore at his or her proper return port by reason of illness, hurt or injury, the seaman is, subject to this section and section 132B, entitled to receive wages, at the rate fixed by the seaman's agreement, in respect of each day during the period commencing on the day on which the seaman was left on shore and ending:
(a)on the day of his or her recovery; or
(b)at the expiration of a period of 3 months after the day on which he or she was left on shore;
whichever first occurs.

(2)Where a seaman belonging to a ship is left on shore at a port other than his or her proper return port by reason of illness, hurt or injury, the seaman is, subject to this section and section 132B, entitled to receive wages, at the rate fixed by the seaman's agreement, in respect of each day during the period commencing on the day on which the seaman was left on shore and ending:
(a)in a case in which the seaman arrives at that port before his or her recovery:
(i)on the day of his or her recovery; or
(ii)at the expiration of a period of 3 months after the date of that arrival;
whichever first occurs; and
(b)in a case in which the seaman does not arrive at that port before his or her recovery:
(i)when the seaman arrives at that port;
(ii)when the seaman rejoins the ship; or
(iii) when the seaman engages in other employment;
whichever first occurs.

(3)If, after the recovery of a seaman entitled to receive wages under subsection (2) and before the seaman arrives at that port:
(a)he or she refuses or fails, without the approval of a proper authority to accept an offer of employment on a ship which is proceeding to that port, being employment under the terms of which:
(i)he or she would have been paid wages at a rate not less than the rate fixed by the agreement under which he or she served on the ship from which he or she was left on shore; and
(ii)he or she would have had the right to be discharged on arrival at that port; or
(b)the seaman refuses or fails, without reasonable excuse, to rejoin the ship from which he or she was left on shore or to accept conveyance back to that port by or at the cost of the

owner of that ship;
the seaman is not entitled to receive wages in respect of any period after that refusal or failure.

(4)A seaman who, before his or her recovery, is fit to travel is not entitled to wages under subsection (2) in respect of a day on which the seaman's conveyance to the seaman's proper return port by or at the cost of the owner of the ship from which he or she was left on shore is delayed by an act, default or neglect on the part of the seaman.

(4A)Where a seaman becomes entitled to receive wages under this section but dies before he or she ceases to be so entitled, the period in respect of which the seaman is entitled so to receive wages is the period commencing on the day on which he or she was left on shore and ending on the day of his or her death.

(5)If:
(a)a seaman who is left on shore from a ship is not paid wages to which the seaman is entitled under subsection (1) or (2); or
(b)a seaman who is left on shore at a port other than that port, being a seaman who is entitled to be paid wages under subsection (2), is brought or taken back to that port at the direction of the owner or agent of the ship at a time before his or her recovery when the seaman is not fit to travel;
the owner and agent of the ship are each guilty of an offence punishable on conviction by a fine not exceeding $2,000.

(5A)An offence under subsection (5) is an offence of strict liability.

Note: For strict liability, see section 6.1 of the Criminal Code.

(6)A seaman is entitled to wages under this section by reason of an illness, hurt or injury only if the illness, hurt or injury:
(a)is not due to a wilful act or default, or to misbehaviour, on the part of the seaman;
(b)is such as to incapacitate the seaman wholly from the performance of his or her duty;
(c)is, or appears to be, of such a nature as to require, or to be likely to require, medical treatment for a period exceeding 7 days from and including the day on which the seaman became so incapacitated; and
(d)was not knowingly concealed by the seaman from the person who employed or engaged the seaman at the time the seaman was employed or engaged.

(6A)A seaman is not entitled to wages under this section by reason of an illness, hurt or injury, occurring after the day on which this subsection commences, if the seaman is entitled to compensation under Division 3 of Part 2 of the Seafarers Rehabilitation and Compensation Act 1992 in respect of that illness, hurt or injury.

(6B)A seaman can be taken, for the purposes of subsection (6A), to be entitled to compensation under Division 3 of Part 2 of the Seafarers Rehabilitation and Compensation Act 1992 even though the seaman:
(a)has failed to give written notice of the illness, hurt or injury under section 62 of that Act; or
(b)has failed to make a claim for compensation under section 63 of that Act.

(6C)If:
(a)a seaman is left on shore by reason of illness, hurt or injury; and
(b)the owner:
(i)considers the seaman is entitled to compensation under the Seafarers Rehabilitation and Compensation Act 1992; and
(ii)because of the operation of subsection (6A), intends not to pay wages in respect of any period during which the seaman is left on shore;
the owner must advise the seaman, by notice in writing given to the seaman, of that intention.

(6D)A notice given under subsection (6C) is not to be taken as a determination of liability under section 73 of the Seafarers Rehabilitation and Compensation Act 1992.

(7)For the purposes of paragraph (6)(a), where a seaman suffers from a venereal disease, that disease shall not be deemed to be due to a wilful act or default, or to misbehaviour, on the part of the seaman.

(8)In this section:

agreement, in relation to the master of a ship, means the agreement made by the master to serve on the ship.

recovery, in relation to a seaman, means the recovery of the seaman as certified by a Medical Inspector of Seamen or any other duly qualified medical practitioner.

seaman includes master.

132ASecurity for expenses and wages of seaman left behind

(1)A proper authority may require the owner, agent or master of a ship from which a seaman is left on shore:
(a)to deposit with the proper authority such sum as the proper authority considers necessary to cover the liability, or expected liability, of the owner in respect of the seaman under section 127 or section 132; or
(b)to give security for the payment by the owner of amounts for which the owner is, or may become, liable in respect of the seaman under either of those sections.

(2)A person shall comply with a requirement made by a proper authority under subsection (1).

Penalty: $1,000.

(2A)An offence under subsection (2) is an offence of strict liability.

Note: For strict liability, see section 6.1 of the Criminal Code.

(3)An amount deposited with a proper authority under subsection (1) may be expended by the proper authority in discharging the liabilities in respect of which it was deposited and the balance, if any, shall be paid to the person by whom it was deposited.

(4)In this section, seaman includes master.

132BSeaman left on shore to furnish address and to report for medical examination

(1)A seaman who is left on shore and is entitled to receive wages under section 132 shall inform a proper authority of his or her address and, if the seaman changes his or her address, shall inform the proper authority of his or her new address.

(2)If, at the expiration of a period of 48 hours after being left on shore or after the change of address, as the case may be, the seaman, without reasonable excuse, fails to inform the proper authority of his or her address or new address, as the case may be, the seaman is not entitled to receive wages under section 132 in respect of any period after the expiration of the period of 48 hours and before he or she so informs the proper authority.

(3)The owner, agent or master of a ship may, by notice in writing given to a seaman who:
(a)has been left on shore from the ship;
(b)is entitled to receive wages under section 132; and
(c)is not an in-patient in a hospital;
direct the seaman to submit himself or herself for medical examination to a duly qualified medical practitioner specified in the notice at or before such time as is so specified and, if the seaman, without reasonable excuse, fails to submit himself or herself for medical examination to the medical practitioner at or before that time, the seaman is not entitled to receive wages under that section in respect of any period after that time and before he or she submits himself or herself for medical examination to that medical practitioner or to such other duly qualified medical practitioner as the owner, agent or master directs.

(4)Nothing in this section affects the entitlement of a seaman to wages under section 132 in respect of a period during which the seaman is an in-patient in a hospital.

(5)In this section, seaman includes master.

133Medical practitioners and first aid attendants

(1)The owner or master of every:
(a)ship proceeding on an overseas voyage; or
(b)other ship on a passage between 2 consecutive ports which exceeds such distance as is prescribed;
having 100 persons or upwards on board shall cause to be carried as part of its complement, a duly qualified medical practitioner.

(2)The owner or master of every:
(a)ship proceeding on an overseas voyage; or
(b)other ship on a passage between 2 consecutive ports which exceeds such distance as is prescribed;
having more than 10 and less than 100 persons on board, and not carrying a duly qualified medical practitioner as part of its complement, shall cause to be carried as part of its complement a person certified to by a Medical Inspector of Seamen or a prescribed authority as qualified to render "first aid".

Penalty: $2,000 or imprisonment for 12 months, or both.

134Regulations to give effect to the Medical Examination (Seafarers) Convention 1946

(1)The regulations may make provision for, or in relation to, giving effect to the Medical Examination (Seafarers) Convention 1946 adopted by the General Conference of the International Labour Organisation on 29 June 1946.

(2)If a provision of the Convention applies only to a particular class of ships or to ships engaged on a particular class of voyages, a regulation that gives effect to that provision may be applied to ships of any other class or to ships engaged in any other class of voyages.

(3)Section 2 does not apply to a regulation made for the purposes of this section.

(4)Regulations and orders giving effect to the Convention do not apply to a ship referred to in paragraph 2(1)(a), (b), (c) or (d) to the extent that a law of a State or of the Northern Territory gives effect to the Convention in relation to that ship.

Division 15-Accommodation

135Application of Division

This Division applies subject to any award in force under the Workplace Relations Act 1996 that was made:
(a)in relation to an industrial issue referred to in paragraph 5(3)(b) of that Act as in force immediately before the commencement of Schedule 1 to the Workplace Relations Amendment (Work Choices) Act 2005; or
(b)under Division 2 of Part III of the Conciliation and

Arbitration Act 1904.

136Regulations relating to accommodation

(1)The Governor-General may make regulations prescribing the accommodation to be provided for the master, officers and crew of a ship and, without limiting the generality of the foregoing, prescribing matters for or in relation to:
(a)the minimum amount of space to be provided for each person;
(b)the maximum number of persons to be accommodated in a specified part of a ship;
(c)the part of a ship in which the whole or a part of the accommodation is to be provided;
(d)the requirements to be observed in the construction, furnishing and equipment of the accommodation, including heating, lighting and ventilation;
(e)the maintenance and repair of the accommodation;
(f)the prohibition or restriction of the use of accommodation for a purpose other than that specified;
(g)the provision of hot and cold fresh water;
(h)the provision of bedding, mess utensils, towels and toilet requisites;
(i)the inspection of the accommodation;
(j)the submission of plans and specifications relating to the provision or alteration of accommodation; and
(k)the modification of a provision of the regulations in its application to a ship, or the exemption of a ship from the application of a provision of the regulations, where the keel of the ship was laid before the date of commencement of the provision or the ship had reached, before that date, a stage of construction specified in the regulations for the purposes of this paragraph.

(2)The regulations may make provision in relation to giving effect to:
(a)the Accommodation of Crews Convention (Revised) 1949 adopted by the General Conference of the International Labour Organisation on 18 June 1949; and
(b)the Accommodation of Crews (Supplementary Provisions) Convention 1970 adopted by the General Conference of the International Labour Organisation on 30 October 1970.

(3)If a provision of either Convention applies only in relation to a particular class of ships or in relation to ships engaged on a particular class of voyages, a regulation that gives effect to that provision may be applied to ships of any other class or to ships engaged in any other class of voyages.

(4)Section 2 does not have effect in relation to a regulation made for the purposes of this section.

(5)Regulations and orders giving effect to the Conventions do not apply in relation to a ship referred to in paragraph 2(1)(a), (b), (c) or (d) to the extent that a law of a State or of the Northern Territory gives effect to the Conventions in relation to that ship.

137Provision of ventilation and wheel-houses

The Authority may require the owner of a ship to provide:
(a)such ventilation of the machinery and boiler spaces of the ship as the Authority considers necessary; and
(b)a wheel-house, or such other shelter, as the Authority considers adequate for the protection of the helmsman.

138Crew accommodation

(1)The Marine Council may:
(a)consider plans for accommodation, or alterations in accommodation, in ships; and
(b)make recommendations to the Minister in relation to the requirements to be prescribed in relation to accommodation in ships.

(2)Where:
(a)a question arises as to the accommodation that ought to be provided in a ship by the owner of the ship, either generally or for particular persons in, or in particular parts of, the ship; and
(b)the owner, or an association of seamen that is:
(i)a registered organisation within the meaning of Schedule 1 to the Workplace Relations Act 1996; or
(ii)a transitionally registered association within the meaning of Schedule 10 to the Workplace Relations Act 1996;
requests the Marine Council to hear and determine the question; the Marine Council is to inquire into the question and make such order as it considers proper in the circumstances.

(3)An order under subsection (2):
(a)must be in writing; and
(c)has effect from the date of effect specified in the order; and
(d)has effect despite anything to the contrary in the regulations in force at the date of effect of the order.

138AShips not to go to sea without required accommodation

The owner of a ship shall not suffer the ship to go to sea unless the ship is provided with the accommodation, wheel-house or other shelter, and ventilation, with which the ship is required, under or by virtue of this Division, to be provided.

Penalty: $1,000.

138BInterpretation

In this Division:

accommodation includes sleeping rooms, mess rooms, duty rooms, recreation rooms, store rooms, change rooms, oilskin lockers, galleys, refrigerating chambers, sanitary and lavatory accommodation, hospital accommodation, office accommodation and

catering accommodation.

Division 16-Protection of seamen

139Facilities for making complaints etc.

(1)If a seaman who is a member of the crew of a ship informs the master of the ship that he or she wishes to go ashore:
(a)for the purpose of consulting a proper authority in connexion with a matter related to his or her employment on the ship; or
(b)for a purpose connected with legal proceedings, or proposed legal proceedings, against the master or a member of the crew of the ship;
the master of the ship shall not refuse the seaman leave to go ashore for that purpose at any reasonable time or otherwise prevent him or her from going ashore for that purpose.

(2)A seaman shall not obtain leave to go ashore under subsection (1) by means of a false or misleading statement or pretence or for a reason which is frivolous or vexatious.

Penalty: 10 penalty units.

140Assignment of salvage

An assignment or sale of salvage prior to the accruing thereof shall not bind a seaman, and a power of attorney or authority to receive any such salvage shall not be irrevocable.

145Persons unlawfully boarding, or remaining on board, ships

(1)A person, not being in the service of the Commonwealth or a State or Territory, shall not, unless authorized by law:
(a)go on board any ship (whether or not it is a ship to which this Part applies) which is about to arrive, is arriving or has arrived at the end of its voyage, without the permission of the master, before the seamen lawfully leave the ship at the end of their engagement, or are discharged (whichever last happens); or
(b)remain on board a ship (whether or not it is a ship to which this Part applies) after being warned to leave by the master, by an officer of Customs or by an officer of police.

Penalty: $1,000.

(2)Any officer of the ship, officer of Customs or officer of police may take any offender under this section into custody, and cause him or her forthwith to be taken before a proper Court to be dealt with.

147Exemptions from serving on jury

Masters and seamen of all ships (whether or not they are ships to which this Part applies) shall be exempt from serving as jurors,

whether under the law of the Commonwealth or of a State or Territory.

148Rescission of contract

(1)In any proceeding before any Court affecting the relation between a seaman and the master or owner of any ship, the Court may rescind any contract in existence between the parties on such terms as the Court deems just.

(2)This power shall be in addition to any other jurisdiction which the Court can exercise independently of this section.

(3)Any of the parties to any such contract may institute proceedings under this section for the rescission of the contract.

148ASeaman not to be wrongfully left behind

(1)A person shall not wrongfully force on shore and leave behind at a place in Australia a seaman belonging to a ship (whether or not it is a ship to which this Part applies) or otherwise cause such a seaman to be wrongfully left behind at such a place, either on shore or at sea.

(2)A person shall not wrongfully force on shore and leave behind at a place outside Australia a seaman belonging to a ship, or otherwise cause such a seaman to be wrongfully left behind at such a place, either on shore or at sea.

Penalty: $5,000 or imprisonment for 2 years, or both.

148CWages and effects of seaman left behind

(1)Subject to subsection (1A), if a seaman (other than a seaman discharged in accordance with this Act) is left on shore at any port, including a port outside Australia, from a ship, the master of the ship shall:
(a)prepare, in the prescribed form, a full and true account of the wages of the seaman, and enter in the official log-book of the ship a statement of the wages due to the seaman;
(b)take into his or her charge any effects of the seaman left on the ship and enter in the official log-book of the ship particulars of those effects;
(c)deliver the account prepared under paragraph (a) and any effects of the seaman which the master has taken into his or her charge under paragraph (b):
(i)to the seaman; or
(ii)if it is not practicable so to deliver the account and effects to the seaman-to a proper authority; and
(d)pay the amount of the wages due to the seaman:
(i)to the seaman; or
(ii)if it is not practicable so to pay the wages to the seaman or if a proper authority certifies in writing that he or she is of the opinion that the seaman deserted from the ship-to a proper authority.

(1A)Subsection (1) does not apply in relation to a seaman serving under articles of agreement where the seaman is left on shore at a port in accordance with the terms of the articles of agreement.

(2)Where the master of a ship delivers an account or effects, or pays the amount of any wages, to a proper authority under subsection (1), the master shall make an entry to that effect in the official log-book of the ship stating the reason why the account or effects were not delivered, or the amount of wages were not paid, to the seaman.

(3)A proper authority to whom an account or effects are delivered, or an amount is paid, under subsection (1) shall transmit that account, those effects or that amount, as the case may be, to the Authority.

(4)Upon:
(a)the delivery by the master of a ship to a proper authority under this section of the effects of a seaman; or
(b)the payment by the master of a ship to a proper authority under this section of an amount of wages of a seaman;
the owner, agent and master of the ship are each discharged from further liability in respect of the effects so delivered or the amount so paid, as the case may be.

(5)If the master of a ship contravenes or fails to comply with a provision of this section, the owner of the ship and the master are each guilty of an offence punishable on conviction by a fine not exceeding $1,000.

(6)An offence under subsection (5) is an offence of strict liability.

Note: For strict liability, see section 6.1 of the Criminal Code.

148DWages and effects to be held in trust

(1)Where an amount of wages of a seaman is transmitted to the Authority under section 148C, the Authority shall, subject to this section, hold that amount in trust for the seaman.

(3)Where a court has, under or in connection with this Act, imposed a pecuniary penalty on a seaman and the liability in respect of the penalty has not been otherwise discharged, the Authority may apply the whole or any part of an amount of wages of the seaman held by the Authority under this section in paying to the Commonwealth an amount not exceeding the amount of the penalty.

(4)Where the effects of a seaman are transmitted to the Authority under section 148C, the Authority shall, subject to subsection (5) of this section, hold those effects in trust for the seaman.

(5)The Authority may, after the expiration of one year from the

time when the effects were transmitted to the Authority, and shall, not later than the expiration of 6 years from that time, cause those effects, or so much of those effects as are still held in trust by the Authority, to be sold by auction, and the Authority shall hold the proceeds of the sale in trust for the seaman.

Division 17-Property of deceased seamen

149Interpretation

(1)In this Division, unless the contrary intention appears:

property, in relation to a deceased seaman, means money and effects of the seaman referred to in section 150 and the wages due to the seaman at the date of his or her death, after all lawful deductions have been made from those wages, and includes money and effects of the seaman which a proper authority takes into his or her charge under section 153.

seaman includes master.

(2)In the application of this Division in relation to the deceased master of a ship, a reference in this Division to the master of the ship shall be read as a reference to the officer having command or charge of the ship in succession to the deceased master.

150Master to take charge of money and effects

If a seaman belonging to a ship dies, the master of the ship shall take into his or her charge any money or effects of the seaman which are on, or come on to, the ship and enter in the official log-book of the ship such particulars with respect to that money and those effects as are prescribed.

151Death of seamen abroad

(1)If a seaman belonging to a ship dies outside Australia or during a voyage to a port outside Australia and, after his or her death and before the ship arrives at a port in Australia, the ship is, for a period of at least 24 hours, at a port, the master of the ship shall:
(a)inform a proper authority that the seaman has died; and
(b)if the proper authority so requires, furnish to the proper authority information with respect to the destination of the ship and the probable duration of the voyage of the ship.

(2)The proper authority may, and, if the ship's agreement will terminate at a time when the ship is outside Australia, shall, require the master to pay and deliver to the proper authority any property of the seaman in the possession of the master and, upon the master complying with that request, shall give to the master a receipt for the property.

(3)The receipt shall be produced by the master to a superintendent

within 48 hours after his or her arrival at the master's port of destination in Australia.

(4)Where the ship proceeds at once to a port in Australia, without touching at a port elsewhere, or the proper authority does not require the payment and delivery of the property as aforesaid, the master shall, within 48 hours after his or her arrival at the master's port of destination in Australia, pay and deliver the property to a superintendent.

(5)In all cases where a seaman dies during the progress of a voyage or engagement, the master shall give to the proper authority to whom payment and delivery is made as aforesaid such account in such form as he or she requires of the property of the deceased.

(6)A deduction claimed by the master in the account shall not be allowed unless verified by an entry in the official log-book, and also by such other vouchers (if any) as are reasonably required by the proper authority to whom the account is given.

152Penalty for not accounting for effects

(1)If the master fails to comply with the provisions of this Act with respect to:
(a)taking charge of the property of a deceased seaman, or
(b)making in the official log-book the proper entries relating thereto, or
(c)procuring the proper attestation of those entries, or
(d)the payment or delivery of the property;
the master is guilty of an offence and shall be accountable for the property to the Authority, and shall pay and deliver it accordingly, and shall, in addition, for each offence be liable on conviction to a penalty not exceeding $1,000.

(1A)An offence under subsection (1) is an offence of strict liability.

Note: For strict liability, see section 6.1 of the Criminal Code.

(2)If any such property is not duly paid, delivered, or accounted for by the master, the owner of the ship shall pay, deliver, and account for it, and the property shall be recoverable from the owner accordingly; and if the owner fails to account for and pay or deliver it he or she is guilty of an offence and shall, in addition to his or her liability therefor, be liable on conviction, to a penalty not exceeding $1,000.

(2A)An offence under subsection (2) is an offence of strict liability.

Note: For strict liability, see section 6.1 of the Criminal Code.

(3)The property may be recovered in the Court and manner in which

the wages of seamen may be recovered under this Act.

153Effects of deceased seaman not left on board

If:
(a)a person dies at a place outside Australia;
(b)at the time of, or within a period of 6 months before, the person's death, he or she was a seaman belonging to a ship; and
(c)the person left money or effects at the place at which he or she died elsewhere than on board the ship;
a proper authority may take into his or her charge that money and those effects.

154Recovery of wages of seaman lost with ship

(1)Where a seaman is lost with his or her ship, the Authority may recover the wages due to the seaman from the owner of the ship in the same Court and the same manner as that in which seamen's wages are recoverable, and shall deal with those wages in the same manner as with the wages of other deceased seamen.

(2)For the purposes of any proceedings in a court in relation to the wages of a seaman, a ship which was expected to arrive at a port at a time 6 months or more before the institution of the proceedings, but did not so arrive and has not been heard of since that time, shall be deemed to have been lost with all hands on board and the court may determine the date on which the ship shall be deemed to have been so lost.

(3)Any official list of the crew, made out in accordance with this Act, or the certificate of a proper authority stating that certain seamen were shipped in the ship from a port outside Australia, shall, in the absence of proof to the contrary, be deemed sufficient evidence that they were on board the ship at the time of its loss.

155Property of deceased seaman to be delivered to superintendent

Where a seaman belonging to a ship dies, the master of the ship shall:
(a)if the ship is in a port in Australia at the time of death-within 48 hours after the death, pay and deliver to a superintendent any property of the seaman in the possession of the master; and
(b)in any other case-within 48 hours after the arrival of the ship at a port in Australia, pay and deliver to a superintendent any property of the seaman not paid or delivered to a proper authority under subsection 151(2).

Penalty: $1,000.

155ATransmission of money and effects to Authority

A superintendent or other proper authority to whom the property of a deceased seaman is paid or delivered under the preceding

provisions of this Division, or a proper authority who, under section 153, takes into his or her charge the property of a deceased seaman, shall transmit that property to the Authority.

156Right of Authority to dispose of effects of deceased seaman

(1)Where any property of a deceased seaman comes into the hands of the Authority, the Authority, after deducting such sum as it thinks proper for expenses incurred in respect of that seaman or of his or her property, shall, subject to the provisions of this Act, deal with the residue as follows:

(a)If the property exceeds in value $2,000, it shall pay and deliver the residue to the legal personal representative of the deceased;

(b)If the property does not exceed in value $2,000, it may either:

(i)pay or deliver the residue to any claimant who is proved to its satisfaction to be the widow, the widower or a child of the deceased, or to be legally entitled to the personalty of the deceased, or to be a person entitled to take out representation, although no such representation has been taken out, and shall be thereby discharged from all further liability in respect of the residue so paid or delivered; or

(ii)require representation to be taken out, and pay and deliver the residue to the legal personal representative of the deceased;

(c)If the deceased was, at the time of his or her death, a subject of a country between which and Australia an international agreement exists relating to the disposal of the property of deceased seamen who are nationals of that country, and if the property does not exceed in value $2,000, the Authority may, in terms of that agreement, pay and deliver the residue to the consul of the country of which the deceased was a subject, and the Authority shall be thereby discharged from all further liability in respect of the residue so paid or delivered.

(2)Every person to whom any such residue is so paid or delivered shall apply it in due course of administration.

Penalty: $1,000.

(3)Moneys to which subsection (1) applies that, in the opinion of the Authority, cannot for the time being be dealt with as that subsection requires, may be invested by the Authority as prescribed.

157Wills of deceased seamen

(1)Where a deceased seaman has left a will, the Authority may refuse to pay or deliver the residue referred to in section 156:

(a)if the will was made on board ship-to any person claiming under the will, unless the will is in writing, and is signed or acknowledged by the testator in the presence of, and is attested by, the master or first or only mate of the ship; and

(b)if the will was not made on board ship-to any person claiming

under the will, and not being related to the testator by blood or marriage, unless the will is in writing and is signed or acknowledged by the testator in the presence of and is attested by 2 witnesses, one of whom is a proper authority, a justice or a minister of religion.

(2)Where the Authority refuses under this section to pay or deliver the residue to a person claiming under a will, the residue shall be dealt with as if no will had been made.

158Creditors' claims

(1)A creditor shall not be entitled to claim from the Authority any property of a deceased seaman by virtue of representation obtained as creditor.

(2)A creditor shall not be entitled to obtain payment of his or her debt out of the property, if the debt accrued more than 3 years before the death of the deceased, or if the demand is not made within 2 years after the death.

(3)The demand shall be made by the creditor delivering to the Authority an account in writing, in a form approved by the Authority by instrument in writing, and verified by a statutory declaration.

(4)If, before the demand is made, any claim to the property of the deceased made by any person has been allowed, the Authority shall give notice to the creditor of the allowance of the claim.

(5)If no claim has been allowed, the creditor shall satisfy the Authority as to the justice of his or her account, and the Authority may then pay over to the creditor such sum as it allows, and the Authority shall thereby be discharged from all further liability in respect of the money so paid; but otherwise the demand shall be disallowed.

(6)In any case the Authority may delay the investigation of any demand made by a creditor for the payment of his or her debt for one year from the time of the first delivery of the demand; and if in the course of that time a claim to the property of the deceased is made by any person as widow, widower, next of kin, or legatee, and allowed by the Authority under this Act, the Authority may pay and deliver it to that person.

(7)Where the property has been paid and delivered by the Authority to any person, as widow, widower, next of kin, or legatee of the deceased or as consul of the country of which the deceased was a subject, whether before or after the demand made by the creditor, the creditor shall have the same rights and remedies against that person as if he or she had received the property as the legal personal representative of the deceased.

158ASale of effects etc. by auction

The Authority may, after the expiration of one year from the time when property not consisting of money comes into its hands under this Division and shall, not later than the expiration of 6 years from that time, cause any part of that property that has not been delivered to a person by the Authority under this Division to be sold by auction.

159Disposal of effects when no claim

Where no claim to the property of a deceased seaman is substantiated within 6 years after the receipt of the property by the Authority, the Authority may in its absolute discretion, if any subsequent claim is made, either allow or refuse the claim, and, subject to the allowance of any such claim, the property or the proceeds thereof shall be paid to the Commonwealth.

160Giving false evidence in connection with deceased seamen's property

A person is guilty of an offence if:
(a)the person gives false evidence; and
(b)the person knows that the evidence is false; and
(c)the person does so for the purpose of obtaining, either for himself, herself or for another person, any property of a deceased seaman.

Penalty: 20 penalty units or imprisonment for 12 months, or both.

Division 18-Relief to seamen's families

161Relief of families by public institutions

(1)Where, during the absence of any seaman on a voyage, the wife or husband, or any of the children or step-children, of the seaman becomes chargeable to or obtains relief from any public body or institution for the relief of destitute persons in Australia, that institution shall be entitled to be reimbursed, out of the wages of the seaman earned during the voyage, any sums properly expended during the seaman's absence in the maintenance of those members of the seaman's family or any of them, so that the sums do not exceed the following proportions of the seaman's wages, that is to say:
(a)If only one of those members is chargeable or obtains relief, one-half of the wages;
(b)If 2 or more of those members are chargeable or obtain relief, two-thirds of the wages.

(2)If, during the absence of any seaman, any sums have been paid by the owner of his or her ship to or on behalf of any such member as aforesaid, under an allotment note made by the seaman in favour of the member, any claim for reimbursement shall be limited to the excess (if any) of the proportion of the wages hereinbefore mentioned over the sums so paid.

162Reimbursement of institutions

(1)For the purpose of obtaining reimbursement as aforesaid, the Authority may give to the owner or agent of the ship in which the seaman is serving a notice in writing stating the proportion of the seaman's wages upon which it is intended to make a claim, and requiring the owner or agent to retain that proportion in his or her hands for a period not exceeding 21 days from the time of the seaman's return to his or her port of discharge, and also requiring the owner or agent, immediately on the seaman's return, to give notice in writing thereof to the official.

(2)The owner or agent, after receiving any such notice, shall retain the said proportion of wages, and give notice of the seaman's return accordingly, and shall likewise give to the seaman notice of the intended claim.

(3)The institution may, upon the seaman's return, apply to a court of summary jurisdiction for an order for reimbursement; and the Court may make a summary order for the reimbursement to the whole extent claimed, or to such lesser amount as, under the circumstances, it thinks fit; and the owner or agent shall pay to the institution out of the seaman's wages the amount so ordered to be paid by way of reimbursement, and shall pay the residue of the wages to the seaman.

(4)If no order for reimbursement is obtained within the period mentioned in the notice given to the owner or agent as aforesaid, the proportion of wages to be retained by the owner or agent shall immediately on the expiration of that period, and without deduction, be payable to the seaman.

Division 19-Relief and maintenance of distressed seamen

163Interpretation

(1)In this Division:

distressed seaman means a person who, being or having been a seaman, is in distress at a place outside Australia by reason of having been discharged or left behind from, or having been shipwrecked in, a ship.

seaman includes master.

(2)A reference in this Division to the relief and maintenance of distressed seamen shall be read as including a reference to:
(a)the conveyance of distressed seamen to their proper return ports;
(b)the conveyance of distressed seamen to port after shipwreck and their maintenance while being so conveyed; and
(c)the burial of distressed seamen who die outside Australia.

163ARegulations may make provision for relief and maintenance of distressed seamen

(1)The regulations may make provision for and in relation to the relief and maintenance of distressed seamen.

(2)Without in any way limiting the generality of subsection (1), the regulations made by virtue of that subsection:
(a)may prescribe the duties and functions of proper authorities in relation to the relief and maintenance of distressed seamen;
(b)may require the owner or master of a ship to provide a distressed seaman with a passage on the ship, and maintenance during the passage, in connexion with the conveyance of the seaman to his or her port;
(c)may prescribe the charges which the owner or master of a ship may make for providing a distressed seaman with a passage on the ship, and maintenance during the passage, in connexion with the conveyance of the seaman to his or her port; and
(d)may provide for the recovery of expenditure incurred by or on behalf of the Commonwealth for or in connexion with the relief and maintenance of a distressed seaman and of wages, if any, due to the seaman and, in particular, may provide that expenditure so incurred, or wages so due, shall be a charge upon the ship to which the distressed seaman belonged.

Division 20-The master

164All ships may be searched

(1)All ships (whether or not they are ships to which this Part applies) may be searched by any officer of Customs, or by any officer of police authorized in writing by the Authority.

(2)No master of any ship (whether or not it is a ship to which this Part applies) shall:
(a)refuse to permit an officer of Customs or an authorized officer of police to thoroughly search the ship; or
(b)fail to cause the ship to be hove to when called upon or signalled in the prescribed manner so to do, by any such officer, for the purpose of enabling the officer to board the ship; or
(c)engage in conduct that results in the concealment of any person on board the ship.

Penalty: $5,000 or imprisonment for 2 years, or both.

167Agreement to be produced

(1)The master of a ship that arrives at a port in Australia from a place outside Australia shall, if required by a superintendent, immediately deliver to the superintendent:
(a)the articles of agreement of the ship; and
(b)the official log-book of the ship.

Penalty: $1,000.

(2)The superintendent shall return the documents to the master

within a reasonable time before his or her departure, with a certificate endorsed on the agreement stating the times when the documents were delivered and returned.

(3)If it appears that any breach of this Part has taken place, the superintendent shall make an endorsement to that effect on the agreement.

168Documents to be handed over to master's successor

(1)If during the progress of a voyage the master is removed or superseded, or for any other reason quits the ship, the master shall deliver to his or her successor the various documents in his or her custody relating to the navigation of the ship and to the crew thereof.

Penalty: $1,000.

(2)The master's successor shall, immediately on assuming the command of the ship, enter in the official log-book a list of the documents so delivered to him or her.

Penalty: $1,000.

(3)For the purposes of this section, the papers containing the information required to be on board a ship under section 192B shall be deemed to be a document relating to the navigation of the ship.

Division 21-The log

171Official log-book

(1)The master of a ship shall keep an official log-book in the prescribed form and shall make, or cause to be made, such entries in that log-book as are prescribed.

Penalty: 30 penalty units.

(4)An entry required by this Act in an official log-book shall be:
(a)made as soon as possible after the occurrence to which it relates;
(b)made and dated so as to show the date of the occurrence and of the entry respecting it.

Penalty: 30 penalty units.

(5)No person shall, more than 24 hours after the arrival of a ship at its final port of discharge, make in the official log-book any entry of any occurrence which happened before its arrival.

Penalty: 5 penalty units.

(6)The regulations may make provision for or in relation to the signing of entries in the official log-book of a ship.

(7)An entry in the official log-book of a ship is, in all courts, admissible in evidence.

172Offences in relation to official log-book

(1)A person commits an offence if:
(a)the person does an act; and
(b)the act results in:
(i)the destruction or mutilation of an official log-book or an entry in an official log-book; or
(ii)an entry in an official log-book being rendered illegible.

Penalty: $5,000 or imprisonment for 2 years, or both.

(2)A person commits an offence if:
(a)the person makes or signs an entry in an official log-book, knowing that the entry is false or fraudulent; or
(b)omits to make an entry in an official log-book, knowing that the omission will result in the log-book being false or fraudulent.

Penalty: $5,000 or imprisonment for 2 years, or both.

172AReport of matters recorded in official log-book

(1)The master of a ship who is required by section 171 to keep an official log-book must, as soon as practicable after making an entry in relation to an occurrence under the code of conduct referred to in subsection 46(4A), report the recording of that occurrence to the Authority in accordance with regulations made under subsection (2).

(2)The regulations may provide for the manner and time of reporting the making of an entry in the official log-book in relation to an occurrence referred to in subsection (1).

Penalty: 10 penalty units.

173Delivery of official log-book

(1)The master of a ship who is required by section 171 to keep an official log-book shall, on the termination of the articles of agreement of the ship, deliver the official log-book to a proper authority.

Penalty: $1,000.

(2)A proper authority, not being a superintendent, to whom an official log-book is delivered in pursuance of subsection (1) shall deal with that log-book in accordance with the directions, if any, of the Authority.

174Transmission of log-book to superintendent

(1)Where for any reason the official log-book ceases to be required in respect of a ship, the master or owner of the ship shall, if the ship is then in Australia within one month, and if it is elsewhere within 6 months, after the cessation transmit to a superintendent the official log-book made up to the time of the cessation.

(2)If a ship is lost or abandoned, the master or owner thereof shall, if practicable, and as soon as possible, transmit to a superintendent the official log-book (if any) duly made out to the time of the loss or abandonment.

Penalty (on master or owner):$1,000.

Part III-Foreign seamen

177Definition of seaman

In this Part:

seaman means a seaman belonging to a ship to which Part II does not apply.

178Apprehension of seaman

If any seaman is absent from duty without leave whilst his or her ship is within Australia, any justice upon complaint on oath may issue a warrant for the apprehension of the seaman, and thereupon may, at the request of the consul of the country to which the ship belongs, and on proof of the absence without leave, order the seaman to be conveyed on board the ship, or delivered to the master or mate of the ship, or to the owner of the ship or his or her agent, to be so conveyed:
Provided that, in the case of a seaman who is an Australian citizen, no such order shall be made without his or her consent.

180Return to ship

(1)The Authority may order to be put forcibly or otherwise on board his or her ship at any time:
(a)any seaman sentenced under this Part, or
(b)within 24 hours before the sailing of his or her ship, any seaman imprisoned on summary conviction for any offence (other than an offence under this Part) whose ship is about to leave Australia before the expiration of his or her sentence;
and the master of the ship shall keep the seaman on board in custody until after the ship has left its final port of clearance in Australia:
Provided that, in the case of a seaman who is an Australian citizen, no such order shall be made without his or her consent.

(2)Such order shall be a sufficient warrant to the gaoler of any prison to deliver the seaman into custody for the purpose

aforesaid.

183Proceedings at instance of consul only

No warrant shall be issued and no offence shall be punished under this Part unless either:
(a)the action is taken at the instance of the consul of the country to which the ship belongs; or
(b)the Authority has notified in the Gazette that the government of that country has, in regard to seamen belonging to ships of that country, requested that this Part may be enforced.

184Proof of agreement

(1)In any prosecution under this Part it shall not be necessary, for the purpose of proving the articles of agreement by which any seaman has engaged to serve on board any ship, to call any subscribing or attesting witness thereto.

(2)A copy of any articles of agreement, certified to be true by the consul of the country to which the ship belongs, shall be admissible in evidence in proof of the existence and contents thereof.

185Expenses to be paid by consul

All expenses incidental to the apprehension, imprisonment, and removal of any seaman, pursuant to this Part, shall be paid by the consul at whose instance the proceedings were instituted.

186Expenses of returning foreign seamen left behind

Where:
(a)a seaman is left behind at a port in Australia from a ship to which Part II does not apply without the consent of a consul in Australia of the country to which the ship belongs; and
(b)the Commonwealth incurs expense in sending the seaman to a place outside Australia;
the Commonwealth may recover the amount of those expenses from the owner, agent or master of the ship in any court of competent jurisdiction as a debt due and payable by the owner, agent or master, as the case may be, to the Commonwealth.

Part IIIA-Pilotage

Division 1-General provisions applicable to pilotage

186AApplication of Part

(1)This Part applies only to pilots and pilotage in relation to ships:
(a)that are in, or in transit to or from, any waters of the Australian coastal sea that are specified in the regulations; or

(b)that are in any waters of Australia's exclusive economic zone that are specified in the regulations.

(3)This Part applies to all ships, including ships to which Part II does not apply.

(4)Section 2 does not have effect in relation to a provision of this Part.

(5)This Part is not intended to affect the operation of any law of a State or Territory governing pilots or pilotage in relation to a port in the State or Territory.

186BDefinitions

In this Part:

certificate includes a licence issued to a pilot under regulations made under section 186C.

licensed pilot means a person who is licensed as a pilot under this Act.

pilotage provider means a person who assigns or allocates a pilot to the transit of a ship through particular waters, irrespective of the legal relationship, contractual or otherwise, between that person and the pilot.

186CQualifications of pilots etc.

(1)For the purposes of this Part, the regulations may make provisions in relation to:
(a)standards of competence to be attained; and
(b)other conditions to be satisfied by a person in order to be licensed as a pilot under this Act; and
(c)licensing of pilots.

(2)Without limiting subsection (1), the conditions may include conditions as to age, character, health, nationality, citizenship or residence.

(3)Without limiting subsection (1), regulations made for the purposes of that subsection may make provision in relation to any of the following:
(a)the manner in which the attainment of a standard or the satisfaction of a condition is to be evidenced, including the obtaining of certificates and other documents to be held by pilots as evidence that they are licensed as pilots under this Act;
(b)the issue, recall, surrender, replacement, form and recording of such certificates and other documents;
(c)the duration, variation, renewal, suspension and cancellation of such certificates and other documents;
(d)the instruction, training and examination of pilots, including the gaining of sea service and other experience, the conduct of

examinations, the conditions for admission to examinations and the appointment and remuneration of examiners;
(e)the recognition, for the purposes of this Act, in whole or in part and whether conditionally or unconditionally, of certificates and other documents granted or issued to or in respect of pilots under this Act as in force before this section's commencement, or under the laws of a State or Territory;
(f)the reconsideration of decisions made under regulations made for the purposes of subsection (1);
(g)the exemption of persons, in whole or in part and whether conditionally or unconditionally, from any requirement under regulations made for the purposes of subsection (1).

(4)In subsection (3), decision has the same meaning as in the Administrative Appeals Tribunal Act 1975.

186DRegulations may make other provisions relating to pilotage etc.

For the purposes of this Part, the regulations may also make provisions in relation to:
(aa)the operations of a pilotage provider, including, but without limiting the foregoing:
(i)the duties of a pilotage provider and the manner of discharging those duties; and
(ii)the professional relationship between a pilotage provider and a licensed pilot; and
(iii) the making by the Authority of safety management codes for pilotage providers; and
(iv)the observation of such codes by a pilotage provider and by a licensed pilot under the control of a pilotage provider; and
(v)matters relating to pilotage safety management systems including the content and implementation of such systems; and
(vi)the keeping of records by a pilotage provider; and
(vii) training of pilots, and monitoring of their performance, by a pilotage provider; and
(viii)the professional liability of a pilotage provider and the limitation of that liability; and
(a)the duties of a licensed pilot and the manner in which a licensed pilot is to discharge his or her duties; and
(b)the professional relationship between a licensed pilot and the master or other officers of a ship, including provisions in relation to the professional liability of a licensed pilot and limitation of that liability; and
(c)the keeping and maintaining by a licensed pilot of records relating to pilotage carried out by the pilot.

186EUnqualified person performing duties of licensed pilot

(1)A person commits an offence if:
(a)the person makes a representation that the person is a licensed pilot; and
(b)the person is not a licensed pilot.

Penalty: Imprisonment for 2 years.

(2)A person commits an offence if:
(a)the person performs duties; and
(b)the duties are those of a licensed pilot under the regulations; and
(c)the person is not a licensed pilot.

Penalty: 50 penalty units.

(3)Subsection (2) does not apply if the person has a reasonable excuse.

Note: A defendant bears an evidential burden in relation to the matter in subsection (3) (see subsection 13.3(3) of the Criminal Code).

(4)Strict liability applies to paragraph (2)(b).

Note: For strict liability, see section 6.1 of the Criminal Code.

(5)A person commits an offence if:
(a)the person takes a person into employment to perform duties; and
(b)the duties are those of a licensed pilot under the regulations; and
(c)the person is not a licensed pilot.

Penalty: 50 penalty units.

(6)Strict liability applies to paragraph (5)(b).

Note: For strict liability, see section 6.1 of the Criminal Code.

186FAbuse of alcohol and other drugs

(1)If a licensed pilot is, while on board a ship, under the influence of alcohol or any other drug (whether medicinal or otherwise) to such an extent that the person's capacity to carry out the person's duties as pilot is impaired, the person is guilty of an offence.

Penalty: Imprisonment for 12 months.

(2)If:
(a)a licensed pilot is, while on board a ship, under the influence of alcohol or any other drug (whether medicinal or otherwise) to such an extent that the person's capacity to carry out the person's duties as pilot is impaired; and
(b)the impairment causes or contributes to:
(i)the loss or destruction of, or damage to, the ship, its cargo or equipment; or

(ii)the loss or destruction of, or damage to, another ship, its cargo or equipment; or
(iii) death or injury to another person;
the person is guilty of an offence.

Penalty: Imprisonment for 2 years.

Division 2-Compulsory pilotage

186GDefinitions

(1)In this Division:

length overall, in relation to a ship, has the meaning given by subsection (2) or (3).

navigates without a licensed pilot has the meaning given by subsections (4) and (5).

regulated ship means any kind of ship:
(a)that is 70 metres or longer in length overall; or
(b)that is a loaded:
(i)oil tanker; or
(ii)chemical carrier; or
(iii) liquefied gas carrier.

(2)Subject to subsection (3), the length overall of a ship is 110% of the length as shown on the ship's load-line certification.

(3)If the length overall of a ship cannot be worked out under subsection (2), the length is taken to be the distance between:
(a)a vertical line passing through a point that is the foremost part of the stem; and
(b)a vertical line passing through a point that is the aftermost part of the stern.

(4)Subject to subsection (5), a ship navigates without a licensed pilot if the ship does not have a licensed pilot on board to assist the master in navigating it.

(5)If:
(a)apart from this subsection, a ship navigates without a licensed pilot; and
(b)the ship is being towed by another vessel that is navigating with a licensed pilot;
the ship under tow is to be treated as if it were navigating with a licensed pilot.

186HRegulations may provide for compulsory pilotage in certain circumstances

(1)For the purposes of this Division, the regulations may make provision in relation to compulsory pilotage including provision specifying the waters that are compulsory pilotage areas for the purposes of this Division.

(2)The waters that may be specified for the purposes of subsection (1) must be waters included within the waters referred to in subsection 186A(1).

(3)This Division operates in addition to, and not in derogation from, any requirement for compulsory pilotage under the Great Barrier Reef Marine Park Act 1975 within the compulsory pilotage area under that Act.

(4)A person is not liable to be prosecuted under this Act and the Great Barrier Reef Marine Park Act 1975 in respect of the same act or omission.

186IOffence to navigate without a licensed pilot

(1)If:
(a)a ship is a regulated ship; and
(b)the ship navigates in a compulsory pilotage area; and
(c)the ship navigates in that area without a licensed pilot;
the master and the owner of the ship each commit an offence.

Penalty: 500 penalty units.

Note: If a body corporate is convicted of an offence, subsection 4B(3) of the Crimes Act 1914 allows a court to impose a fine up to 5 times the maximum fine that could be imposed by a court on an individual convicted of the same offence.

(2)An offence against subsection (1) is an offence of strict liability.

Note: For strict liability, see section 6.1 of the Criminal Code.

(3)In any proceedings for an offence against subsection (1), it is a defence if the defendant proves:
(a)that the ship was exempted under section 186K from the requirement to navigate with a licensed pilot in the area; and
(b)that the navigation complied with the terms of the exemption.

Note: The defendant bears a legal burden in relation to the matter in subsection (3). See section 13.4 of the Criminal Code.

186JLicensed pilots to issue certificates

(1)If a licensed pilot has provided pilotage services for a regulated ship in a compulsory pilotage area, the licensed pilot must give the master of the ship a certificate in a form approved by the Authority.

(2)The licensed pilot must provide the certificate to the master before disembarking from the ship after the navigation in the area.

(3)The certificate must:
(a)identify the ship; and
(b)identify the area; and
(c)state that the licensed pilot has provided pilotage services for the ship in the area; and
(d)provide any other information specified by the Authority in the approval of the form of the certificate.

186KExemption from requirement to navigate with a licensed pilot

(1)The master or owner of a regulated ship may apply to the Authority for an exemption from the requirement to navigate with a licensed pilot in a compulsory pilotage area.

(2)The application must:
(a)be in writing; and
(b)contain the prescribed information; and
(c)be made in a form approved by the Authority.

(3)The Authority must, after consideration of the application:
(a)by instrument in writing, grant or refuse to grant the exemption applied for; and
(b)give the applicant a copy of the instrument, and, in the case of a refusal, a statement of the reasons for that refusal.

(4)A refusal to grant the exemption applied for may be a refusal to grant the exemption at all or a refusal to grant the exemption as to a part of the ship's proposed navigation in the compulsory pilotage area.

(5)If the Authority grants an exemption, whether it is the exemption applied for or a lesser exemption, the exemption may be expressed to be subject to such conditions as are specified by the Authority in the instrument granting the exemption.

(6)If:
(a)a regulated ship is navigating in a compulsory pilotage area; and
(b)the Authority has granted an exemption in respect of the proposed navigation by the ship in that area; and
(c)that exemption is subject to conditions; and
(d)the ship, in navigating in that area, fails to comply with those conditions;
the master and the owner of the ship each commit an offence punishable on conviction by a fine not exceeding 500 penalty units.

(7)An offence against subsection (6) is an offence of strict liability.

Note: For strict liability, see section 6.1 of the Criminal Code.

(8)An instrument under this section granting or refusing an exemption is not a legislative instrument for the purposes of the Legislative Instruments Act 2003.

186LDefence in proceedings for offences

(1)In any proceedings for an offence against subsection 186I(1) or 186K(6), it is a defence if the master or owner (as the case may be) proves that the regulated ship navigated in a compulsory pilotage area because of stress of weather, saving life at sea or other unavoidable cause.

(2)In any proceedings against the owner of a ship for an offence against subsection 186I(1) or 186K(6), it is a defence if the owner proves that the owner took all reasonable precautions and exercised due diligence to ensure that the ship would not navigate in a compulsory pilotage area in contravention of that subsection.

Note: The defendant bears a legal burden in relation to the matter in subsection (1) or (2). See section 13.4 of the Criminal Code.

Part IV-Ships and shipping

Division 1-General

187Application of Part

(1)This Part shall, except where otherwise expressed, apply to all ships, including ships to which Part II does not apply.

(2)Section 2 does not have effect in relation to a provision of this Part that gives effect to a provision of Chapter V of the Regulations contained in the Annex to the Safety Convention (other than Regulation 7 or 14 of that Chapter of those Regulations).

(3)Provisions of this Act giving effect to the Safety Convention do not apply in relation to a ship referred to in paragraph 2(1)(a), (b), (c) or (d) to the extent that a law of a State or of the Northern Territory makes provision giving effect to the Safety Convention in relation to that ship.

187AAIssue of certificates in respect of ships to which this Act does not apply

(1)In this section, prescribed certificate means:
(a)a certificate referred to in section 194, 206D, 206E, 206F, 206G, 206H, 206J, 206K, 222, 223 or 405F; or
(b)a certificate prescribed for the purposes of this section.

(2)The owner of a ship referred to in paragraph 2(1)(a), (b), (c) or (d) may apply, in the prescribed form or in a form approved by the Authority by instrument in writing, to the Authority for the issue of a prescribed certificate in respect of the ship.

(3)Where an application is made under subsection (2) for the issue of a prescribed certificate in respect of a ship, section 2 does

not have effect to the extent necessary to enable the application to be dealt with in accordance with this Act and to enable the prescribed certificate to be issued in respect of the ship.

(4)Where a prescribed certificate is issued in respect of a ship by virtue of this section, section 2 does not have effect to the extent necessary to enable the provisions of this Act relating to such a prescribed certificate to apply in relation to the certificate so issued.

187AInterpretation

(1)In this Part, unless the contrary intention appears:

cargo ship means a ship other than a passenger ship.

cargo ship safety certificate means a certificate issued under section 206GA.

cargo ship safety construction certificate means a certificate issued under section 206E.

cargo ship safety equipment certificate means a certificate issued under section 206F.

cargo ship safety radio certificate means a cargo ship safety radio certificate issued under section 206G.

cargo steamship means a steamship other than a passenger steamship.

certificate of equipment means:
(a)a certificate of equipment issued under subsection 194(4) or (5A); or
(b)a certificate, or a certificate in a class of certificates, recognised in a determination made under subsection 194(6) as equivalent to a certificate of equipment, or a class of certificates of equipment, issued under subsection 194(4).

certificate of survey means:
(a)a certificate of survey issued under subsection 194(4) or (5A); or
(b)a certificate, or a certificate in a class of certificates, recognised in a determination made under subsection 194(6) as equivalent to a certificate of survey, or a class of certificates of survey, issued under subsection 194(4).

classification certificate means a classification certificate issued by a survey authority and of a standard approved by the Authority under section 187BA.

country to which the Safety Convention applies means a country specified in a notice under section 187B.

declaration of survey means a declaration made under this Act by a surveyor with respect to the survey of a ship.

exemption certificate means a certificate issued under subsection 206H(1).

International Code of Signals means the Code of that name that is issued by the International Maritime Organization, as amended from time to time.

international voyage means:
(a)for the purposes of Division 5, a voyage:
(i)from a port in Australia to a port outside Australia;
(ii)to a port in Australia from a port outside Australia;
(iii) from a port in a country that is a Load Line Convention country for the purposes of that Division to a port outside that country; or
(iv)to a port in a country that is a Load Line Convention country for the purposes of that Division from a port outside that country; and
(b)for the purposes of the provisions of this Part other than Division 5, a voyage:
(i)from a port in Australia to a port outside Australia;
(ii)to a port in Australia from a port outside Australia;
(iii) from a port in a country to which the Safety Convention applies to a port outside that country; or
(iv)to a port in a country to which the Safety Convention applies from a port outside that country;
other than a voyage in the course of which the ship concerned:
(v)is not at any time more than 600 nautical miles from the nearest point on the coast of Australia; and
(vi)does not call at a port in a country other than Australia.

nuclear cargo ship safety certificate means a certificate issued under section 206K.

nuclear passenger ship safety certificate means a certificate issued under section 206J.

passenger certificate means a passenger certificate issued under subsection 194(4) or (5A).

passenger ship means a ship carrying more than 12 passengers.

passenger ship safety certificate means a certificate issued under subsection 206D(1) or (3).

passenger ship short voyage safety certificate means a certificate issued under subsection 206D(2) or (4).

passenger steamship means a steamship carrying more than 12 passengers.

radio installation means a radiotelegraphy or radiotelephony installation, but does not include a radio navigational aid.

Safety Convention certificate means a certificate issued in respect

of a steamship, not being a ship registered in Australia, by or with the authority of the government of a country to which the Safety Convention applies in accordance with the Safety Convention or a law of that country that gives effect to the Safety Convention.

Safety Convention ship means a ship that is of a kind to which the Safety Convention applies and is entitled to fly the flag of a country to which the Safety Convention applies.

short international voyage means an international voyage:
(a)in the course of which a ship is not any time more than 200 nautical miles from a port or place in which the passengers and crew could be placed in safety; and
(b)which does not exceed 600 nautical miles in length between the last port of call in the country in which the voyage begins and the final port of destination.

subdivision load line means a load line indicating the depth to which a passenger steamship may be loaded having regard to the extent to which it is subdivided and to the space for the time being allotted to passengers.

the Container Convention means the International Convention for Safe Containers as corrected by the Procès-Verbal of Rectification dated 25 June 1976 (a copy of the English text of the articles of which, and of the annexes to which, as so corrected, is set forth in Schedule 5), as affected by:
(a)any amendment of the Convention, other than an amendment not accepted by Australia, made under Article IX of the Convention; and
(b)the amendments to Annex 1 dated 2 April 1981 (a copy of the English text of which is set forth in Schedule 5A) and any other amendment of the annexes to the Convention, other than an amendment objected to by Australia, made under Article X of the Convention.

the Load Line Convention means the International Convention on Load Lines, 1966, as corrected by the Procès-Verbal of Rectification dated 30 January 1969 and the Procès-Verbal of Rectification dated 5 May 1969 (a copy of the English text of the articles of which, and of the annexes to which, as so corrected, other than the chart attached to Annex II, is set forth in Schedule 4):
(a)as affected, after the date on which the Protocol of 1988 relating to the Load Line Convention enters into force for Australia, by that Protocol; and
(b)as also affected by any amendment, other than an amendment not accepted by Australia, made under section 29 of the Convention.

the Prevention of Collisions Convention means the Convention on the International Regulations for Preventing Collisions at Sea, 1972 (a copy of the English text of the articles of which is set forth in Schedule 3), together with the International Regulations for Preventing Collisions at Sea, 1972, constituted by the rules and other annexes attached to that Convention, as corrected by the Procès-Verbal of Rectification dated 1 December 1973 (a copy of the

English text of which rules and other annexes, as so corrected, is also set forth in Schedule 3), as affected by any amendment, other than an amendment objected to by Australia, made under Article VI of that Convention.

the Prevention of Pollution from Ships Convention has the same meaning as the Convention has in the Protection of the Sea (Prevention of Pollution from Ships) Act 1983.
the Safety Convention means the International Convention for the Safety of Life at Sea, 1974 (a copy of the English text of the articles of which, and of the annex and appendix to which, is set forth in Schedule 1):
(a)as affected, after the respective dates on which:
(i)the Protocol of 1978 relating to the Safety Convention; and
(ii)the Protocol of 1988 relating to the Safety Convention;
enter into force for Australia-by each of those Protocols; and
(b)as also affected by any amendment, other than an amendment objected to by Australia, made under Article VIII of that Convention.

valid Safety Convention certificate means a Safety Convention certificate which complies with such requirements as are prescribed.

(2)For the purposes of determining for the purposes of this Part whether a voyage is an international voyage, account shall not be taken of a deviation by a ship from an intended voyage if the deviation is due only to stress of weather or any other circumstance that neither the master nor the owner of the ship could have prevented or forestalled.

(3)For the purposes of determining for the purposes of Division 5 whether a voyage is an international voyage, a territory for which the United Nations are the administering authority, or for the international relations of which Australia or any other country is responsible, shall be deemed to be a separate country.

(4)Where an international voyage:
(a)is such that, in the course of the voyage, a ship is not at any time more than 200 nautical miles from a port or place in which the passengers and crew could be placed in safety; and
(b)exceeds 600 nautical miles, but does not exceed 1,200 nautical miles, in length between the last port of call in the country in which the voyage begins and the final port of destination;
the Authority may, by instrument in writing, direct that, subject to such conditions as are specified in the direction, the voyage shall, for the purposes of this Act, be treated as if it were a short international voyage in relation to any ship:
(c)that is, or is included in a class of ships that is, specified in the direction; and
(d)in respect of which a passenger ship short voyage safety certificate is in force.

(5)For the purposes of this Part, an unregistered ship entitled to fly the flag of a country shall be deemed to be registered in that

country.

187BDeclaration of countries to which the Safety Convention applies

The Authority may, by notice published in the Gazette, declare that, for the purposes of this Part, a country, other than Australia, specified in the notice is a country to which the Safety Convention applies.

187BAApproval of classification certificates

The Authority may, for the purposes of this Part, approve, in writing, a standard of classification certificate issued by a survey authority.

187CWhen ships deemed to be overloaded

(1)Where a ship is so loaded at any time that, if the ship were floating without a list in still salt water of a specific gravity of 1.025, the load line marked on either side of the ship that is the appropriate load line at that time would be submerged, the ship shall, for the purposes of this Part, be deemed to be overloaded, and, subject to subsection (4), to be overloaded to the extent to which that load line would be so submerged.

(2)Where:
(a)a ship is at any time engaged on, or is about to engage on, a voyage during which, in the ordinary course, a load line marked on either side of the ship (not being a load line that is the appropriate load line at that time) would, at some later time during the voyage, become the appropriate load line; and
(b)the ship is so loaded at that first-mentioned time that, if the ship were floating without a list in still salt water of a specific gravity of 1.025 and there were unloaded from the ship the fuel and other material that would, in the ordinary course, be consumed or discharged before that later time, that load line would be submerged;
the ship shall, for the purposes of this Part, be deemed to be overloaded and, subject to subsection (4), to be overloaded to the extent to which that load line would be so submerged.

(3)Where a passenger ship is so loaded at any time that, if the ship were floating without a list in still salt water of a specific gravity of 1.025, the subdivision load line marked on either side of the ship that is the appropriate subdivision load line at that time would be submerged, the ship shall, for the purposes of this Part, be deemed to be overloaded, and subject to subsection (4), to be overloaded to the extent to which that subdivision load line would be so submerged.

(4)Where:
(a)in any proceedings under this Act, it is proved that a ship is, by force of more than one subsection of this section, deemed to be overloaded; and
(b)the extent to which, under those subsections, the ship is

deemed to be overloaded is not the same in each case; the ship shall, for the purposes of this Part, be deemed to be overloaded to the greatest extent to which it is deemed to be overloaded under those subsections.

(5)For the purposes of this section, the load line or subdivision load line marked on a ship that is the appropriate load line or subdivision load line at any time shall be determined in accordance with the regulations and orders.

187DCertificate by Minister as to amendments of the Load Line Convention

The Minister may, by writing under his or her hand, certify that the amendments, other than amendments not accepted by Australia, by which the Load Line Convention was affected as at such date as is specified in the certificate are set out in, or annexed to, the certificate, and such a certificate is, for all purposes, prima facie evidence of the matters so certified.

187ECertificate by Minister as to amendments of the Safety Convention etc.

The Minister may, by writing under his or her hand, certify that the amendments, other than amendments objected to by Australia, by which the Safety Convention was affected as at such date as is specified in the certificate are set out in, or annexed to, the certificate, and such a certificate is, for all purposes, prima facie evidence of the matters so certified.

188Exemptions

(1)Where a ship (other than a nuclear ship) that is not ordinarily engaged on international voyages undertakes, in exceptional circumstances, a single international voyage, the Authority may, if it is satisfied that the ship complies with safety requirements that, in its opinion, are adequate for the voyage, exempt the ship or any person, in respect of that voyage, from compliance with any provision of this Act or the regulations or orders that gives effect to the Safety Convention.

(2)The Authority may, in relation to a Safety Convention ship that is registered in Australia, exercise the right conferred on the Government of the Commonwealth by paragraph (b) of Regulation 4 of Chapter I contained in the Annex to the Safety Convention to exempt the ship from a provision of Chapter II-1, II-2, III or IV of the Regulations contained in that Annex, and a ship so exempted, and the master and owner of the ship, are exempt from compliance with any provision of this Act that gives effect to that provision.

(3)An exemption under subsection (2) is subject to such safety requirements (if any) as are specified in the exemption.

(4)If a safety requirement that is applicable to a ship by virtue of an exemption under subsection (3) is contravened, the master and the owner of the ship are each guilty of an offence punishable on

conviction by a fine not exceeding $10,000 or imprisonment for a period not exceeding 4 years, or both.

(5)An offence under subsection (4) is an offence of strict liability.

Note: For strict liability, see section 6.1 of the Criminal Code.

189All ships liable to survey and inspection

All ships shall be liable to inspection and survey.

190Appointment of surveyors

The Authority may appoint a person who is skilled with regard to:
(a)wooden hulls and equipment, other than radio equipment;
(b)metal hulls and equipment, other than radio equipment;
(c)engines, boilers and machinery;
(d)radio installations; or
(e)radio navigational aids;
to be a surveyor.

190AAPowers of inspection of surveyors

(1)A surveyor may at any reasonable time go on board a ship and inspect the ship and any part of the ship, including the hull, boilers, machinery and equipment of the ship, and may require the certificates of the master or of any officer of the ship, or any certificate or other document relating to the ship, to be produced to him or her.

(2)Without limiting the generality of subsection (1), the powers of a surveyor under that subsection extend, subject to section 227E, to the inspection of a ship for the purpose of ascertaining whether the ship complies with such of the provisions of this Act and the regulations and orders relating to load lines as apply to the ship and whether the ship is overloaded, and to requiring the production to him or her of any certificate relating to load lines issued in respect of the ship.

(2A)A person who fails to comply with any requirement made by a surveyor under subsection (1) or (2) commits an offence punishable on conviction by a fine not exceeding 60 penalty units.

(2B)An offence against subsection (2A) is an offence of strict liability.

Note: For strict liability, see section 6.1 of the Criminal Code.

(3)Where the Authority receives the report of a surveyor who has carried out, or proposes to carry out, an inspection of a ship under this section, it may, if it considers it necessary so to do,

require the ship to be taken into dock or otherwise dealt with so that a surveyor can inspect the hull, boilers, machinery or equipment of the ship.

(4)If:
(a)the Authority requires a ship to be taken into dock or otherwise dealt with under subsection (3); and
(b)the person to whom the requirement was given does not comply with that requirement;
the person commits an offence punishable on conviction by imprisonment for a period not exceeding 2 years.

(5)Subsection (2A) or (4) does not apply if the person has a reasonable excuse.

Note: A defendant bears an evidential burden in relation to the matter in subsection (5) (see subsection 13.3(3) of the Criminal Code).

190AB

(1)The Authority may publish, in the manner prescribed, such information derived about a ship:
(a)during an inspection or survey of that ship under section 190AA; or
(b)during an inspection or survey of that ship conducted otherwise than under this Act; or
(c)otherwise than by an inspection or survey;
as is prescribed.

(2)The regulations may make provision for:
(a)the manner in which information derived:
(i)during an inspection or survey; or
(ii)otherwise than by inspection or survey;
will be published; and
(b)the nature of the information that will be published; and
(c)the time at which the publication of information will occur.

190AAlterations etc. of ships and cancellation of certificates

(1)If:
(a)a certificate has been issued under Division 2 or Division 2B in respect of a ship; and
(b)the ship's hull, equipment or machinery, or part of the ship's hull, equipment or machinery:
(i)is altered, replaced or damaged so that the ship's seaworthiness or efficiency is affected; or
(ii)becomes inefficient for some other reason;
written notice of the alteration, replacement, damage or inefficiency must forthwith be given to the person prescribed in the form prescribed.

(1A)If:
(a)a notice is required to be given under subsection (1); and
(b)such notice is not given;

the master and the owner of the ship are each guilty of an offence in respect of each day during which the notice is not given (including the day on which the person is convicted under this subsection or any subsequent day).

Penalty: $1,000.

(1B)An offence under subsection (1A) is an offence of strict liability.

Note: For strict liability, see section 6.1 of the Criminal Code.

(2)Where the Authority has reason to believe that:
(a)the report of a surveyor in respect of a ship was fraudulently or erroneously made or obtained;
(b)a certificate has been issued under Division 2 or Division 2B in respect of a ship upon false or erroneous information;
(c)since the last declaration of survey was made in respect of a ship, the hull, equipment or machinery, or a part of the hull, equipment or machinery, of the ship has been altered, replaced or damaged in a manner which affects the ship's efficiency or seaworthiness or has become otherwise inefficient; or
(d)the owner of a ship has failed to comply with section 193 in respect of the ship;
it may cancel any certificate issued in respect of the ship under Division 2 or Division 2B or detain the ship until it is satisfied that the ship can proceed to sea without danger to its crew or passengers.

(3)Where the Authority cancels a certificate issued in respect of a ship under Division 2 or Division 2B, the certificate is of no force or effect after the Authority has given notice in writing of the cancellation to the owner, agent or master of the ship.

(4)Where a certificate issued in respect of a ship under Division 2 or Division 2B has expired or been cancelled, the Authority may require the owner or master of the ship to deliver up the certificate to the Authority or to such other person as the Authority directs, and the Authority may detain the ship until the requirement is complied with.

190BRegulations relating to construction, surveys etc.

(1)The regulations may:
(a)specify requirements with which the construction, hull, equipment and machinery of ships shall comply; and
(b)make provision for or in relation to the survey and inspection of ships.

(2)Without limiting the generality of subsection (1), the regulations that may be made by virtue of that subsection include regulations for or in relation to:
(a)the assigning of subdivision load lines to, and the marking of subdivision load lines on, ships;

(b)the furnishing of reports and declarations of survey, and the issuing of certificates, under this Part; and
(c)the exempting of ships, other than nuclear ships, from any requirement of this Act that relates to the construction, hull, equipment or machinery of ships.

191Regulations to give effect to Safety Convention

(1)The regulations may make provision for or in relation to giving effect to the Safety Convention.

(2)Where a provision of the convention applies only in relation to a particular class of ships or in relation to ships engaged on a particular class of voyages, any regulation that gives effect to that provision may be applied to ships of any other class or to ships engaged in any other class of voyages.

(3)Section 2 does not have effect in relation to a regulation, or an order made in pursuance of the regulations, that gives effect to a provision of Chapter V of the Regulations contained in the Annex to the Convention (other than Regulation 7 or 14 of that Chapter of those Regulations).

(4)Regulations and orders giving effect to the Convention do not apply in relation to a ship referred to in paragraph 2(1)(a), (b), (ba), (c) or (d) to the extent that a law of a State or of the Northern Territory makes provision giving effect to the Convention in relation to that ship.

191ADiscretions relating to regulations giving effect to Conventions

(1)Where, under this Act, the Governor-General is empowered to make regulations for the purpose of implementing or giving effect to any of the provisions of the Container Convention, the Safety Convention, the Prevention of Collisions Convention, the Prevention of Pollution from Ships Convention or the Load Line Convention, the requirement shall, in the case of a provision the terms of which are such as to vest in the several Governments who are parties to the Convention a discretion as to whether any, and if so what, action should be taken thereunder, be construed as an authority to the Governor-General to make by regulation such provision (if any) with respect to the matter in question as the Governor-General in the exercise of that discretion thinks proper.

(2)Notwithstanding any regulation made under any provision of this Act for the purpose of giving effect to, or implementing, any provision of the Safety Convention, the Prevention of Collisions Convention, the Prevention of Pollution from Ships Convention or the Load Line Convention which requires a particular fitting, material, appliance or apparatus, or type thereof, to be fitted or carried in a ship, or any particular provision to be made in a ship, the Authority may allow any other fitting, material, appliance or apparatus, or type thereof, to be fitted or carried, or any other provision to be made if it is satisfied that that other fitting, material, appliance or apparatus, or type thereof,

or provision, is at least as effective as that required by the Convention.

191BOffences with respect to subdivision load line marks

(1)If a ship (other than a Safety Convention ship):
(a)has been marked in accordance with the regulations or orders with subdivision load lines; and
(b)the ship is not kept so marked;
the owner and the master of the ship are each guilty of an offence in respect of each day during which the ship is not kept so marked (including the day on which the person is convicted under this subsection, or any subsequent day).

Penalty: $2,000.

(1A)Subsection (1) does not apply if the owner or master has reasonable cause.

Note: A defendant bears an evidential burden in relation to the matter in subsection (1A) (see subsection 13.3(3) of the Criminal Code).

(1B)An offence under subsection (1) is an offence of strict liability.

Note: For strict liability, see section 6.1 of the Criminal Code.

(2)A person commits an offence if:
(a)a ship other than a Safety Convention ship has been marked with a subdivision load line mark; and
(b)the person engages in conduct; and
(c)the person's conduct results in the concealment, removal, alteration, defacing or obliteration of any such mark.

Penalty: $5,000 or imprisonment for 2 years, or both.

(3)Subsection (2) does not apply if the person has reasonable cause.

Note: A defendant bears an evidential burden in relation to the matter in subsection (3) (see subsection 13.3(3) of the Criminal Code).

192ADetention of ships not registered in Australia

(1)Where, under this Part, a ship to which Part II does not apply is detained or proceedings are taken against the owner or master of such a ship, the Authority shall forthwith give notice in writing, specifying the grounds on which the ship has been detained or the proceedings have been taken, to the consul for, or to another representative of, the country in which the ship is registered at or nearest to the port where, for the time being, the ship is.

(2)Where notice of the detention of a ship is given to a consul or other representative under subsection (1), a person named by the consul or other representative may accompany any person directed to survey the ship while he or she is carrying out the survey.

192BStability information

The regulations may make provision for or in relation to the carrying on a ship of information with respect to the stability of the ship and, without limiting the generality of the foregoing, regulations so made may specify the tests or other data on which such information is to be based.

192CNuclear ships

(1)The regulations may make provision for ensuring that nuclear ships do not cause unreasonable radiation or other nuclear hazards to the crews or passengers of such ships, or to other persons, or to any waterways or food or water resources.

(2)Without limiting the generality of subsection (1), the regulations that may be made by virtue of that subsection include regulations:

(a)making provision for or in relation to the preparation and the maintaining, in respect of a nuclear ship registered in Australia, of a Safety Assessment, that is to say, a document setting out prescribed information with respect to the ship and its power plant to enable an assessment to be made from time to time of the safety of the ship and of its power plant for the purpose of ensuring that there is no unreasonable radiation or other hazard to the crew or passengers of the ship or to other persons, or to waterways or food or water resources;

(b)making provision for or in relation to the preparation and the maintaining, in respect of a nuclear ship registered in Australia, of an Operating Manual, that is to say, a document setting out prescribed information with respect to the operation of the power plant of the ship;

(c)specifying requirements to be complied with in relation to a nuclear ship before it enters a port in Australia, including the giving of notice that the ship proposes to enter the port, the furnishing of prescribed information and the production of the Safety Assessment of the ship, or of a document that is issued by the government of another country in respect of the ship and corresponds with a Safety Assessment; and

(d)requiring the giving of notice by the master of a nuclear ship of any accident causing, or likely to cause, the existence of a hazard on, or in the vicinity of, the ship.

(3)The owner or master of a nuclear ship shall not permit the ship to enter Australia unless a person authorized by the Authority for the purposes of this subsection has informed the owner or master of the ship that he or she is satisfied as to the safety of the ship with respect to radiation and other nuclear hazards.

(4)A person who contravenes subsection (3) or a provision of the

regulations made by virtue of this section is guilty of an offence punishable on conviction by a fine not exceeding $10,000 or imprisonment for a period not exceeding 4 years, or both.

Division 2-Surveys of steamships and survey certificates

193Steamships to be surveyed periodically

(1)Subject to this Part, the owner of a steamship shall cause a part of the steamship that, under the regulations or orders, is subject to survey to be surveyed at least once during each prescribed period.

Penalty: $2,000.

(2)For the purposes of subsection (1), prescribed period, in relation to a part of a steamship, means:
(a)a period of 12 months; or
(b)such longer period as, under the regulations or orders, is applicable to that part of the steamship.

(3)The regulations may make provision for exempting, in whole or in part, from subsection (1) a steamship in respect of which there is in force a certificate under this Division or under Division 2B, a valid Safety Convention certificate or a classification certificate.

194Surveyors' reports and declarations, and issue of certificates

(1)When a surveyor has made a survey of a steamship, in whole or in part, he or she shall furnish a report on the survey to the Authority.

(2)If the surveyor is satisfied that it is proper for him or her so to do, the surveyor shall furnish to the Authority a declaration in the prescribed form in respect of the survey.

(3)The surveyor shall state in the declaration:
(a)the voyages or class of voyages on which, in the opinion of the surveyor, having regard to the construction, equipment and machinery of the ship, so far as surveyed by him or her, the ship is fit to ply; and
(b)in the case of a passenger steamship which, in the opinion of the surveyor, is, so far as surveyed by him or her, fit to ply on international voyages while engaged in a special trade only, that the ship is so fit only while so engaged.

(4)The Authority may, after taking into account any report or reports furnished to it in respect of the ship by a surveyor or surveyors, issue in respect of the ship, in the prescribed form, a certificate of survey, a passenger certificate or certificates of equipment.

(5)The Authority may refuse to issue a certificate in respect of a

ship under subsection (4) if it is not satisfied that the ship complies with any relevant requirement of this Act which relates to the construction, hull, equipment or machinery of ships.

(5A)A survey authority may, after the survey of a steamship carried out by or on behalf of the survey authority, issue in respect of the ship, in the prescribed form, a certificate of survey, a passenger certificate or certificates of equipment.

(5B)A survey authority may refuse to issue a certificate in respect of a ship under subsection (5A) if it is not satisfied that the ship complies with any relevant requirement of this Act which relates to the construction, hull, equipment or machinery of ships.

(6)Where the Authority is of the opinion:
(a)that a certificate issued under the law of a State or Territory or of a country other than Australia is equivalent to a certificate of survey or certificate of equipment issued under subsection (4); or
(b)that a class of certificates issued under the law of a State or Territory or of a country other than Australia is equivalent to a class of certificates of survey or certificates of equipment issued under subsection (4);
the Authority may determine, in writing:
(c)that the certificate or class of certificates is so recognised; or
(d)that, if specified conditions are satisfied in relation to the ship in respect of which the certificate was issued or in relation to a ship in respect of which a certificate in the class of certificates was issued, the certificate is so recognised.

195Duration and extension of certificates

(1)Subject to this Act, a certificate of survey, a passenger certificate or a certificate of equipment remains in force for such period as is prescribed, or, where a period is specified in the certificate, for that period.

(1A)Where a ship in respect of which a certificate of survey, a passenger certificate or a certificate of equipment has been issued is not in an Australian port at the time when the certificate expires or is about to expire, the Authority may, if it appears proper and reasonable for it so to do, extend the certificate for a period not exceeding 5 months from the date of expiration of the certificate, for the purpose of allowing the ship to proceed to a port specified by the Authority to be surveyed.

(1B)An extension of a certificate under subsection (1A) is of no further effect upon the arrival of the ship at the port so specified.

(2)The Authority may, if it appears proper and reasonable so to do and it is satisfied that no danger to the ship or its crew or its passengers or cargo will arise from so doing, extend a certificate

of survey, a passenger certificate or a certificate of equipment for such period, not exceeding one month, as it thinks fit.

195ACancellation of certificates if ship ceases to be registered in Australia

A certificate of survey, a passenger certificate or a certificate of equipment ceases to have effect if the ship in respect of which it was issued ceases to be registered in Australia.

196Certificates to be made available for examination

The master of a ship in respect of which a certificate of survey, a passenger certificate or a certificate of equipment has been issued must, while the certificate remains in force, ensure that a copy of the certificate is available at all reasonable times for examination on request by any person on board the ship.

Penalty: 5 penalty units.

202Overcrowding steamships

(1)The owner or master of a steamship shall not receive or have on board the ship a number of passengers in excess of the number specified in the certificate of the ship as the number of passengers which the ship is fit to carry.

Penalty: $2,000 and an amount of $200 for each person on board in excess of the number specified in the certificate of the ship.

(2)The owner, master or agent of a steamship shall not take payment of passage money from a number of persons in excess of the number specified in the certificate of the ship as the number of passengers which the ship is fit to carry.

Penalty: $1,000.

(3)This section does not apply in relation to a voyage upon which, with the consent of the Authority, persons are carried for the purpose of enabling them to be moved from a place in consequence of a threat to their lives.

(4)In this section, certificate, in relation to a ship, means the certificate of survey or passenger certificate, if any, issued in respect of the ship or any certificate issued in respect of the ship by or on behalf of the government of another country that specifies the number of passengers that the ship is fit to carry.

203Alteration of certificates with respect to number of passengers

(1)The owner of any steam-ship may at any time apply for an alteration of the certificate of survey or passenger certificate of the ship in regard to the number of passengers it may carry.

(2)The Authority may, on receipt of the application, and after further survey, permit the certificate of survey or passenger certificate to be amended.

204Inspection of ships exempt from survey

(3)A person authorized in writing by the Authority to make inspections under this section may, at any time, inspect a ship which is wholly or partly exempt from survey under the regulations and shall, upon making such an inspection, forthwith report the result of the inspection to the Authority.

(4)Upon the receipt by the Authority of a report under subsection (3), it may, subject to subsection (5), cancel the exemption of the ship from survey or suspend the operation, for the purposes of this Act, of a certificate in force in respect of the ship, and thereupon the ship becomes liable to survey.

(5)The Authority shall not cancel the exemption from survey of a ship in respect of which a valid Safety Convention certificate is in force, or suspend the operation, for the purposes of this Act, of a valid Safety Convention certificate in force in respect of a ship, unless the Authority has reason to believe:
(a)that the condition of the ship, or of its equipment, does not substantially correspond with the certificate; and
(b)that the ship cannot proceed to sea without danger to its crew or passengers.

204ANon-application to certain ships

Notwithstanding anything contained in this Act, any ship, not being bound to a port in Australia, which has been compelled, by stress of weather or force majeure, to take refuge in such a port, shall not be subject to any requirements of this Division, or of Division 6A, or of the regulations under section 215, or of the orders made under subsection 425(1AA) if, in the ordinary course of its voyage, the ship would have been exempt from that requirement.

206Operation of watertight doors etc.

The regulations may make provision for or in relation to the closing, and the periodical trial and operation, of watertight doors, side scuttles, valves and similar contrivances in ships.

Division 2A-Sailing ships

206BApplication of Division 2 to sailing ships

The provisions of Division 2, relating to steamships, shall, so far as they are applicable, be deemed to apply also to sailing ships over 50 tons gross tonnage to which Part II applies, and those provisions shall accordingly be read, for the purposes of this Division, as if such sailing ships were included in the word

"steamships".

Division 2B-Issue of safety certificates

206CInterpretation

(1)In this Division:

nuclear cargo ship means a nuclear ship other than a nuclear passenger ship.

nuclear passenger ship means a nuclear ship carrying more than 12 passengers.

steamship does not include a nuclear ship.

(2)Section 25C of the Acts Interpretation Act 1901 does not apply to a safety certificate issued under this Division in respect of a ship in accordance with the Safety Convention.

206DPassenger steamships-safety certificates

(1)Where, on receipt of declarations of survey in respect of a steamship registered in Australia, the Authority is satisfied that the ship complies with the requirements of this Act that relate to the construction, equipment and machinery of passenger steamships engaged on international voyages, other than short international voyages, or with such of those requirements as are requirements from which it does not propose to exempt the ship, it may issue in respect of the ship, in the prescribed form, a passenger ship safety certificate.

(2)Where, on receipt of declarations of survey in respect of a steamship registered in Australia, the Authority is satisfied that the ship complies with the requirements of this Act that relate to the construction, equipment and machinery of passenger steamships engaged on short international voyages, or with such of those requirements as are requirements from which it does not propose to exempt the ship, it may issue in respect of the ship, in the prescribed form, a passenger ship short voyage safety certificate.

(3)If, after the survey of a steamship registered in Australia that is carried out by or on behalf of a survey authority, the survey authority is satisfied that the ship complies with:
(a)the requirements of this Act that relate to the construction, equipment and machinery of passenger steamships engaged on international voyages, other than short international voyages; or
(b)such of those requirements as are requirements from which the Authority has not exempted the ship;
the survey authority may issue a passenger ship safety certificate in respect of the ship in the prescribed form.

(4)If, after the survey of a steamship registered in Australia

that is carried out by or on behalf of a survey authority, the survey authority is satisfied that the ship complies with:
(a)the requirements of this Act that relate to the construction, equipment and machinery of passenger steamships engaged on short international voyages; or
(b)such of those requirements as are requirements from which the Authority has not exempted the ship;
the survey authority may issue a passenger ship short voyage safety certificate in respect of the ship in the prescribed form.

206ECargo steamships-safety construction certificates

(1)Where, on receipt of declarations of survey in respect of a steamship registered in Australia or a report on the survey of such a ship made by or on behalf of a survey authority, the Authority is satisfied that the ship complies with the requirements of this Act that relate to the construction, fixed equipment and machinery of cargo steamships engaged on international voyages or with such of those requirements as are requirements from which it does not propose to exempt the ship, it may issue in respect of the ship, in the prescribed form, a cargo ship safety construction certificate.

(2)Where, after the survey of a steamship carried out by or on behalf of a survey authority, the survey authority is satisfied that the ship complies with the requirements of this Act that relate to the construction, fixed equipment and machinery of cargo steamships engaged on international voyages or with such of those requirements as are requirements from which the Authority has not exempted the ship, the survey authority may issue in respect of the ship, in the prescribed form, a cargo ship safety construction certificate.

(3)In this section, fixed equipment means:
(a)electrical installations and electrical equipment, other than radio installations and radio equipment; and
(b)equipment for communicating between the bridge of a ship and the engine room.

206FCargo steamships-safety equipment certificates

(1)Where, on receipt of declarations of survey in respect of a steamship registered in Australia, the Authority is satisfied that the ship complies with the requirements of this Act that relate to the equipment (other than radio equipment or equipment that is fixed equipment for the purposes of section 206E) of cargo steamships engaged on international voyages, or with such of those requirements as are requirements from which it does not propose to exempt the ship, it may issue in respect of the ship, in the prescribed form, a cargo ship safety equipment certificate.

(2)If, after a survey of a steamship carried out by or on behalf of a survey authority, the survey authority is satisfied that the ship complies with:
(a)the requirements of this Act that relate to the equipment (other than radio equipment or equipment that is fixed

equipment for the purposes of section 206E) of cargo steamships engaged on international voyages; or
(b)such of those requirements as are requirements from which the Authority has not exempted the ship;
the survey authority may issue a cargo ship safety equipment certificate in respect of the ship in the prescribed form.

206GCargo steamships-safety radio certificates

(1)Where, on receipt of declarations of survey in respect of a steamship registered in Australia, the Authority is satisfied that the ship complies with the requirements of this Act that relate to the radio equipment of cargo steamships engaged on international voyages, or with such of those requirements as are requirements from which it does not propose to exempt the ship, it may issue in respect of the ship, in the prescribed form, a cargo ship safety radio certificate.

(2)If, after a survey of a steamship carried out by or on behalf of a survey authority, the survey authority is satisfied that the ship complies with:
(a)the requirements of this Act that relate to the radio equipment of cargo steamships engaged on international voyages; or
(b)such of those requirements as are requirements from which the Authority has not exempted the ship;
the survey authority may issue a cargo ship safety radio certificate in respect of the ship in the prescribed form.

206GACargo steamships-safety certificates

(1)If, in respect of a steamship registered in Australia, the Authority is satisfied that it could issue:
(a)a cargo ship safety construction certificate under subsection 206E(1); and
(b)a cargo ship safety equipment certificate under section 206F; and
(c)a cargo ship safety radio certificate under section 206G;
it may issue, in the prescribed form, a cargo ship safety certificate in respect of the ship.

(2)If, in respect of a steamship registered in Australia, a survey authority is satisfied that it could issue:
(a)a cargo ship safety construction certificate under subsection 206E(2); and
(b)a cargo ship safety equipment certificate under subsection 206F(2); and
(c)a cargo ship safety radio certificate under subsection 206G(2);
it may issue a cargo ship safety certificate in respect of the ship in the prescribed form.

206HExemptions

(1)Where, under the regulations or orders, the Authority exempts a ship from a requirement of this Act that relates to the construction, hull, equipment or machinery of ships engaged on

international voyages, it may issue in respect of the ship, in the prescribed form, an exemption certificate specifying the requirement from which the ship is exempt and the conditions, if any, subject to which the ship is exempt.

(2)Where an exemption certificate specifies conditions subject to which the ship is exempt from a requirement specified in the certificate and the conditions are not complied with, the master and owner of the ship are each guilty of an offence punishable on conviction by a fine not exceeding $10,000 or imprisonment for a period not exceeding 4 years, or both.

(3)An offence under subsection (2) is an offence of strict liability.

Note: For strict liability, see section 6.1 of the Criminal Code.

206JNuclear passenger ships-safety certificates

Where, on receipt of declarations of survey in respect of a nuclear ship registered in Australia, the Authority is satisfied that the ship:
(a)complies with the requirements of this Act that relate to:
(i)the construction, equipment and machinery of passenger steamships engaged on international voyages, other than such of those requirements as do not apply to nuclear passenger ships; and
(ii)the construction, equipment and machinery of nuclear passenger ships; and
(b)conforms to the Safety Assessment of the ship;
it may issue in respect of the ship, in the prescribed form, a nuclear passenger ship safety certificate.

206KNuclear cargo ships-safety certificates

Where, on receipt of declarations of survey in respect of a nuclear ship registered in Australia, the Authority is satisfied that the ship:
(a)complies with the requirements of this Act that relate to:
(i)the construction, equipment and machinery of cargo steamships engaged on international voyages, other than such of those requirements as do not apply to nuclear cargo ships; and
(ii)the construction, equipment and machinery of nuclear cargo ships; and
(b)conforms to the Safety Assessment of the ship;
it may issue in respect of the ship, in the prescribed form, a nuclear cargo ship safety certificate.

206LAuthority may request Safety Convention countries to issue certificates

(1)The Authority may request the government of a country to which the Safety Convention applies to issue or to authorise the issue of, or to endorse or to authorise the endorsement of, in respect of

a ship registered in Australia, a certificate that:
(a)by virtue of the Safety Convention or a law of that country which gives effect to that Convention, the government of that country may issue or authorise the issue of, or endorse or authorise the endorsement of in respect of a ship registered in that country; and
(b)corresponds, or substantially corresponds, with a certificate which the Authority is empowered under this Division to issue in respect of that ship.

(2)A certificate issued or endorsed in pursuance of such a request, and containing a statement that it has been so issued or endorsed, has effect, for the purposes of this Act, as if it were a certificate of the kind to which it corresponds issued or endorsed under this Division.

206MSafety Convention countries may request Authority to issue certificates

(1)The Authority may, at the request of the government of a country to which the Safety Convention applies, issue or authorise the issue of, or endorse or authorise the endorsement of, in respect of a ship registered in that country a certificate that, under this Division, it could issue or authorise the issue of, or endorse or authorise the endorsement of, in respect of that ship if it were registered in Australia.

(2)A certificate issued or endorsed under this section:
(a)shall contain a statement to the effect that it has been issued or endorsed at the request of the government of the country in which the ship is registered; and
(b)has effect, for the purposes of this Act, as if it had been issued or endorsed by the government which requested its issue or its endorsement.

206NDuration of certificates

(1)Subject to this Act, a passenger ship safety certificate, a passenger ship short voyage safety certificate, a cargo ship safety construction certificate, a cargo ship safety equipment certificate, a cargo ship safety radio certificate, a cargo ship safety certificate, an exemption certificate, a nuclear passenger ship safety certificate or a nuclear cargo ship safety certificate remains in force for the period specified in the certificate.

(2)The period specified in a certificate under subsection (1) must not exceed such period as is prescribed for that kind of certificate.

206PExtension of certificates

The regulations may provide for the extension of certificates in a manner and for the duration set out in Regulation 14 of Chapter 1 of the Safety Convention.

206PACancellation of certificates if ship ceases to be registered in Australia

A certificate issued under this Division ceases to have effect if the ship in respect of which it was issued ceases to be registered in Australia.

206QCertificates to be made available for examination

The master of a ship in respect of which a certificate has been issued under this Division must, while the certificate remains in force, ensure that a copy of the certificate is available at all reasonable times for examination on request by any person on board the ship.

Penalty: 5 penalty units.

Division 2C-Survey and safety certificates required for ships

206RInterpretation

In this Division, steamship does not include a nuclear ship.

206SCertificates required for Australian passenger steamships

(1)The master or owner of a passenger steamship registered in Australia shall not take the ship to sea, or permit the ship to be taken to sea, on an international voyage unless there is in force in respect of the ship:
(a)a passenger ship safety certificate or, if the voyage is a short international voyage, a passenger ship short voyage safety certificate; and
(b)a passenger certificate;
and any exemption certificate in force in respect of the ship applies to the voyage.

(2)The master or owner of a passenger steamship registered in Australia shall not take the ship to sea, or permit the ship to be taken to sea, on a voyage other than an international voyage unless:
(a)there is in force in respect of the ship a certificate of survey appropriate to the voyage; or
(b)the master of the ship would not, if the voyage were an international voyage, commit an offence against subsection (1) if he or she took the ship to sea on the voyage.

Penalty: $10,000 or imprisonment for 4 years, or both.

206TCertificates required for Australian cargo steamships

(1)The master or owner of a cargo steamship that:
(aa)is registered in Australia; and
(ab)is of 500 tons or more gross tonnage; and
(ac)is not a fishing vessel;

must not take the ship to sea, or permit the ship to be taken to sea, on an international voyage unless:
(a)there is in force in respect of the ship a passenger ship safety certificate or, if the voyage is a short international voyage, a passenger ship short voyage safety certificate, and any exemption certificate in force in respect of the ship applies to the voyage; or
(b)there is in force in respect of the ship:
(i)a cargo ship safety construction certificate;
(ii)a cargo ship safety equipment certificate; and
(iii) a cargo ship safety radio certificate;
and any exemption certificate in force in respect of the ship applies to the voyage.

(2)The master or owner of a cargo steamship that:
(aa)is registered in Australia; and
(ab)either:
(i)is of less than 500 tons gross tonnage; or
(ii)is of 500 or more tons gross tonnage and is a fishing vessel;
must not take the ship to sea, or permit the ship to be taken to sea, on an international voyage unless:
(a)there is in force in respect of the ship:
(i)a certificate of survey appropriate to the voyage; or
(ii)certificates of equipment appropriate to the voyage and a classification certificate; and
(b)if the ship is of 300 or more tons gross tonnage-there is in force in respect of the ship a cargo ship safety radiotelegraphy certificate or a cargo ship safety radiotelephony certificate, and any exemption certificate in force in respect of the ship applies to the voyage.

(3)The master or owner of a cargo steamship registered in Australia shall not take the ship to sea, or permit the ship to be taken to sea, on a voyage other than an international voyage unless:
(a)there is in force in respect of the ship a certificate of survey appropriate to the voyage;
(b)there is in force in respect of the ship a cargo ship safety construction certificate and certificates of equipment appropriate to the voyage, and any exemption certificate in force in respect of the ship applies to the voyage;
(c)if the ship is less than 500 tons gross tonnage-there is in force in respect of the ship certificates of equipment appropriate to the voyage and a classification certificate; or
(d)the master of the ship would not, if the voyage were an international voyage, commit an offence against subsection (1) or (2) if he or she took the ship to sea on that voyage.

Penalty: $10,000 or imprisonment for 4 years, or both.

206UCertificates required for Australian nuclear ships

(1)The master or owner of a nuclear ship registered in Australia shall not take the ship to sea, or permit the ship to be taken to sea, unless there is in force in respect of the ship:

(a)if the ship is a passenger ship-a nuclear passenger ship safety certificate; or
(b)if the ship is a cargo ship-a nuclear passenger ship safety certificate or a nuclear cargo ship safety certificate.

Penalty: $10,000 or imprisonment for 4 years, or both.

206VDocumentary evidence of seaworthiness required for non-Safety Convention ships not registered in Australia

The master or owner of a ship that is not registered in Australia and that is not a Safety Convention ship must not take the ship to sea, or permit the ship to be taken to sea, on a voyage from a port in Australia unless there is in force, in respect of the ship, a certificate or certificates, or other documentary evidence issued by or on behalf of the country in which the ship is registered, attesting to the seaworthiness of the ship.

Penalty: Imprisonment for 4 years.

206WProduction of certificates or other documentary evidence

(1)Where:
(a)application is made to an officer of Customs in respect of a ship, other than a Safety Convention ship, for a clearance under the Customs Act for a voyage from a port in Australia; and
(b)the master of the ship would contravene section 206S, 206T, 206U or 206V if he or she took the ship to sea on that voyage from that port without there being in force in respect of the ship a certificate or certificates, or, in the case of section 206V, other documentary evidence, as required by that section;
the master of the ship must, if so required by an officer of Customs, produce to the officer of Customs:
(c)the certificate or certificates, or, in the case of section 206V, the other documentary evidence so required; and
(d)any exemption certificate in force in respect of the ship.

(2)Where application is made to an officer of Customs in respect of a Safety Convention ship for a clearance under the Customs Act for a voyage from a port in Australia, the master of the ship shall, if so required by the officer of Customs, produce to the officer of Customs such valid Safety Convention certificate or valid Safety Convention certificates in respect of the ship as corresponds, or respectively correspond, with such certificate or certificates issued under Division 2B as the master could be required to produce under subsection (1) if:
(a)the ship were registered in Australia;
(b)the ship were proceeding on that voyage; and
(c)in a case where the voyage is not an international voyage, the voyage were such a voyage.

(3)If an officer of Customs has required the master of a ship to produce to the officer:

(a)under subsection (1)-such certificate or certificates (including any exemption certificate in force in respect of the ship) and such other documentary evidence, if any, as are referred to in that subsection; or
(b)under subsection (2)-such Safety Convention certificate or Safety Convention certificates as are referred to in that subsection;
then, until the certificate or certificates, or other documentary evidence is so produced, the officer of Customs may refuse to grant the clearance, and the ship may be detained.

206XModification of certificates

Where there is annexed to a valid Safety Convention certificate issued in respect of a ship a memorandum that:
(a)has been issued by or under the authority of the government of the country in which the ship is registered; and
(b)modifies, for the purpose of a particular voyage, by reason of the number of persons carried on that voyage, the particulars stated in the certificate with respect to life-saving appliances;
the certificate has effect for the purpose of that voyage as if it were modified in accordance with the memorandum.

Division 3-Unseaworthy and substandard ships

207Definition of seaworthy

(1)Subject to subsection (2), a ship is to be treated as seaworthy under this Act if, and only if:
(a)it is in a fit state as to the condition of hull and equipment, boilers and machinery, the stowage of ballast or cargo, the number and qualifications of crew including officers, and in every other respect, to:
(i)encounter the ordinary perils of the voyage then entered upon; and
(ii)not pose a threat to the environment; and
(b)it is not overloaded.

(2)If:
(a)it is proposed to take a Safety Convention ship to sea on a voyage from a port in Australia; and
(b)there is in force in respect of the ship the certificate or certificates that may be required to be produced under subsection 206W(2) in respect of the voyage;
the ship is, for the purposes of this Act, to be treated as meeting the condition in subparagraph (1)(a)(i) in relation to that voyage so far as that condition relates to the condition of the ship and its equipment unless the condition of the ship or of its equipment does not correspond substantially with the particulars of that certificate or of any of those certificates.

207ASubstandard ships

(1)A ship is, for the purposes of this Act, substandard if the ship is seaworthy, but conditions on board the ship are clearly hazardous to safety or health.

(2)In determining whether a ship is substandard, regard shall be had to such matters as are prescribed.

208Sending unseaworthy ship to sea

(1)Every person who sends any ship to sea in an unseaworthy state, so that the life of any person is likely to be thereby endangered, shall be guilty of an offence punishable on conviction by a fine not exceeding $20,000 or imprisonment for a period not exceeding 10 years, or both.

(1A)It is a defence to a prosecution for an offence against subsection (1) if the defendant proves that he or she used all reasonable means to ensure the seaworthiness of the ship.

Note: The defendant bears a legal burden in relation to the matter in subsection (1A) (see section 13.4 of the Criminal Code).

(2)Every master who takes a ship to sea, reckless as to whether the ship is in an unseaworthy state, so that the life of any person is likely to be thereby endangered, shall be guilty of an offence punishable on conviction by a fine not exceeding $20,000 or imprisonment for a period not exceeding 10 years, or both.

(4)Nothing in this section shall subject the owner or master of a ship to any liability, by reason of the ship being sent or taken to sea in an unseaworthy state, where, owing to special circumstances, the sending of the ship to sea in that state was reasonable and justifiable.

209Seaman may claim discharge from unseaworthy or substandard ship

If a ship to which Part II applies is unseaworthy or substandard a seaman belonging to the ship shall not be deemed to have committed a breach of his or her agreement by reason of his or her having refused to sail in the ship while it is unseaworthy or substandard; and any seaman so refusing may claim his or her discharge unless the ship is made seaworthy or ceases to be substandard, as the case may be, within a reasonable time.

210Detention of unseaworthy and substandard ships

(1)If it appears to the Authority that a ship is unseaworthy or substandard, the Authority may order the ship to be provisionally detained.

(2)The Authority shall immediately give the master of the ship notice of the provisional detention, together with a statement of the grounds of the detention.

(3)The Authority shall direct a person to prepare a report as to whether the ship is unseaworthy or substandard.

(4)The ship shall be surveyed by a surveyor if a survey is necessary for the preparation of the report.

(5)Unless the Authority decides to order the ship to be unconditionally released, the Authority shall provide the master of the ship with a copy of the report.

(6)On receipt of the report, the Authority may:
(a)order the ship to be finally detained; or
(b)order its release unconditionally or on such conditions as the Authority considers appropriate.

(7)If an order for the final detention of the ship is made, the ship shall not be released until the Authority is satisfied that its further detention is no longer necessary, and orders its release.

211Costs of detention

(1)If it appears that there was no reasonable and probable cause for the provisional detention of the ship, the Authority shall be liable to pay to the owner of the ship his or her costs of and incidental to the detention and survey of the ship, and also compensation for any loss or damage sustained by the owner by reason of the detention or survey.

(2)If:
(a)a ship is finally detained under this Division;
(b)a ship is provisionally detained under this Division and the ship was, at the time of detention, unseaworthy or substandard; or
(c)a ship is detained in pursuance of a provision of this Part which provides for the detention of a ship until a certain event occurs;
the owner of the ship is liable to pay to the Authority the costs of and incidental to the detention and survey of the ship and those costs are recoverable by the Authority in a Court of summary jurisdiction.

212Taking detained ship to sea

If the master of any ship legally detained under this Division takes the ship to sea before it is duly released, the master shall be guilty of an offence punishable on conviction by a fine not exceeding $20,000 or imprisonment for a period not exceeding 10 years, or both.

213Security for costs

(1)Where a complaint is made to the Authority that a ship is unseaworthy or substandard, the Authority may, if it thinks fit, require the complainant to give security to its satisfaction for

any costs and compensation which it may become liable to pay in consequence of the detention and survey of the ship.

(2)Provided that where the complaint is made by 3 or more of the seamen belonging to the ship, and is not in the opinion of the Authority frivolous or vexatious, such security shall not be required, and the Authority shall, if the complaint is made in sufficient time before the sailing of the ship, take proper steps for ascertaining whether the ship ought to be detained.

214Circumstances where complainant liable for costs of detention

Where a ship is detained in consequence of any complaint, and the circumstances are such that the Authority or the Commonwealth would be liable to pay compensation or costs to the owner of the ship, the complainant shall pay to the Authority all costs incurred and compensation paid by it on account of the detention and survey of the ship.

Division 4-Life-saving appliances and fire protection

215Regulations may make provision in relation to life-saving and fire prevention

(1)The regulations may make provision for or in relation to:
(a)the saving of life at sea; and
(b)the prevention, detection and extinction of fire on ships.

(2)Without limiting the generality of subsection (1), the regulations which may be made by virtue of that subsection include regulations for or in relation to:
(a)the appliances to be carried, and the measures to be observed, on ships for the saving of life at sea and the prevention, detection and extinction of fire on ships; and
(b)the exemption of ships from any requirement of this Act that relates to the saving of life at sea or the prevention, detection or extinction of fire on ships.

216AModification of certificates in respect of life-saving appliances

(1)If, on any international voyage, a passenger steamship, registered in Australia, in respect of which a passenger ship safety certificate or a passenger ship short voyage safety certificate is in force, has on board a total number of persons less than the number stated in that certificate to be the number for which the life-saving appliances on the steamship provide, the Authority or any person authorized by it for the purpose, may, at the request of the master of the steamship, issue a memorandum stating the total number of persons carried on the steamship on that voyage, and the consequent modifications which may be made for the purpose of that voyage in the particulars with respect to life-saving appliances stated in the certificate, and that memorandum shall be annexed to the certificate.

(2)Every such memorandum shall be returned to the Authority at the end of the voyage to which it relates.

217Offences as to appliances

(1)If a ship that does not carry every prescribed life-saving appliance and every prescribed fire appliance goes to sea, the owner of the ship and the master of the ship are each guilty of an offence punishable on conviction by a fine not exceeding $10,000 or imprisonment for a period not exceeding 4 years, or both.

(1A)An offence under subsection (1) is an offence of strict liability.

Note: For strict liability, see section 6.1 of the Criminal Code.

(2)If the owner of a ship or the master of a ship permits, through neglect, the loss of, or damage to, a life-saving appliance or a fire appliance carried by the ship, the owner or the master, as the case may be, is guilty of an offence punishable on conviction by a fine not exceeding $10,000 or imprisonment for a period not exceeding 4 years, or both.

(3)If:
(a)a life-saving appliance, or a fire appliance, that is carried by a ship is lost and is not replaced at the first opportunity;
(b)a life-saving appliance, or a fire appliance, carried by a ship suffers damage and is not repaired at the first opportunity; or
(c)at any time a life-saving appliance, or a fire appliance, that is carried by a ship is not fit and ready for use;
the owner of the ship and the master of the ship are each guilty of an offence punishable on conviction by a fine not exceeding $10,000 or imprisonment for a period not exceeding 4 years, or both.

(4)An offence under subsection (3) is an offence of strict liability.

Note: For strict liability, see section 6.1 of the Criminal Code.

Division 5-Load lines

218Interpretation

(1)In this Division, unless the contrary intention appears:

Australian load line certificate means a certificate issued under paragraph 222(b).

international load line certificate means a certificate issued under paragraph 222(a).

international load line exemption certificate means a certificate

issued under section 223.

load line means a load line other than a subdivision load line.

Load Line Convention country means a country or territory specified in a notice under section 219.

non-Australian Load Line Convention ship means a ship that is registered in a Load Line Convention country and is a ship to which the Load Line Convention applies.

ship to which the Load Line Convention applies means a ship to which, in accordance with Articles 4 and 5 of the Load Line Convention, that Convention applies.

the conditions of assignment means the regulations which give effect to Chapter II of Annex I to the Load Line Convention, including any application of those regulations to ships or a class of ships not engaged on international voyages or to which the Load Line Convention does not otherwise apply.

valid Load Line Convention certificate means a certificate in the form of the International Load Line Certificate set out in Annex III to the Load Line Convention, being a certificate that:
(a)is issued in respect of a non-Australian Load Line Convention ship by or with the authority of the government of the country in which the ship is registered; and
(b)complies with such requirements as are prescribed.

valid Load Line Convention exemption certificate means a certificate in the form of the International Load Line Exemption Certificate set out in Annex III to the Load Line Convention, being a certificate that:
(a)is issued in respect of a non-Australian Load Line Convention ship by or with the authority of the government of the country in which the ship is registered; and
(b)complies with such requirements as are prescribed.

219Declaration of Load Line Convention countries

The Authority may, by notice published in the Gazette, declare that, for the purposes of this Part, a country or territory, other than Australia, specified in the notice is a Load Line Convention country or territory.

220Load line regulations

(1)The regulations may make provision for and in relation to giving effect to the Load Line Convention and generally may make provision for and in relation to load lines, including the assigning of, and the survey of ships for the purpose of assigning, load lines to ships and the marking of load lines on ships.

(2)Any regulations or orders that make provision for or in relation to giving effect to the Load Line Convention may be

expressed to apply to a ship, or a class of ships, that is not engaged on international voyages or to which the Load Line Convention does not otherwise apply, and may be expressed so to apply without modification or with modifications specified in or to be determined under the regulations or orders, as the case may be.

221Exemptions

(1)The Authority may, in relation to a ship that is registered in Australia and is a ship to which the Load Line Convention applies, exercise the right conferred on the government of the Commonwealth by paragraph (1) of Article 6 of the Load Line Convention to exempt a ship from the provisions of the Convention, and a ship so exempted, and the master and owner of the ship, are exempt from compliance with any provision of this Division, or any provision of the regulations, that gives effect to the provisions of the Convention.

(1A)An exemption granted by the Authority under subsection (1) may be granted subject to the condition that such safety requirements as are specified by the Authority in relation to the ship are complied with.

(1B)The powers of the Authority under subsection (1) to grant an exemption in respect of a ship extend to granting exemptions in respect of ships included in a class of ships.

(1C)Where safety requirements specified by the Authority under subsection (1A) in relation to a ship are not complied with, the master and owner of the ship are each guilty of an offence punishable on conviction by imprisonment for a period not exceeding 4 years.

(1D)An offence under subsection (1C) is an offence of strict liability.

Note: For strict liability, see section 6.1 of the Criminal Code.

(2)The Authority may, in relation to a ship that is registered in Australia and is a ship to which the Load Line Convention applies, exercise the right conferred on the government of the Commonwealth by paragraph (2) of Article 6 of the Load Line Convention to exempt a ship from a provision of the Convention, and a ship so exempted, and the master and owner of the ship, are exempt from compliance with any provision of this Division, or any provision of the regulations or orders, that gives effect to that provision of the Convention.

(3)An exemption granted by the Authority under subsection (2) may be granted subject to the condition that such safety requirements as are specified by the Authority in relation to the ship are complied with.

(4)Where safety requirements specified by the Authority in

relation to a ship under subsection (3) are not complied with, the master and the owner of the ship are each guilty of an offence punishable on conviction by imprisonment for a period not exceeding 4 years.

(4A)An offence under subsection (4) is an offence of strict liability.

Note: For strict liability, see section 6.1 of the Criminal Code.

(5)Where a ship registered in Australia, being a ship that is not ordinarily engaged on international voyages but would be a ship to which the Load Line Convention applies if it were engaged on international voyages, undertakes, in exceptional circumstances, a single international voyage, the Authority may, if it is satisfied that the ship complies with safety requirements that, in its opinion, are adequate for the voyage, exempt the ship or the master and owner of the ship, in respect of that voyage, from compliance with any provision of this Division, or any provision of the regulations or orders that relates to load lines.

(6)Where the Authority is satisfied that it would be unreasonable or impracticable to apply this Division, or a provision of this Division or a provision of the regulations or orders that relates to load lines, to or in relation to a ship that is not a ship to which the Load Line Convention applies, it may, subject to such conditions as it thinks fit for ensuring the safety of the ship and the passengers and crew of the ship, exempt the ship, or the master and owner of the ship, from compliance with the provisions of this Division or from compliance with that provision of this Division or of that provision of the regulations or orders, as the case may be.

(7)The powers of the Authority under subsection (6) to grant an exemption in respect of a ship extend to granting exemptions in respect of ships included in a class of ships.

(8)Where a condition specified by the Authority under subsection (6) is not complied with in relation to a ship, the master and owner of the ship are each guilty of an offence punishable on conviction by imprisonment for a period not exceeding 4 years.

(9)An offence under subsection (8) is an offence of strict liability.

Note: For strict liability, see section 6.1 of the Criminal Code.

222Issue of load line certificates

Where a ship, other than a non-Australian Load Line Convention ship, except to the extent of any exemption granted by the Authority under section 221, has been surveyed and marked in accordance with the regulations and orders and complies with the

conditions of assignment applicable to the ship, the Authority, or a survey authority authorized in writing by the Authority to issue certificates under this section, may issue in respect of the ship:

(a)if the ship is registered in Australia and is a ship to which the Load Line Convention applies or would be such a ship if it were engaged on international voyages-a certificate in the form of the International Load Line Certificate set out in Annex III to the Load Line Convention; or

(b)in any other case-a load line certificate in a form approved by the Authority by instrument in writing.

223Issue of exemption certificates

Where, under subsection 221(2) or (5), a ship is exempted from compliance with a provision of this Division or a provision of the regulations or orders, the Authority shall issue in respect of the ship a certificate in the form of the International Load Line Exemption Certificate set out in Annex III to the Load Line Convention.

224Duration, extension and cancellation of certificates

(1)Subject to this Act, an international load line certificate, an international load line exemption certificate or an Australian load line certificate remains in force for the period specified in the certificate.

(1A)The period specified in a certificate under subsection (1) must not exceed such period as is prescribed for that kind of certificate.

(2)Provision may be made in the regulations for and in relation to:

(a)the extension, in accordance with paragraph (2) of Article 19 of the Load Line Convention, of an international load line certificate or an international load line exemption certificate issued in respect of an exemption granted under subsection 221(2); and

(b)the cancellation, in accordance with paragraph (3) of Article 19 of the Load Line Convention, of such a certificate.

(3)An international load line certificate or an international load line exemption certificate ceases to have effect if the ship in respect of which it was issued ceases to be registered in Australia.

(4)The regulations may specify circumstances in which an Australian load line certificate ceases to have effect and may make provision for and in relation to the extension or cancellation of an Australian load line certificate.

(5)Where an international load line certificate, an international load line exemption certificate or an Australian load line certificate is cancelled, the certificate is of no force or effect after the Authority has given notice in writing of the cancellation

to the owner, agent or master of the ship in respect of which the certificate was issued.

(6)Where an international load line certificate, an international load line exemption certificate or an Australian load line certificate has expired or has been cancelled, the Authority may require the owner or master of the ship in respect of which the certificate was issued to deliver up the certificate to the Authority or to such other person as the Authority directs, and the ship may be detained until the requirement is complied with.

225Particulars in certificate to be entered in log-book

(2)The master of a ship in respect of which an international load line certificate or an Australian load line certificate has been issued shall enter in the official log-book of the ship particulars of the position of the deck line and load lines specified in the certificate.

Penalty: 10 penalty units.

226Authority may issue certificate at request of Load Line Convention country

(1)Where:
(a)the government of a Load Line Convention country requests the Authority to issue or authorise the issue of, or to endorse or authorise the endorsement of, in respect of a ship that is registered in that country and is a ship to which the Load Line Convention applies, a certificate in the form of the International Load Line Certificate set out in Annex III to the Convention; and
(b)the Authority is satisfied that the ship complies with the provisions of the Convention;
it may issue or authorise the issue of, or to endorse or authorise the endorsement of, in respect of the ship a certificate in that form.

(2)A certificate issued or endorsed under this section:
(a)shall contain a statement to the effect that it has been issued or endorsed at the request of the government of the country in which the ship is registered; and
(b)has effect, for the purposes of this Division, as if it had been issued or endorsed by that government.

227Authority may request Load Line Convention country to issue certificates

(1)The Authority may request the government of a Load Line Convention country to issue, or cause to be issued, in respect of a ship that is registered in Australia and is a ship to which the Load Line Convention applies a certificate in the form of the International Load Line Certificate set out in Annex III to the Load Line Convention.

(2)A certificate issued in pursuance of such a request and containing a statement that it has been so issued has effect, for the purposes of this Division, as if it had been issued by the Authority under section 222.

227AShips not to proceed to sea without load line certificates

(1)The master or owner of a ship registered in Australia shall not take the ship to sea, or permit the ship to be taken to sea, on any voyage, and the master or owner of a ship not registered in Australia, other than a non-Australian Load Line Convention ship, shall not take the ship to sea, or permit the ship to be taken to sea, on a voyage from a port in Australia unless:
(a)where the ship is registered in Australia and is a ship to which the Load Line Convention applies or would be such a ship if it were engaged on international voyages-there is in force in respect of the ship an international load line certificate, and any international load line exemption certificate that is in force in respect of the ship applies to the voyage; or
(b)in any other case-there is in force in respect of the ship:
(i)an Australian load line certificate; or
(ii)a certificate, or a certificate in a class of certificates, recognised in a determination made under subsection (1AA) as equivalent to an Australian load line certificate.

Penalty: $5,000 or imprisonment for 2 years, or both.

(1AA) Where the Authority is of the opinion that a certificate issued under the law of a State or Territory or of a country other than Australia is equivalent to an Australian load line certificate, the Authority may determine, in writing:
(a)that the certificate is so recognised; or
(b)that, if specified conditions are satisfied in relation to the ship in respect of which the certificate was issued, the certificate is so recognised.

(2)Where the Authority, after having regard to any certificate relating to load lines that is in force in respect of a ship that is not registered in Australia and is not a non-Australian Load Line Convention ship, is satisfied that it can do so without danger to the ship or its passengers or crew, it may, subject to such conditions, if any, as are specified in the exemption, exempt the master and the owner of the ship from compliance with subsection (1) in respect of a voyage specified in the exemption.

(3)Where application is made to an officer of Customs in respect of a ship, not being a non-Australian Load Line Convention ship, for a clearance under the Customs Act for a voyage from a port in Australia, the master of the ship shall, if so required by the officer of Customs, produce to the officer of Customs the certificate required by subsection (1) to be in force in respect of the ship and any international load line exemption certificate in force in respect of the ship, and the officer of Customs may refuse to grant the clearance, and the ship may be detained, until the certificate is, or the certificates are, produced to that officer.

(4)Where application is made to an officer of Customs in respect of a non-Australian Load Line Convention ship for a clearance under the Customs Act for a voyage from a port in Australia, the master of the ship shall, if so required by the officer of Customs, produce to the officer of Customs a valid Load Line Convention certificate in respect of the ship and any valid Load Line Convention exemption certificate in force in respect of the ship, and the officer of Customs may refuse to grant the clearance, and the ship may be detained, until the certificate is, or the certificates are, produced to that officer.

227BShips not to be overloaded

(1)If:
(a)a ship registered in Australia that is overloaded goes to sea from, or arrives at, any port, or is on any voyage; or
(b)a ship not registered in Australia that is overloaded goes to sea from, or arrives at, a port in Australia;
the master and owner of the ship are each guilty of an indictable offence punishable upon conviction by a fine not exceeding $2,000 and by an additional fine not exceeding an amount calculated at the rate of such amount as is applicable to the ship in accordance with the table at the foot of this subsection (having regard to the gross tonnage of the ship if the ship is a passenger ship, or the deadweight tonneage of the ship if the ship is a cargo ship) for each 25 millimetres or part thereof by which the ship is overloaded.

1-Gross tonnage (passenger ships)	Amount
	$
Not exceeding 1,000 tons	500
Exceeding 1,000 tons but not exceeding	1,000
5,000 tons	
Exceeding 5,000 tons but not exceeding	2,000
10,000 tons	
Exceeding 10,000 tons but not exceeding	4,000
20,000 tons	
Exceeding 20,000 tons but not exceeding	6,000
40,000 tons	
Exceeding 40,000 tons	8,000
2-Deadweight tonneage (cargo ships)	
Not exceeding 1,000 tonnes	500
Exceeding 1,000 tonnes but not	1,000
exceeding 5,000 tonnes	
Exceeding 5,000 tonnes but not	2,000
exceeding 10,000 tonnes	
Exceeding 10,000 tonnes but not	4,000
exceeding 20,000 tonnes	
Exceeding 20,000 tonnes but not	6,000
exceeding 40,000 tonnes	
Exceeding 40,000 tonnes	8,000

(1A)An offence under subsection (1) is an offence of strict

liability.

Note: For strict liability, see section 6.1 of the Criminal Code.

(2)The Authority may certify in writing, in relation to a ship specified in the certificate, that:
(a)having regard to the Register Book issued by the Committee of Lloyd's Register of Shipping and Supplements to that Register; or
(b)having regard to the report of a surveyor furnished to it for the purposes of the certificate;
it is satisfied that, on a date specified in the certificate, the gross tonnage of the ship or the deadweight tonneage of the ship, as the case may be, was such number of tons or tonnes, as the case requires, as is specified in the certificate, and, in proceedings for an offence against subsection (1) in respect of the ship, the certificate is evidence that the gross tonnage of the ship or the deadweight tonneage of the ship, as the case may be, was, on the date so specified, the number of tons or tonnes, as the case requires, so specified.

(3)It is a defence in proceedings for an offence against subsection (1) in respect of a ship if it is proved that the circumstances giving rise to the offence were due only to a deviation or delay of the ship caused solely by stress of weather or other circumstances which neither the master nor owner of the ship could have prevented or forestalled.

Note: A defendant bears a legal burden in relation to the matter in subsection (3) (see subsection 13.4 of the Criminal Code).

227CDetention of ships incorrectly marked

Where:
(a)a certificate that relates, in whole or in part, to load lines or subdivision load lines is in force in respect of a ship; and
(b)a surveyor is not satisfied that any deck line, load line or subdivision load line marked on the ship is in the position specified for that line in the certificate;
the ship may be detained until the surveyor is satisfied that the line is in that position.

227DOffences with respect to marks

(1)If a ship, not being a non-Australian Load Line Convention ship, has been marked in accordance with the regulations or orders with deck lines and load lines and it is not kept so marked, the owner and master of the ship are, in respect of each day during which the ship is not so marked (including the day of a conviction under this subsection or any subsequent day), each guilty of an offence punishable on conviction by a fine not exceeding $1,000.

(2)Subsection (1) does not apply if the owner or master has

reasonable cause.

Note: A defendant bears an evidential burden in relation to the matter in subsection (2) (see subsection 13.3(3) of the Criminal Code).

(3)An offence under subsection (1) is an offence of strict liability.

Note: For strict liability, see section 6.1 of the Criminal Code.

(4)A person commits an offence if:
(a)a ship, other than a non-Australian Load Line Convention ship, has been marked with deck lines and load lines; and
(b)the person engages in conduct; and
(c)the person's conduct results in the concealment, removal, alteration, defacing or mutilation of any such mark.

Penalty: $5,000 or imprisonment for 2 years, or both.

227EInspection of non-Australian Load Line Convention ships

(1)If a valid Load Line Convention certificate is produced to a surveyor in respect of a non-Australian Load Line Convention ship, his or her powers of inspecting the ship under section 190AA in respect of the matters referred to in subsection (2) of that section are limited to ascertaining:
(a)whether the ship is overloaded;
(b)whether the positions of the load lines on the ship correspond with the positions specified in the certificate;
(c)whether any material alteration that would require the assignment of increased freeboard to the ship has, since the certificate was issued, taken place in the hull or superstructures of the ship;
(d)whether the fittings and appliances for the protection of openings, guard rails, freeing ports and means of access to the crew's quarters have been maintained on the ship in an effective condition; and
(e)whether the ship complies with the conditions specified in any valid Load Line Convention exemption certificate in force in respect of the ship.

(2)If:
(a)on inspection by a surveyor of a non-Australian Load Line Convention ship in respect of which a valid Load Line Convention certificate is produced, it is found that:
(i)a material alteration that would require the assignment of increased freeboard to the ship has, since the certificate was issued, taken place in the hull or superstructures of the ship;
(ii)the fittings and appliances for the protection of openings, guard rails, freeing ports and means of access to the crew's quarters have not been maintained on the ship in an effective condition; or

(iii) the ship does not comply with any condition specified in any valid Load Line Convention exemption certificate in force in respect of the ship; and

(b)the Authority is satisfied that the ship is manifestly unfit to proceed to sea without danger to human life;

the Authority may declare the ship to be unseaworthy and thereupon the ship shall be deemed to be unseaworthy for the purposes of section 210.

Division 6-Signals of distress

228Ships to be furnished with distress signals

(1)The master of a ship shall not take the ship to sea and the owner of a ship shall not permit the ship to go to sea unless it is duly furnished with the prescribed means of making signals of distress.

Penalty: $5,000 or imprisonment for 2 years, or both.

229Signals of distress and urgency

(1)The regulations may make provision for or in relation to signals of distress and urgency and the use and misuse of signals of distress and urgency.

(2)Section 2 does not apply in relation to this section and regulations made by virtue of this section.

230Compensation for loss occasioned by improper use of signals

(1)If a person uses or sends a signal in contravention of the regulations made by virtue of section 229 or of the orders made under subsection 425(1AA), that person shall, in addition to any penalty incurred under the regulations or orders, be liable to pay compensation for any labour undertaken, risk incurred or loss sustained in consequence of the signal having been so used or sent.

Division 6A-Radio equipment

231Application of Division

Unless the contrary intention appears, this Division, the regulations made by virtue of this Division and the orders made under subsection 425(1AA), do not apply in relation to a Safety Convention ship in respect of which there is in force a valid Safety Convention certificate showing that the ship:

(a)complies with such of the requirements of the Safety Convention as relate to radio installations and radio navigational aids; or

(b)is wholly exempt from those requirements or is partly exempt and complies with those requirements to the extent to which it is not exempt.

231AShips to be equipped with radio installations and radio navigational aids

(1)The master or owner of a ship shall not take the ship to sea, or permit the ship to be taken to sea, unless the ship complies with the requirements of the regulations and orders with respect to radio installations and radio navigational aids.

Penalty: $5,000 or imprisonment for 2 years, or both.

231BRadio operators

The master or owner of a ship equipped with a radio installation shall not take the ship to sea, or permit the ship to be taken to sea, unless the ship carries, as part of its crew, such person or persons qualified to operate the radio installation as is or are prescribed.

Penalty: $2,000 or imprisonment for 12 months, or both.

231CMaintenance and use of radio equipment and radio services

(1)The master of a ship equipped with a radio installation:
(a)shall maintain that radio installation, or cause that radio installation to be maintained, in accordance with the regulations and orders;
(b)shall not use that radio installation, or permit that radio installation to be used, otherwise than in accordance with the regulations and orders; and
(c)shall maintain, or cause to be maintained, on the ship a radio service in accordance with the regulations and orders.

(2)The master of a ship equipped with a radio navigational aid:
(a)shall maintain that radio navigational aid, or cause that radio navigational aid to be maintained, in accordance with the regulations and orders; and
(b)shall not use that radio navigational aid, or permit that radio navigational aid to be used, otherwise than in accordance with the regulations and orders.

Penalty: $5,000 or imprisonment for 2 years, or both.

231DDeficiency in number of operators on Safety Convention ships

Where:
(a)a ship, including a Safety Convention ship specified in paragraph 231(b), does not carry, as part of its crew, such person or persons qualified to operate any radio installation on the ship as is or are required to be carried on the ship under any certificate in force in respect of the ship; and
(b)the Authority is satisfied that, in consequence, the ship cannot proceed to sea without danger to its crew or passengers;
the Authority may detain the ship until it is satisfied that the ship can proceed to sea without danger to its crew or passengers.

231ELog-books

The master of a ship equipped with a radio installation:
(a)shall keep, or cause to be kept, a radio log-book in such form as is prescribed and shall make, or cause to be made, such entries in that log-book as are prescribed; and
(b)shall make, or cause to be made, in accordance with the regulations and orders, entries in the official log-book of the ship with respect to the operation of the radio installation and the maintenance of a radio service on the ship.

Penalty: $2,000.

231FRegulations providing for radio installations etc.

(1)The regulations may make provision for or in relation to the equipping of ships with radio installations and radio navigational aids and the operation, maintenance and use on ships of radio installations and radio navigational aids.

(2)Without limiting the generality of subsection (1), the regulations which may be made by virtue of that subsection include regulations for or in relation to:
(a)specifying the requirements with which radio installations and radio navigational aids on ships shall comply;
(b)the means of communication between a radio installation, or a radio navigational aid, on a ship and the bridge of the ship;
(c)the survey, inspection and testing of radio installations and radio navigational aids on ships;
(d)the exemption of ships from any requirement of this Act which relates to radio installations or radio navigational aids;
(e)the issue of certificates in respect of ships which comply with, or are exempt (either in whole or in part) from, the requirements of this Act which relate to radio installations and radio navigational aids;
(f)the number of operators, and the grades and qualifications of operators, to be carried on ships to operate radio installations; and
(g)the radio services to be maintained on ships.

Division 7-Compasses

232Regulations

(1)The regulations may make provision for or in relation to the equipping of ships with compasses and the examination and adjustment of compasses on ships.

(2)Without limiting the generality of subsection (1), the regulations which may be made by virtue of that subsection include regulations making provision for or in relation to:
(a)the licensing of persons as adjusters of compasses;
(b)the duties of adjusters of compasses;

(c)the issue of certificates, declarations and tables of deviation in respect of compasses;
(d)the payment of fees to adjusters of compasses;
(e)the keeping of records in respect of the compasses of a ship; and
(f)the exemption of ships from any requirement of this Act which relates to compasses.

233Ships not to be taken to sea without proper compasses

(1)The master of a ship shall not take the ship to sea, and the owner or agent of a ship shall not permit the ship to go to sea, from a port in Australia unless the ship is equipped with compasses in accordance with the regulations and orders and the compasses on the ship have been adjusted in accordance with the regulations and orders.

Penalty: $5,000 or imprisonment for 2 years, or both.

234Ship unseaworthy if not equipped with proper compasses

If a ship is not equipped with compasses in accordance with the regulations and orders, or the compasses on the ship have not been adjusted in accordance with the regulations and orders, the ship shall, for the purposes of this Act, be deemed to be unseaworthy.

Division 8-Musters, drills and checks and tests of machinery and equipment

235Musters and drills

(1)The master of a ship:
(a)shall ensure that musters, and boat drills, fire drills, collision drills and other prescribed drills, are held in accordance with the regulations and orders; and
(b)shall, in accordance with the regulations and orders, make, or cause to be made, in the official log-book of the ship entries relating to the holding of such musters and drills and any failure to hold such a muster or drill.

Penalty: $2,000.

(2)Every seaman shall, subject to subsection (3), take part, in accordance with the requirements of the master, in any muster or drill as required by the regulations or orders.

Penalty: $2,000.

(3)A seaman shall not be required to take part in a muster or drill within 24 hours before the termination of his or her engagement.

236Machinery and equipment checks and tests

The master of a ship:

(a)shall ensure that checks and tests of the machinery and equipment of the ship are conducted as required by the regulations; and
(b)shall, in accordance with the regulations, make, or cause to be made, in the official log-book of the ship entries relating to the conducting of such checks and tests and any failure to conduct such a check or test.

Penalty: $2,000.

Division 9-Containers

237Interpretation

In this Division, container has the same meaning as in the Container Convention.

238Declaration of countries to which the Container Convention applies

(1)The Authority may, by notice published in the Gazette, declare:
(a)that a country specified in the notice has ratified, accepted, approved or acceded to the Container Convention or has ratified, accepted, approved or acceded to the Convention subject to reservations specified in the notice, as the case may be, and that the Convention has, or will, come into force or has, or will, come into force subject to those reservations, as the case may be, in respect of that country on a date specified in the notice; or
(b)that a country specified in the notice has denounced the Container Convention and that that denunciation has taken, or will take, effect on a date specified in the notice.

(2)A notice under subsection (1) is, for all purposes, prima facie evidence of the matters declared.

239Certificate by Minister as to amendments of the Container Convention

The Minister may, by writing under his or her hand, certify that the amendments (other than amendments not accepted by Australia) by which the Container Convention was affected, and the amendments (other than amendments objected to by Australia) by which the annexes to that Convention were affected, as at such date as is specified in the certificate are set out in, or annexed to, the certificate, and such a certificate is, for all purposes, prima facie evidence of the matters so certified.

240Regulations to give effect to the Container Convention

(1)The regulations may make provision for and in relation to giving effect to the Container Convention.

(3)Regulations giving effect to the Container Convention do not apply in relation to a container in a State or in the Northern Territory to the extent that a law of that State or Territory, as

the case may be, makes provision giving effect to that Convention in relation to that container.

241Safety requirements and tests not required or permitted by the Container Convention not to be imposed

(1)Nothing in a law of the Commonwealth in force at the commencement of this Division shall, after that commencement, be taken as imposing or authorizing the imposition of structural safety requirements or tests on containers to which the Container Convention applies that are not required or permitted by that Convention to be imposed on such containers.

(2)Structural safety requirements or tests that are not required or permitted by the Container Convention to be imposed on containers to which that Convention applies shall not be imposed by or under a law of a State or Territory on such containers.

(3)Nothing in subsection (1) or (2) shall be taken to preclude the application in relation to containers to which the Container Convention applies of a law of the Commonwealth or of a State or Territory that prescribes additional structural safety requirements or tests of a kind referred to in paragraph 2 of Article V of that Convention.

Division 10-Dangerous goods, livestock, grain, deck and other cargoes

248Definition of dangerous goods

(1)In this Division, dangerous goods means the goods listed in the International Maritime Dangerous Goods Code.

(2)In subsection (1), International Maritime Dangerous Goods Code means the Code of that name that is issued by the International Maritime Organization, as amended from time to time.

249Shipping of dangerous goods

(1)A person shall not carry dangerous goods in a ship or place dangerous goods, or cause dangerous goods to be placed, on board a ship for carriage in the ship unless:
(a)the outside of the package containing the goods is distinctly marked with a description of the goods; and
(b)a description in writing of the goods (not being a description contained in the ordinary shipping documents) is given to the owner or master of the ship at or before the time the goods are placed on board the ship.

Penalty: $10,000 or imprisonment for 4 years, or both.

(2)Subsection (1) does not apply to the owner or master of the ship.

250Powers of owner or master as to dangerous goods

The owner or master of any ship may:
(a)refuse to carry any dangerous goods; and
(b)open and inspect any package suspected of containing dangerous goods;
and shall not be subject to any liability of any kind for so doing.

251Right to decline to sail in ships carrying dangerous goods

Any seaman may decline to go to sea in a ship to which Part II applies carrying dangerous goods, and any seaman who so declines, shall, if he or she so requests, be granted a discharge from the ship:
Provided that this section shall not apply where the carriage of the dangerous goods is in accordance with the regulations or express stipulations in the agreement.

252Forfeiture of dangerous goods

Any dangerous goods carried or shipped in contravention of this Act may be ordered by the Supreme Court of a State or Territory to be forfeited to the Commonwealth, and they shall be forfeited accordingly, notwithstanding that no offence has been committed by the owner of the goods, and that the owner has had no notice of the proceedings or is not before the Court, or that there is no evidence of ownership of the goods.

253False descriptions

(1)A person shall not send by or carry in any ship any dangerous goods under a false description.

Penalty: $10,000 or imprisonment for 4 years, or both.

(2)Where any dangerous goods are on board a ship, or are to be placed on board a ship, a person shall not falsely describe the sender of the goods on any package containing the goods or in any document relating to the shipping of the goods.

Penalty: $5,000 or imprisonment for 2 years, or both.

253ACarriage of dangerous goods

(1)The Governor-General may make regulations, not inconsistent with this Act, prescribing all matters necessary or convenient to be prescribed in regard to the carriage of dangerous goods in ships, and in particular in relation to:
(a)the classes of ships in which dangerous goods may be carried;
(b)the quantities of dangerous goods that may be carried from any port in Australia in such ships;
(c)the precautions to be observed in connexion with the loading and unloading of dangerous goods at any port in Australia; and
(d)the conditions as to packing and stowage of dangerous goods, and the ventilation of holds containing dangerous goods, loaded at any port in Australia.

(2)A person shall not send by, or carry in, a ship any dangerous goods which do not, or the packing, stowing or carriage of which does not, comply with such requirements as are prescribed or are determined by the Authority in accordance with the regulations.

Penalty for contravention of subsection (2): $10,000 or imprisonment for 4 years, or both.

254Prohibition on carriage of cargo

(1)If, in the opinion of the Authority, the carriage of any particular cargo or goods in any ship would endanger its safety or interfere with the comfort of its passengers or crew, it may notify the master or owner accordingly, and the carriage in the ship of the cargo or goods specified in the notice shall be prohibited, and, after receiving such notice, the master shall not take the ship to sea and the owner shall not permit the ship to go to sea with the prohibited cargo or goods therein or thereon.

Penalty: $10,000 or imprisonment for 4 years, or both.

(2)The ship may be detained by any officer of Customs, or person authorized by the Authority, until the prohibited cargo or goods have been removed from the ship.

255Notice of intention to ship

Before any dangerous goods are shipped in any ship, the shipper thereof shall give notice of intention to ship the goods in the manner and to the person prescribed.

Penalty: $2,000.

257Loading, stowing, carriage and unloading of cargo

(1)The regulations may make provision for or in relation to the loading, stowing or carriage of cargo in ships or the unloading of cargo from ships.

(2)Without limiting the generality of subsection (1), the regulations which may be made by virtue of that subsection include regulations for or in relation to the giving of notices with respect to the loading, or proposed loading, of cargo into ships.

(3)A person who is guilty of an offence against the regulations made by virtue of this section is punishable on conviction by a fine not exceeding $5,000.

(4)In this section, cargo includes ballast.

Division 11-Collisions, loss and damage

258Collisions, lights and signals

(1)The regulations may prescribe measures to be observed for the prevention of collisions and may make provision for or in relation to the provision and use on ships of lights and signals.

(2)Without limiting subsection (1), the regulations may make provision for and in relation to giving effect to the Prevention of Collisions Convention.

(2A)The regulations, so far as they give effect to the Prevention of Collisions Convention, apply, despite section 2, in relation to ships in the areas constituted by:
(a)the high seas; and
(b)the territorial sea of Australia; and
(c)the sea on the landward side of the territorial sea of Australia; and
(d)waters other than waters of the sea;
as provided by subsections (2B) to (2E) (inclusive).

(2B)The regulations mentioned in subsection (2A) apply in relation to a ship (other than a ship of a kind referred to in subsection 2(1)) while the ship is in any of the areas mentioned in subsection (2A).

(2C)Subsection (2B) is not intended to exclude the operation of a State or Territory law, being a law that gives effect to the Prevention of Collisions Convention, in relation to a ship while it is in the area mentioned in paragraph (2A)(b), (c) or (d).

(2D)The regulations mentioned in subsection (2A) apply in relation to a ship of a kind referred to in subsection 2(1) while the ship is in the area mentioned in paragraph (2A)(a).

(2E)Subsection (2D) is not intended to exclude the operation of a State or Territory law, being a law that gives effect to the Prevention of Collisions Convention, in relation to a ship while it is in the area mentioned in paragraph (2A)(a).

(2F)Where proceedings are instituted against a person for an offence, in relation to a particular matter, against:
(a)a provision of the regulations mentioned in subsection (2A); or
(b)a provision of a law of a State or Territory that gives effect to the Prevention of Collisions Convention;
proceedings must not also be instituted against the person for an offence, in relation to the same matter, against:
(c)if paragraph (a) applies-a provision of a kind referred to in paragraph (b); or
(d)if paragraph (b) applies-a provision of a kind referred to in paragraph (a).

(3)The conviction of a person for an offence against the regulations made by virtue of this section or the orders made under subsection 425(1AA) does not relieve that person from civil liability for damage occasioned by a default of that person.

(4)An offence against the regulations made by virtue of this section is an indictable offence.

(7)A person who is guilty of an offence against the regulations made by virtue of this section is punishable on conviction:
(a)if the offender is a natural person-by a fine not exceeding $10,000 or imprisonment for a period not exceeding 2 years, or both; or
(b)if the offender is a body corporate-by a fine not exceeding $20,000.

258AACertificate by Minister as to amendments of the Prevention of Collisions Convention

The Minister may, by writing under his or her hand, certify that the amendments, other than amendments objected to by Australia, by which the Prevention of Collisions Convention was affected as at such date as is specified in the certificate are set out in, or annexed to, the certificate, and such a certificate is, for all purposes, prima facie evidence of the matters so certified.

258ACareful navigation near ice

The master of a ship registered in Australia, when ice is reported on or near his or her course, shall at night either proceed at a moderate speed or change that course so as to keep amply clear of the ice reported and of the area of danger.

Penalty: Imprisonment for 4 years.

259Rule as to division of loss

(1)Where, by fault of 2 or more ships, damage or loss is caused to one or more ships, to their cargoes or freight, or to any property on board, the liability to make good the damage or loss shall be in proportion to the degree in which each ship was in fault:
Provided that, if, having regard to all the circumstances of the case, it is not possible to establish different degrees of fault, the liability shall be apportioned equally.

(2)Nothing in this section shall operate so as to render any ship liable for any loss or damage to which its fault has not contributed.

(3)Nothing in this section shall affect the liability of any person under a contract of carriage or any contract or shall be construed as imposing any liability upon any person from which he or she is exempted by any contract or by any provision of law or as affecting the right of any person to limit his or her liability in manner provided by law.

(4)For the purposes of this section, the expression "freight" includes passage money and hire, and references to damage or loss caused by the fault of a ship shall be construed as including references to any salvage or other expenses consequent upon that

fault, recoverable at law by way of damages.

260Damages for personal injuries

(1)Where loss of life or personal injuries are suffered by any person on board a ship owing to the fault of that ship and of any other ship or ships, the liability of the owners of the ships shall be joint and several.

(2)Nothing in this section shall be construed as depriving any person of any right of defence on which, independently of this section, he or she might have relied in an action brought against him or her by the person injured or any person or persons entitled to sue in respect of such loss of life, or shall affect the right of any person to limit his or her liability in cases to which this section relates in the manner provided by law.

261Right of contribution

(1)Where loss of life or personal injuries are suffered by any person on board a ship owing to the fault of that ship and any other ship or ships, and a proportion of the damages is recovered against the owner of one of the ships which exceeds the proportion in which it was in fault, that person may recover by way of contribution the amount of the excess from the owners of the other ships to the extent to which those ships were respectively in fault:
Provided that no amount shall be so recovered which could not, by reason of any statutory or contractual limitation of, or exemption from, liability, or which could not for any other reason, have been recovered in the first instance as damages by the persons entitled to sue therefor.

(2)In addition to any other remedy provided by law, the persons entitled to any contribution as provided by subsection (1) shall, for the purposes of recovering the contribution, have, subject to the provisions of this Act, the same rights and powers as the persons entitled to sue for damages in the first instance.

261AApplication of sections 259, 260 and 261 to Defence ships

The provisions of sections 259, 260 and 261 apply in the case of ships belonging to, or operated by, the Australian Defence Force as they apply in the case of other ships.

263Abolition of statutory presumption of fault

(1)In case of a collision a ship shall not be deemed to be in fault solely by reason of the fact that the ship has infringed any of the regulations for the prevention of collisions at sea.

264Master to render assistance and abolition of statutory presumption of fault

(1)In every case of collision between 2 ships it shall be the duty

of the person in charge of each ship, if and so far as he or she can do so without danger to his or her own ship, crew, and passengers (if any):
(a)to render to the other ship, its master, crew, and passengers (if any) such assistance as is practicable and necessary in order to save them from danger caused by the collision; and
(b)to stay by the other ship until he or she has ascertained that it has no need of further assistance; and
(c)to give to the master or person in charge of the other ship the name of his or her own ship and the port to which it belongs, and also the names of the ports from which it comes and to which it is bound.

(2)A person in charge of any ship who fails to comply with subsection (1) is guilty of an offence punishable on conviction by imprisonment for a period not exceeding 10 years.

(2A)Subsection (2) does not apply if the person has reasonable cause.

Note: A defendant bears an evidential burden in relation to the matter in subsection (2A) (see subsection 13.3(3) of the Criminal Code).

(3)In case of a collision between 2 ships, the collision shall not be deemed to have been caused by the wrongful act, neglect, or default of the master or person in charge of the ship, who failed to comply with the provisions of that section, solely by reason of the fact that he or she has not complied with the provisions of that section.

265Obligation to render assistance

(1)If:
(a)a ship to which Part II applies is at sea; and
(b)the master of the ship has reason to believe that persons on or from a ship or aircraft are in distress;
the master shall cause his or her ship to proceed with all practicable speed to the assistance of those persons and, if possible, inform them that he or she is so doing.

Penalty: Imprisonment for 4 years.

(1A)Subsection (1) does not apply if the master is unable to do so or, in the special circumstances of the case, considers it unreasonable or unnecessary to do so.

Note: A defendant bears an evidential burden in relation to the matter in subsection (1A) (see subsection 13.3(3) of the Criminal Code).

(2)The master of a ship or aircraft in distress may, after consultation so far as possible with the masters of ships which answer his or her call for assistance, requisition such of those ships as he or she considers best able to render assistance and the

master of a ship to which Part II applies so requisitioned shall comply with the requisition by causing his or her ship to proceed with all practicable speed to the assistance of persons in distress on or from the ship or aircraft in distress.

Penalty: Imprisonment for 10 years.

(3)When the master of a ship which has not been requisitioned is informed of the requisition of another ship and that the requisition is being complied with by that other ship, the master is released from the obligation imposed on him or her by subsection (1).

(4)If the master of a ship is informed by persons in distress, or by the master of another ship which has reached those persons, that assistance is no longer necessary, the first-mentioned master is released from any obligation imposed on him or her by subsection (1) or (2) in relation to those persons.

(6)The master of a ship to which Part II applies shall make a record, or cause a record to be made:
(a)of any information received by him or her that a ship or aircraft is in distress at sea; and
(b)if, on receipt of any such information, the master does not proceed to the assistance of persons on or from that ship or aircraft-of his or her reasons for not so proceeding.

Penalty: 50 penalty units.

(7)A record required to be made under subsection (6) shall be made in the official log-book of the ship.

(8)This section does not affect the operation of section 317A.

(9)Compliance by the master of a ship with the provisions of this section does not affect his or her right, or the right of any other person, to salvage.

265ALiability of charterers etc.

This Division shall apply to any persons (other than the owners) responsible for the fault of a ship as though the expression "owners" included those persons; and in any case where, by virtue of any charter or demise, or for any other reason, the owners are not responsible for the navigation and management of the ship, this Division shall be read as though for references to the owners there were substituted references to the charterers or other persons for the time being so responsible.

Division 12-Ships carrying or using oil

266Interpretation

(1)In this Division, unless the contrary intention appears:

Annex I means Annex I to the Prevention of Pollution from Ships Convention.

Australian ship means:
(a)a ship registered in Australia; or
(b)an unregistered ship having Australian nationality.

foreign ship means a ship that is not an Australian ship.

ship construction certificate means a certificate issued under section 267B and includes an International Oil Pollution Prevention Certificate issued in pursuance of Regulation 8 of Annex I, or of the law of a country other than Australia giving effect to that Regulation in relation to an Australian ship.

(2)Except in so far as the contrary intention appears, an expression that is used in this Division and in the Prevention of Pollution from Ships Convention, including Annex I but not including any other Annex to that Convention, (whether or not a particular meaning is assigned to it by that Convention) has, in this Division, the same meaning as in that Convention.

(3)For the purposes of this Division, a ship shall not be taken to comply with the provisions of Annex I if it does not comply with the regulations and orders referred to in section 267A.

267Application of Division

(1)Section 2 does not have effect in relation to the provisions of this Division.

(2)The provisions of this Division do not apply in relation to a ship referred to in subsection 2(1) to the extent that a law of a State or of a Territory makes provision giving effect to Regulations 12, 13, 14, 16, 18, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34 and 35 of Annex I in relation to that ship.

(3)A reference in this section to the provisions of this Division shall be read as including a reference to the provisions of any regulations made for the purposes of section 267A and of any orders made pursuant to any such regulations.

267ARegulations to give effect to certain Regulations of Annex I

The regulations may make provision for and in relation to giving effect to Regulations 12, 13, 14, 16, 18, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34 and 35 of Annex I.

267BShip construction certificates

(1)Where, on receipt of declarations of survey in respect of an Australian ship, the Authority is satisfied that the ship is constructed in accordance with the provisions of Annex I, it may, whether or not the ship is required by Annex I to be constructed in

accordance with those provisions, issue in respect of the ship a ship construction certificate in the prescribed form attesting such compliance.

(2)Where, after the survey of an Australian ship (being an oil tanker) carried out by a survey authority, the authority is satisfied that the ship is constructed in accordance with the provisions of Annex I, the authority may, whether or not the ship is required by Annex I to be constructed in accordance with those provisions, issue in respect of the ship a ship construction certificate, in the prescribed form, attesting such compliance.

267CInternational Oil Pollution Prevention Certificates

Where:
(a)at the request of the Government of the State under whose authority a foreign ship is operating (not being a ship which is entitled to fly the flag of a State which is not a Party to the Prevention of Pollution from Ships Convention), the Authority has caused that ship to be surveyed; and
(b)the Authority, on receipt of declarations of survey in respect of that ship, is satisfied that that ship is constructed in accordance with the provisions of Annex I;
it may, whether or not the ship is required by Annex I to be constructed in accordance with those provisions, issue in respect of the ship an International Oil Pollution Prevention Certificate in the prescribed form attesting such compliance.

267DAlteration etc. of construction of ships and cancellation of certificates

(1)Where the construction of an Australian ship in respect of which a ship construction certificate is in force is altered, or such a ship is damaged, in a manner which affects its compliance with the provisions of Annex I, the master or owner of the ship shall, within 7 days after the construction of the ship is altered or the ship is damaged, as the case may be, give a notice in writing of the alteration or damage to such person, and in such form, as are prescribed and, if the notice is not so given, the master and the owner of the ship are each guilty of an offence punishable upon conviction by a fine not exceeding $1,000.

(2)Where a notice required to be given under subsection (1) is not given within the period referred to in that subsection, the following provisions of this subsection have effect:
(a)the obligation to give the notice continues, notwithstanding that that period has expired, until the notice is given;
(b)the master and the owner of the ship are each guilty of a separate and further offence in respect of each day during which the notice is not given, being a day after the expiration of that period;
(c)the penalty applicable to each such separate and further offence is a fine not exceeding $1,000.

(3)An offence under subsection (1) or (2) is an offence of strict

liability.

Note: For strict liability, see section 6.1 of the Criminal Code.

(5)Where the Authority has reason to believe that:
(a)the report of a surveyor in respect of an Australian ship in respect of which a ship construction certificate is in force was fraudulently or erroneously made or obtained;
(b)a ship construction certificate has been issued in respect of an Australian ship upon false or erroneous information;
(c)the construction of an Australian ship in respect of which a ship construction certificate is in force has been altered, or such a ship has been damaged, in a manner which affects its compliance with the provisions of Annex I; or
(d)the owner of an Australian ship in respect of which a ship construction certificate is in force has failed to comply with section 267E in respect of the ship;
it may, by instrument in writing, cancel the certificate.

(6)Where the Authority cancels a ship construction certificate issued in respect of an Australian ship, the certificate is of no force or effect after the Authority has given notice in writing of the cancellation addressed to the owner, agent or master of the ship and served in accordance with the regulations.

(7)Where a ship construction certificate issued in respect of an Australian ship is cancelled under this section, the Authority may, by notice in writing addressed to the owner, agent or master of the ship and served in accordance with the regulations, require the certificate to be delivered up to the Authority or to such other person as the Authority specifies, and the Authority may detain the ship until the requirement is complied with.

267EShips to be surveyed periodically

(1)The owner of an Australian ship in respect of which a ship construction certificate is in force shall, at least once during each period that is a prescribed period in relation to the ship for the purposes of this section, cause the ship to be surveyed for the purpose of ensuring its compliance with the provisions of Annex I.

(2)Where the owner of an Australian ship in respect of which a ship construction certificate is in force fails to comply with subsection (1) in relation to the ship and to a period that is a prescribed period in relation to the ship, the owner is guilty of an offence punishable on conviction by a fine not exceeding $2,000.

(3)An offence under subsection (2) is an offence of strict liability.

Note: For strict liability, see section 6.1 of the Criminal Code.

267FCancellation of certificate if ship ceases to be registered etc.

A ship construction certificate ceases to have effect if the ship in respect of which it was issued ceases to be an Australian ship.

267GCertificates required for Australian ships

(1)This section applies to an Australian ship that is:
(a)an oil tanker of 150 tons gross tonnage and above; or
(b)a ship, other than an oil tanker, of 400 tons gross tonnage and above.

(2)The master of an Australian ship to which this section applies shall not take the ship to sea unless there is in force in respect of the ship a ship construction certificate.

Penalty: $10,000 or imprisonment for 4 years, or both.

(3)The owner of an Australian ship to which this section applies shall not permit the ship to be taken to sea unless there is in force in respect of the ship a ship construction certificate.

Penalty: $10,000 or imprisonment for 4 years, or both.

(4)The regulations may exempt ships included in a prescribed class of ships from the application of subsection (1), either absolutely or subject to conditions.

267HCertificates to be carried on board Australian ships

The owner of an Australian ship in respect of which a ship construction certificate is in force shall cause the certificate to be carried on board the ship.

Penalty: $1,000.

267JProduction of certificates

Where:
(a)application is made to an officer of Customs in respect of an Australian ship for a clearance under the Customs Act for a voyage from a port in Australia; and
(b)the master of the ship would contravene subsection 267G(1) if he or she took the ship to sea without there being in force in respect of the ship a ship construction certificate;
the master of the ship shall, if so required by the officer of Customs, produce to the officer of Customs the ship construction certificate in force in respect of the ship, and the officer of Customs may refuse to grant the clearance, and the ship may be detained, until the certificate is produced to him or her.

267KDirections in relation to foreign ships

(1)Subject to subsection (2), where the Authority is of the opinion that a foreign ship is not constructed in accordance with

the provisions of Annex I (whether or not the ship is required by Annex I to be so constructed), the Authority may, by notice in writing addressed to the master or the owner of the ship and served in accordance with the regulations, direct:

(a)that the ship shall not enter any port, or a specified port or specified ports, in Australia;

(b)that the ship shall not use any off-shore terminal, or a specified off-shore terminal or specified off-shore terminals, in Australia;

(c)that the ship comply with specified requirements while it is entering, is in or is leaving any port, or a specified port or specified ports, in Australia; or

(d)that the ship comply with specified requirements while it is approaching, is using or is leaving any off-shore terminal, or a specified off-shore terminal or specified off-shore terminals, in Australia.

(2)The Authority shall not exercise its powers under subsection (1) except to the extent that it appears to it necessary or expedient to do so for the protection of the environment.

(3)Nothing in this section shall be taken to prevent the issuing of more than one direction under subsection (1) in relation to a ship.

(4)If:

(a)the master or owner of a ship is served with a notice under subsection (1); and

(b)the master or owner does not comply with any direction contained in that notice;

the master and the owner each commit an offence punishable on conviction by a fine not exceeding 100 penalty units.

(4A)An offence under subsection (4) is an offence of strict liability.

Note: For strict liability, see section 6.1 of the Criminal Code.

(5)If:

(a)the master or owner of a ship is served with a notice under subsection (1); and

(b)the master or owner does not comply with any direction contained in that notice; and

(c)the master or owner is reckless as to whether there is a failure to comply with that direction;

the master and the owner each commit an offence punishable on conviction by a fine not exceeding 500 penalty units.

(6)In proceedings for an offence against subsection (4) or (5) in relation to a failure to comply with a direction under subsection (1), it is a defence if it is proved:

(a)that the failure to comply with the direction resulted from the need to save life at sea or was due to an emergency involving a threat to a person's life; or

(b)that compliance with the direction was not possible.

Division 12A-Ships carrying noxious liquid substances in bulk

267MInterpretation

(1)In this Division, unless the contrary intention appears:

Annex II means Annex II to the Prevention of Pollution from Ships Convention.

Australian ship means:
(a)a ship registered in Australia; or
(b)an unregistered ship having Australian nationality.

chemical tanker construction certificate means a certificate issued under section 267Q.

foreign ship means a ship that is not an Australian ship.

(2)Except in so far as the contrary intention appears, an expression that is used in this Division and in the Prevention of Pollution from Ships Convention, including Annex II but not including any other Annex to that Convention, (whether or not a particular meaning is assigned to it by that Convention) has, in this Division, the same meaning as in that Convention.

(3)For the purposes of this Division, a ship shall not be taken to comply with the provisions of Annex II if it does not comply with the regulations and orders referred to in section 267P.

267NApplication of Division

(1)Section 2 does not have effect in relation to the provisions of this Division.

(2)The provisions of this Division do not apply in relation to a ship referred to in paragraph 2(1)(a) to the extent that a law of a State or of a Territory makes provision giving effect to Regulation 11 of Annex II in relation to that ship.

(3)A reference in this section to the provisions of this Division shall be read as including a reference to the provisions of any regulations made for the purposes of section 267P and of any orders made pursuant to any such regulations.

267PRegulations to give effect to regulation 11 of Annex II

The regulations may make provision for and in relation to giving effect to regulation 11 of Annex II.

267QChemical tanker construction certificates

(1)Where, on receipt of declarations of survey in respect of an

Australian ship, the Authority is satisfied that the ship is constructed in accordance with the provisions of Annex II, it may, whether or not the ship is required by Annex II to be constructed in accordance with those provisions, issue in respect of the ship a chemical tanker construction certificate in the prescribed form attesting such compliance.

(2)Where, after the survey of an Australian ship carried out by a survey authority, the authority is satisfied that the ship is constructed in accordance with the provisions of Annex II, the authority may, whether or not the ship is required by Annex II to be constructed in accordance with those provisions, issue in respect of the ship a chemical tanker construction certificate, in the prescribed form, attesting such compliance.

267RInternational Pollution Prevention Certificates for the Carriage of Noxious Liquid Substances in Bulk

Where:
(a)at the request of the Government of the State under whose authority a foreign ship is operating (not being a ship which is entitled to fly the flag of a State which is not a Party to the Prevention of Pollution from Ships Convention), the Authority has caused that ship to be surveyed; and
(b)the Authority, on receipt of declarations of survey in respect of that ship, is satisfied that that ship is constructed in accordance with the provisions of Annex II;
it may, whether or not the ship is required by Annex II to be constructed in accordance with those provisions, issue in respect of the ship an International Pollution Prevention Certificate for the Carriage of Noxious Liquid Substances in Bulk in the prescribed form attesting such compliance.

267SAlteration etc. of construction of ships and cancellation of certificates

(1)Where the construction of an Australian ship in respect of which a chemical tanker construction certificate is in force is altered, or such a ship is damaged, in a manner which affects its compliance with the provisions of Annex II, the master or owner of the ship shall, within 7 days after the construction of the ship is altered or the ship is damaged, as the case may be, give a notice in writing of the alteration or damage to such person, and in such form, as are prescribed and, if the notice is not so given, the master and the owner of the ship are each guilty of an offence punishable upon conviction by a fine not exceeding $1,000.

(1A)Without limiting the generality of subsection (1), an Australian ship in respect of which a chemical tanker construction certificate is in force shall, for the purposes of that subsection, be taken to be damaged if the ship becomes unfit to proceed to sea without presenting an unreasonable threat of harm to the marine environment.

(2)Where a notice required to be given under subsection (1) is not

given within the period referred to in that subsection, the following provisions of this subsection have effect:

(a)the obligation to give the notice continues, notwithstanding that that period has expired, until the notice is given;

(b)the master and the owner of the ship are each guilty of a separate and further offence in respect of each day during which the notice is not given, being a day after the expiration of that period;

(c)the penalty applicable to each such separate and further offence is a fine not exceeding $1,000.

(3)An offence under subsection (1) or (2) is an offence of strict liability.

Note: For strict liability, see section 6.1 of the Criminal Code.

(5)Where the Authority has reason to believe that:

(a)the report of a surveyor in respect of an Australian ship in respect of which a chemical tanker construction certificate is in force was fraudulently or erroneously made or obtained;

(b)a chemical tanker construction certificate has been issued in respect of an Australian ship upon false or erroneous information;

(c)the construction of an Australian ship in respect of which a chemical tanker construction certificate is in force has been altered, or such a ship has been damaged, in a manner which affects its compliance with the provisions of Annex II; or

(d)the owner of an Australian ship in respect of which a chemical tanker construction certificate is in force has failed to comply with section 267S in respect of the ship;

it may, by instrument in writing, cancel the certificate.

(6)Where the Authority cancels a chemical tanker construction certificate issued in respect of an Australian ship, the certificate is of no force or effect after the Authority has given notice in writing of the cancellation addressed to the owner, agent or master of the ship and served in accordance with the regulations.

(7)Where a chemical tanker construction certificate issued in respect of an Australian ship is cancelled under this section, the Authority may, by notice in writing addressed to the owner, agent or master of the ship and served in accordance with the regulations, require the certificate to be delivered up to the Authority or to such other person as the Authority specifies, and the Authority may detain the ship until the requirement is complied with.

267TShips to be surveyed periodically

(1)The owner of an Australian ship in respect of which a chemical tanker construction certificate is in force shall, at least once during each period that is a prescribed period in relation to the ship for the purposes of this section, cause the ship to be

surveyed for the purpose of ensuring its compliance with the provisions of Annex II.

(2)Where the owner of an Australian ship in respect of which a chemical tanker construction certificate is in force fails to comply with subsection (1) in relation to the ship and to a period that is a prescribed period in relation to the ship, the owner is guilty of an offence punishable on conviction by a fine not exceeding $2,000.

(3)An offence under subsection (2) is an offence of strict liability.

Note: For strict liability, see section 6.1 of the Criminal Code.

267UCancellation of certificate if ship ceases to be an Australian ship

A chemical tanker construction certificate ceases to have effect if the ship in respect of which it was issued ceases to be an Australian ship.

267VCertificates required for Australian ships

(1)Where an Australian ship is constructed or adapted so that it can carry as cargo, or part cargo, in bulk any liquid substance, the master of that ship shall not take that ship to sea, and the owner of that ship shall not permit that ship to be taken to sea, unless there is in force in respect of that ship a chemical tanker construction certificate.

Penalty: $10,000 or imprisonment for 4 years, or both.

(2)The regulations may exempt ships included in a prescribed class of ships from the application of subsection (1), either absolutely or subject to conditions.

267WCertificates to be carried on board Australian ships

The owner of an Australian ship in respect of which a chemical tanker construction certificate is in force shall cause the certificate to be carried on board the ship.

Penalty: $1,000.

267XProduction of certificates

Where:
(a)application is made to an officer of Customs in respect of an Australian ship for a clearance under the Customs Act for a voyage from a port in Australia; and
(b)the master of the ship would contravene subsection 267V(1) if he or she took the ship to sea without there being in force in respect of the ship a chemical tanker construction certificate;
the master of the ship shall, if so required by the officer of

Customs, produce to the officer of Customs the chemical tanker construction certificate in force in respect of the ship, and the officer of Customs may refuse to grant the clearance, and the ship may be detained, until the certificate is produced to him or her.

267YDirections in relation to foreign ships

(1)Subject to subsection (2), where the Authority is of the opinion that a foreign ship is not constructed in accordance with the provisions of Annex II (whether or not the ship is required by Annex II to be so constructed), the Authority may, by notice in writing addressed to the master or the owner of the ship and served in accordance with the regulations, direct:
(a)that the ship shall not enter any port, or a specified port or specified ports, in Australia;
(b)that the ship shall not use any off-shore terminal, or a specified off-shore terminal or specified off-shore terminals, in Australia;
(c)that the ship comply with specified requirements while it is entering, is in or is leaving any port, or a specified port or specified ports, in Australia; or
(d)that the ship comply with specified requirements while it is approaching, is using or is leaving any off-shore terminal, or a specified off-shore terminal or specified off-shore terminals, in Australia.

(2)The Authority shall not exercise its powers under subsection (1) except to the extent that it appears to it necessary or expedient to do so for the protection of the environment.

(3)Nothing in this section shall be taken to prevent the issuing of more than one direction under subsection (1) in relation to a ship.

(4)If:
(a)the master or owner of a ship is served with a notice under subsection (1); and
(b)the master or owner does not comply with any direction contained in that notice;
the master and the owner each commit an offence punishable on conviction by a fine not exceeding 100 penalty units.

(4A)An offence under subsection (4) is an offence of strict liability.

Note: For strict liability, see section 6.1 of the Criminal Code.

(5)If:
(a)the master or owner of a ship is served with a notice under subsection (1); and
(b)the master or owner does not comply with any direction contained in that notice; and
(c)the master or owner is reckless as to whether there is a failure to comply with that direction;

the master and the owner each commit an offence punishable on conviction by a fine not exceeding 500 penalty units.

(6)In proceedings for an offence against subsection (4) or (5) in relation to a failure to comply with a direction under subsection (1), it is a defence if it is proved:
(a)that the failure to comply with the direction resulted from the need to save life at sea or was due to an emergency involving a threat to a person's life; or
(b)that compliance with the direction was not possible.

Division 12B-Ships carrying packaged harmful substances

267ZAInterpretation

(1)In this Division, unless the contrary intention appears:

Annex III means Annex III to the Prevention of Pollution from Ships Convention.

Australian ship means:
(a)a ship registered in Australia; or
(b)an unregistered ship having Australian nationality.

foreign ship means a ship that is not an Australian ship.

(2)Except in so far as the contrary intention appears, an expression that is used in this Division and in the Prevention of Pollution from Ships Convention, including Annex III but not including any other Annex to that Convention, (whether or not a particular meaning is assigned to it by that Convention) has, in this Division, the same meaning as in that Convention.

(3)For the purposes of this Division, a ship shall not be taken to comply with the provisions of Annex III if it does not comply with the regulations and orders referred to in section 267ZC.

267ZBApplication of Division

(1)Section 2 does not have effect in relation to the provisions of this Division.

(2)The provisions of this Division do not apply in relation to a ship referred to in subsection 2(1) to the extent that a law of a State or Territory makes provision giving effect to Regulations 1 to 6 (inclusive) of Annex III in relation to that ship.

(3)A reference in this section to the provisions of this Division shall be read as including a reference to the provisions of any regulations made for the purposes of subsection 267ZC(1) and of any orders made pursuant to any such regulations.

267ZCRegulations to give effect to Regulations 1 to 6 (inclusive) of Annex III

(1)The regulations may make provision for and in relation to giving effect to Regulations 1 to 6 (inclusive) of Annex III.

(2)Without limiting the generality of subsection (1), regulations made for the purposes of that subsection may empower the Minister to make orders with respect to any matter for or in relation to which provision may be made by the regulations by virtue of this section.

Division 12C-Sewage

267ZDInterpretation

(1)In this Division, unless the contrary intention appears:

Annex IV means Annex IV to the Prevention of Pollution from Ships Convention.

Australian ship means:
(a)a ship registered in Australia; or
(b)an unregistered ship having Australian nationality;

foreign ship means a ship that is not an Australian ship.

sewage certificate means an International Sewage Pollution Prevention Certificate issued under section 267ZG or 267ZH.

(2)Except in so far as the contrary intention appears, an expression that is used in this Division and in the Prevention of Pollution from Ships Convention, including Annex IV but not including any other Annex to that Convention, (whether or not a particular meaning is assigned to it by that Convention) has, in this Division, the same meaning as in that Convention.

(3)For the purposes of this Division, a ship shall not be taken to comply with the provisions of Annex IV if it does not comply with the regulations and orders referred to in section 267ZF.

267ZEApplication of Division

(1)Section 2 does not have effect in relation to the provisions of this Division.

(2)Subject to subsection (3), the provisions of this Division apply to a ship included in a prescribed class of ships.

(3)The provisions of this Division do not apply to a ship referred to in subsection 2(1) to the extent that a law of a State or of a Territory makes provision giving effect to Regulations 4, 5, 7, 8, 9 and 10 of Annex IV in relation to that ship.

(4)A reference in this section to the provisions in this Division shall be read as including a reference to the provisions of any

regulations made for the purposes of subsection 267ZF and of any orders made pursuant to any such regulations.

267ZFRegulations to give effect to Regulations 4, 9 and 10 of Annex IV

The regulations may make provision for, and in relation to, giving effect to Regulations 4, 9 and 10 of Annex IV.

267ZGInternational Sewage Pollution Prevention Certificates for Australian ships

(1)Where, on receipt of declarations of survey in respect of an Australian ship, the Authority is satisfied that the ship is constructed in accordance with the provisions of Annex IV, the Authority may, whether or not the ship is required by Annex IV to be constructed in accordance with those provisions, issue in respect of the ship an International Sewage Pollution Prevention Certificate in the prescribed form attesting such compliance.

(2)If, after the survey of an Australian ship carried out by a survey authority, the survey authority is satisfied that the ship is constructed in accordance with the provisions of Annex IV, the survey authority may, whether or not the ship is required by Annex IV to be constructed in accordance with those provisions, issue in respect of the ship an International Sewage Pollution Prevention Certificate in the prescribed form attesting such compliance.

267ZHInternational Sewage Pollution Prevention Certificates for foreign ships

Where:
(a)at the request of the Government of the State under whose authority a foreign ship is operating (not being a ship which is entitled to fly the flag of a State which is not a Party to the Prevention of Pollution from Ships Convention), the Authority has caused that ship to be surveyed; and
(b)the Authority, on receipt of declarations of survey in respect of that ship, is satisfied that the ship is constructed in accordance with the provisions of Annex IV;
the Authority may, whether or not the ship is required by Annex IV to be constructed in accordance with those provisions, issue in respect of the ship an International Sewage Pollution Prevention Certificate in the prescribed form attesting such compliance.

267ZJAlteration etc. of construction of ships and cancellation of certificates

(1)Where the construction of an Australian ship in respect of which a sewage certificate is in force is altered, or such a ship is damaged, in a manner which affects its compliance with the provisions of Annex IV, the master or owner of the ship shall, within 7 days after the construction of the ship is altered or the ship is damaged, as the case may be, give a notice in writing of the alteration or damage to such person, and in such form, as are prescribed and, if the notice is not so given, the master and the

owner of the ship are each guilty of an offence punishable upon conviction by a fine not exceeding $1,000.

(2)Where a notice required to be given under subsection (1) is not given within the period referred to in that subsection, the following provisions of this subsection have effect:
(a)the obligation to give the notice continues, notwithstanding that that period has expired, until the notice is given;
(b)the master and the owner of the ship are each guilty of a separate and further offence in respect of each day during which the notice is not given, being a day after the expiration of that period;
(c)the penalty applicable to each such separate and further offence is a fine not exceeding $1,000.

(2A)An offence under subsection (1) or (2) is an offence of strict liability.

Note: For strict liability, see section 6.1 of the Criminal Code.

(3)Where the Authority has reason to believe that:
(a)the report of a surveyor in respect of an Australian ship in respect of which a sewage certificate is in force was fraudulently or erroneously made or obtained; or
(b)a sewage certificate has been issued in respect of an Australian ship upon false or erroneous information; or
(c)the construction of an Australian ship in respect of which a sewage certificate is in force has been altered, or such a ship has been damaged, in a manner which affects its compliance with the provisions of Annex IV; or
(d)the owner of an Australian ship in respect of which a sewage certificate is in force has failed to comply with subsection 267ZK(1) in respect of the ship;
the Authority may, by instrument in writing, cancel the certificate.

(4)Where the Authority cancels a sewage certificate issued in respect of an Australian ship, the certificate is of no force or effect after the Authority has given notice in writing of the cancellation addressed to the owner, agent or master of the ship and served in accordance with the regulations.

(5)If a sewage certificate issued in respect of an Australian ship is cancelled under this section, the Authority may:
(a)require the certificate to be given to a specified person; and
(b)detain the ship until the requirement is complied with.

(6)The requirement under paragraph (5)(a) must be:
(a)made by notice in writing; and
(b)addressed to the owner, agent or master of the ship; and
(c)served in accordance with the regulations.

(7)Without limiting subsection (1) or (3), an Australian ship in respect of which a sewage certificate is in force must be taken to

be damaged if the ship is unfit to proceed to sea without presenting an unreasonable threat of harm to the marine environment.

267ZKShips to be surveyed periodically

(1)The owner of an Australian ship in respect of which a sewage certificate is in force shall, at least once during each period that is a prescribed period in relation to the ship for the purposes of this section, cause the ship to be surveyed for the purpose of ensuring its compliance with the provisions of Annex IV.

(2)Where the owner of an Australian ship in respect of which a sewage certificate is in force fails to comply with subsection (1) in relation to the ship and to a period that is a prescribed period in relation to the ship, the owner is guilty of an offence punishable upon conviction by a fine not exceeding $2,000.

(3)An offence under subsection (2) is an offence of strict liability.

Note: For strict liability, see section 6.1 of the Criminal Code.

267ZLCancellation of sewage certificate if ship ceases to be an Australian ship

A sewage certificate ceases to have effect if the ship in respect of which it was issued ceases to be an Australian ship.

267ZMCertificates required for Australian ships

(1)The master of an Australian ship to which this Division applies shall not take that ship to sea unless a sewage certificate is in force in respect of that ship.

Penalty: $10,000 or imprisonment for 4 years, or both.

(2)The owner of an Australian ship to which this Division applies shall not permit that ship to be taken to sea unless a sewage certificate is in force in respect of that ship.

Penalty: $10,000 or imprisonment for 4 years, or both.

(3)The regulations may exempt ships included in a prescribed class of ships from the application of subsections (1) and (2), either absolutely or subject to conditions.

267ZNCertificates to be carried on board Australian ships

The owner of an Australian ship in respect of which a sewage certificate is in force shall cause the certificate to be carried on board the ship.

Penalty: $1,000.

267ZPProduction of certificates

Where:
(a)application is made to an officer of Customs in respect of an Australian ship for a clearance under the Customs Act for a voyage from a port in Australia; and
(b)the master of the ship would contravene subsection 267ZM(1) if the master took the ship to sea without there being in force in respect of the ship a sewage certificate;
the master of the ship shall, if so required by the officer of Customs, produce to the officer of Customs the sewage certificate in force in respect of the ship, and the officer of Customs may refuse to grant the clearance, and the ship may be detained, until the certificate is produced to the officer.

267ZQDirections in relation to foreign ships

(1)Subject to subsection (2), where the Authority is of the opinion that a foreign ship is not constructed in accordance with the provisions of Annex IV (whether or not the ship is required by Annex IV to be so constructed), the Authority may, by notice in writing addressed to the master or the owner of the ship and served in accordance with the regulations, direct:
(a)that the ship shall not enter any port, or a specified port or specified ports, in Australia; or
(b)that the ship shall not use any off-shore terminal, or a specified off-shore terminal or specified off-shore terminals, in Australia; or
(c)that the ship comply with specified requirements while it is entering, is in or is leaving any port, or a specified port or specified ports, in Australia; or
(d)that the ship comply with specified requirements while it is approaching, is using or is leaving any off-shore terminal, or a specified off-shore terminal or specified off-shore terminals, in Australia.

(2)The Authority shall not exercise its powers under subsection (1) except to the extent that it appears to the Authority necessary or expedient to do so for the protection of the environment.

(3)Nothing in this section shall be taken to prevent the issuing of more than one direction under subsection (1) in relation to a ship.

(4)If:
(a)the master or owner of a ship is served with a notice under subsection (1); and
(b)the master or owner does not comply with any direction contained in that notice;
the master and the owner each commit an offence punishable on conviction by a fine not exceeding 100 penalty units.

(4A)An offence under subsection (4) is an offence of strict

liability.

Note: For strict liability, see section 6.1 of the Criminal Code.

(5)If:
(a)the master or owner of a ship is served with a notice under subsection (1); and
(b)the master or owner does not comply with any direction contained in that notice; and
(c)the master or owner is reckless as to whether there is a failure to comply with that direction;
the master and the owner each commit an offence punishable on conviction by a fine not exceeding 500 penalty units.

(6)In proceedings for an offence against subsection (4) or (5) in relation to a failure to comply with a direction under subsection (1), it is a defence if it is proved:
(a)that the failure to comply with the direction resulted from the need to save life at sea or was due to an emergency involving a threat to a person's life; or
(b)that compliance with the direction was not possible.

267ZSOperation of Division

In spite of anything in the Protection of the Sea Legislation Amendment Act 1986, this Division does not commence until a day fixed by Proclamation for the purposes of this section.
Division 13-Report of accidents and of dangers to navigation

268Accidents etc. to be reported

(1)This section applies to a ship if:
(a)it is a ship to which Part II applies; or
(b)it is either within Australia or on a voyage to a port in Australia.

(1A)If the ship has sustained or caused an accident occasioning loss of life or serious injury to a person, the master of the ship must:
(a)as soon as practicable, having regard to the means of communication available to him or her, report the accident to such member of staff of the Authority as is prescribed; and
(b)within such time as the member of staff specifies, give a written report to the member in a form required by subsection (1E) in relation to the accident.

Penalty: 500 penalty units.

(1B)If:
(a)the ship has sustained an accident or has otherwise received damage, or a defect in the ship or its boilers, machinery or equipment has been discovered; and
(b)the accident, damage or defect has affected, or is likely to affect:

(i)the seaworthiness or safety of the ship; or
(ii)the efficient operation or the safety of the boilers, machinery or fixed equipment of the ship; or
(iii) the efficiency or completeness of the life-saving appliances or other safety equipment of the ship;
the master of the ship must:
(c)as soon as practicable, having regard to the means of communication available to him or her, report the accident, damage or defect to such member of staff of the Authority as is prescribed; and
(d)within such time as the member of staff specifies, give a written report to the member in a form required by subsection (1E) in relation to the accident, damage or defect.

Penalty: 200 penalty units.

(1C)If the ship:
(a)has been in a position of great peril, either from the action of some other ship or from danger of wreck or collision; or
(b)has been stranded or wrecked; or
(c)has fouled or done any damage to a pipeline or submarine cable or to a lighthouse, lightship, beacon, buoy or other marine mark, except a lighthouse, lightship, beacon, buoy or marine mark to which section 19B of the Lighthouses Act 1911 applies;
the master of the ship must:
(d)as soon as practicable, having regard to the means of communication available to him or her, report the event to such member of staff of the Authority as is prescribed; and
(e)within such time as the member of staff specifies, give a written report to the member in a form required by subsection (1E) in relation to the event.

Penalty: 200 penalty units.

(1D)If the ship:
(a)has left a port in Australia; and
(b)for reasons of repair or maintenance that might affect the seaworthiness or safety of the ship, later puts back to that port or navigates to another port in Australia;
the master of the ship must:
(c)as soon as practicable, having regard to the means of communication available to him or her, report the event to such member of staff of the Authority as is prescribed; and
(d)within such time as the member of staff specifies, give a written report to the member in a form required by subsection (1E) in relation to the event.

Penalty: 20 penalty units.

(1E)A written report relating to an accident referred to in subsection (1A), an accident, damage or defect referred to in subsection (1B) or an event referred to in subsection (1C) or (1D) is in a form required by this subsection if it includes:
(a)such particulars of the accident, damage, defect or event and of the time, place and circumstances of its occurrence as are

prescribed; and
(b)such particulars of the ship, its owner and its crew as are prescribed; and
(c)such particulars of the voyage during which the accident, damage, defect or event occurred as are prescribed.

(2)In this section:

fixed equipment means equipment included in a class of equipment specified in the regulations as fixed equipment for the purposes of this section.

safety equipment means equipment included in a class of equipment specified in the regulations as safety equipment for the purposes of this section.

269Notification of loss of ships

If:
(a)the owner or agent of a ship to which Part II applies has reason to believe that the ship has been wholly lost; or
(b)the owner or agent of any other ship has reason to believe that the ship has been wholly lost on or near the coast of Australia;
the owner or agent shall forthwith give notice in writing to the Authority that he or she believes the ship to be lost and shall state, to the best of his or her knowledge, the probable cause of the loss.

Penalty: 50 penalty units.

269AReport of dangers to navigation

(1)The master of a ship to which Part II applies commits an offence if:
(a)the master meets with, or is informed of, any serious danger to navigation on or near his or her course; and
(b)the master does not, at the earliest practicable time:
(i)send out to ships in the vicinity, by all means of communication at his or her disposal, the prescribed safety signal, followed by a message (the danger message) conveying such information as is prescribed; and
(ii)make a report to shore to such a person, and in such a manner, as is prescribed.

Penalty: 200 penalty units.

(2)The reference in subsection (1) to a serious danger to navigation includes, but is not limited to, any of the following:
(a)dangerous ice;
(b)a dangerous derelict;
(c)a tropical storm;
(d)sub-freezing air temperature associated with gale force winds causing severe ice accretion on superstructures;
(e)winds of force 10 on the Beaufort scale for which no storm

warning has been received.

(3)Subsection (1) does not apply where compliance with that subsection would interfere with the transmission of a signal of distress.

(4)The transmission, under this section, of danger messages respecting ice, derelicts or other dangers to navigation is to be free of cost to the ships concerned.

Division 14-Report of movement of ships

269BDefinitions

In this Division, unless the contrary intention appears:

Australia includes the external Territories.

Australian ship means a ship to which Part II applies.

prescribed area, in relation to any reporting matter or matters, means an area of sea around Australia, that comprises so much of:
(a)the area for which Australia has responsibility for search and rescue; and
(b)any area of the sea beyond the outer limits of the area referred to in paragraph (a) that is an area in respect of which Australia is required or permitted, under an international treaty, to obtain reports relating to the movement, or intended movement, of ships;
as is prescribed for the purposes of this Division in relation to that matter or those matters.

reporting matter means any matter relating to the movement, or intended movement, of ships, including any such matter that is referred to under an international treaty by which rights are conferred or duties are imposed on Australia as a contracting party.

269CObjects of Division

The objects of this Division include the making of provisions with respect to the reporting of the movement or intended movement of ships so as to enable Australia:
(a)to exercise rights conferred, or carry out the duties imposed, on Australia under customary international law or as a contracting party under international treaties that provide for:
(i)coast watching; and
(ii)the rescue of persons in distress at sea; and
(iii) the prevention, minimisation or reduction of pollution of the sea by ships or by activities associated with ships; and
(iv)the safety of ships; and
(v)the safeguarding of ships against any unlawful interference with maritime transport; and

(vi)any other matter in respect of which a right is conferred, or a duty imposed, on Australia; and
(b)to establish reporting requirements for Australian ships.

269DRegulations relating to reporting requirements

(1)The regulations may make provision for, and in relation to, the reporting requirements:
(a)of all ships (other than Australian ships) that are in, or in the process of entering or leaving, the prescribed area in relation to a reporting matter; and
(b)of all Australian ships wherever located.

(2)Without limiting the generality of subsection (1), such regulations may provide for:
(a)the form and content of sailing plans for ships (other than Australian ships) proposing to leave a port in Australia bound for another port in Australia or a port outside Australia; and
(b)the form and content of sailing plans for Australian ships proposing to leave any port (including a port outside Australia) bound for another port (including another port outside Australia); and
(c)the form and content of reports on the movement of ships (other than Australian ships) entering, traversing or leaving the prescribed area in relation to a reporting matter, including reports on their position, course and speed and such other matters as the regulations prescribe; and
(d)the form and content of reports on the movement of Australian ships including reports on their position, course and speed and such other matters as the regulations prescribe; and
(e)the requirement to notify the cancellation of sailing plans and to furnish additional movement reports if a ship deviates, by more than a prescribed amount, from a previously indicated course; and
(f)the time at which and manner in which sailing plans, movement reports and cancellation of sailing plans are to be notified to the Authority; and
(g)the full or partial exemption of ships from all or any of the requirements of regulations in force under this section.

(3)The regulations may prescribe different reporting requirements:
(a)for prescribed areas in relation to different reporting matters; or
(b)for different classes of ship (other than Australian ships) that are within, or entering or leaving, a prescribed area in relation to a particular reporting matter; or
(c)for different classes of Australian ship.

Part V-Passengers

270Regulations as to passenger trade

The Regulations may, in regard to ships to which Part II

applies, prescribe any matters or things necessary or convenient for regulating the carriage of passengers generally, and in particular in regard to:
(a)equipment;
(b)conveyance of stock;
(c)number of passengers to be carried and their accommodation;
(d)provisions, water, medical and surgical stores, and medical inspection;
(e)medical staff and attendants;
(ea)hospital accommodation;
(f)sanitary matters;
(g)discipline;
(h)sale of spirits;
(i)passenger lists;
(j)cargo to be carried and the method of stowing cargo.

272Provision for passengers wrecked

If:
(a)any ship carrying passengers is wrecked, or is disabled and unable to proceed on its voyage within a reasonable time, whilst on its voyage from one port to another in Australia; or
(b)any ship carrying passengers coming from any port outside Australia is wrecked on the coast of Australia;
the owner or master shall cause the passengers to be taken on to their destination, and shall defray their maintenance until so taken on:
Provided that, if any passenger is tendered and accepts the return of the passage money paid by the passenger, such liability shall cease.

273Assurances in connection with passages

A policy of assurance effected in respect of any passage, or of any passage or compensation money by any person by this Part made liable, in the events aforesaid, to provide such passage or to pay such money, or in respect of any other risk under this Part, shall not be invalid by reason of the nature of the risk or interest sought to be covered by the policy of assurance.

274Responsibility of owner to other persons

(1)In the absence of any agreement to the contrary, the owner of a ship shall be the person ultimately responsible, as between himself or herself and the other persons by this Part made liable, in respect of any default in complying with any requirement thereof.

(2)If any person so made liable pays any money by this Part made payable to or on behalf of a passenger, or is mulct in a penalty for an offence arising out of a failure on the part of the owner to comply with the requirements of this Part, that person shall be entitled, in the absence of any agreement as aforesaid, to sue for and recover from the owner the amount so paid, together with costs.

275Passenger landed elsewhere than at destination

(1)The master or owner of a ship commits an offence if:
(a)the master or owner engages in conduct; and
(b)the conduct results in a passenger on the ship being landed from the ship at a port other than the port at which the passenger contracted to land.

Penalty: $1,000.

(2)Subsection (1) does not apply if:
(a)the passenger consents to being landed from the ship as mentioned in paragraph (1)(b); or
(b)it is an unavoidable necessity that the passenger be landed as mentioned in paragraph (1)(b).

Note: A defendant bears an evidential burden in relation to the matters in subsection (2) (see subsection 13.3(3) of the Criminal Code).

276Right of action by passenger

Nothing in this Part shall take away or abridge any right of action which may accrue to a passenger in any ship, or to any other person, in respect of the breach or non-performance of any contract made between or on behalf of the passenger or other person and the master, charterer, or owner of the ship, or his or her agent.

278Obstructing ship or machinery

(1)A passenger or other person on board a ship must not do an act that results in:
(a)the obstruction of any part of the machinery or equipment of the ship; or
(b)the obstruction or molestation of the master or crew of the ship in the execution of their duty.

Penalty: $1,000.

(2)The master or other officer of any ship, and all persons called by such person to his or her assistance, may, without any warrant, detain any person who commits any offence against this section, and whose name and address are unknown to the master or officer, and convey the offender with all convenient despatch before a Court of summary jurisdiction to be dealt with according to law.

(3)If any person commits an offence against subsection (1), he or she shall, on demand by any person in the employ of the owner of the ship, give his or her true name and address.

(4)A person commits an offence if:
(a)the person is subject to a requirement under subsection (3) to give his or her true name and address; and
(b)the person engages in conduct; and
(c)the person's conduct contravenes the requirement.

Penalty: $500.

279Power to exclude certain persons

(1)The master of any ship may refuse to receive on board thereof any person who, by reason of drunkenness or otherwise, is in such a state, or misconducts himself or herself in such a manner, as to cause annoyance or injury to passengers on board; and, if any such person is on board, the master may after tendering to the person the amount of his or her fare (if that person has paid it) less a proper deduction in respect of the distance (if any) he or she has been conveyed from the port of embarkation, put the person ashore at any one of the principal ports in Australia (as defined in the regulations).

(2)The master of any ship may refuse to receive on board thereof any person who appears to be suffering from any disease likely to endanger the health or safety of those on board.

280Taking passage for lunatic, or sending lunatic on board

(1)No person shall engage or pay for a passage, on any ship, for a lunatic, or bring or send a lunatic on board ship as a passenger, without informing the owner, master, or agent of the ship that the person is a lunatic.

Penalty: $500.

(2)For the purposes of this section, lunatic includes any person of unsound mind, and any person who, to the knowledge of the person charged with a contravention of this section, is liable to become a lunatic or person of unsound mind.

281Offences on ships by disorderly persons

No person shall:
(a)enter a ship after being refused admission thereto by the owner, or any person in the employ of the owner, on account of that person's being drunk, or disorderly, or on account of his or her suffering from disease, or for other proper reason, and after the amount of that person's fare (if he or she has paid it) has been tendered to him or her; or
(b)fail to quit a ship upon being ordered by the master in pursuance of section 279 to do so, and upon tender of his or her fare, or part thereof, as provided in that section; or
(c)molest any passenger on a ship.

Penalty: $500.

282Offences by passengers

(1)No person shall:
(a)enter a ship after having been refused admission thereto by the owner, or any person in the employ of the owner, on account of the ship being full, and after the amount of that person's fare

(if he or she has paid it) has been tendered to him or her; or
(b)fail to quit a ship forthwith, after being ordered to do so by master or any officer, on account of the ship being full, before it has left the place at which that person went on board and after having the amount of his or her fare (if he or she has paid it) returned or tendered to him or her; or
(c)travel in a ship without first paying his or her fare, and with intent to avoid payment thereof; or
(d)having paid his or her fare for a certain distance, proceed in the ship beyond that distance without first paying the additional fare for the additional distance, and with intent to avoid payment thereof; or
(e)fail to quit the ship at the place to which that person has paid his or her fare; or
(f)fail, when requested by an officer of the ship to do so, either to pay his or her fare or exhibit that ticket or receipt, if any, showing the payment of his or her fare; or
(g)not being a passenger or a member of the crew, fail to quit any ship when requested by any officer thereof.

Penalty: $500.

(2)The penalty under this section shall not prejudice the recovery of any fare payable by the offender.

Part VA-Special purpose ships and special personnel

283Interpretation

In this Part:

special purpose ship means a ship specified in the regulations as a special purpose ship or a ship included in a class of ships specified in the regulations as special purpose ships.

special personnel means persons carried on board a special purpose ship with the knowledge or consent of the owner, agent or master of the ship, other than:
(a)the master or any other member of the crew of the ship;
(b)a pilot;
(c)a person temporarily employed on the ship in port; or
(d)any person included in a class of persons prescribed for the purposes of this paragraph.

283APower to make regulations

(1)The regulations may make provision for or in relation to special purpose ships or special personnel with respect to any matter with respect to which provision is made by this Act or may be made by regulations made otherwise than by virtue of this section.

(2)The regulations may provide that a specified provision of this

Act does not apply, or applies with prescribed modifications, in relation to special purpose ships or special personnel.

283BSpecial personnel not passengers

For the purposes of this Act, persons who are special personnel carried on board a special purpose ship shall, except where the contrary intention appears, be deemed not to be passengers on that ship.

Part VB-Off-shore industry vessels and off-shore industry mobile units

283CExtension to prescribed Territories

(1)This Part extends to every external Territory prescribed for the purposes of section 8.

(2)In subsection (1), this Part includes the regulations made by virtue of this Part and the orders made in pursuance of those regulations.

283DRegulations with respect to off-shore industry vessels

(1)The regulations may make provision:
(a)for or in relation to giving effect to resolutions of the International Maritime Organization with respect to off-shore industry vessels or classes of off-shore industry vessels; and
(b)in relation to off-shore industry vessels with respect to any matter with respect to which provision is made by this Act or may be made by regulations made otherwise than by virtue of this section.

(2)The regulations may provide that a specified provision of this Act does not apply, or applies with prescribed modifications, in relation to off-shore industry vessels or a class of off-shore industry vessels.

(5)Nothing in this section shall be taken to authorize the making of regulations affecting the operation of section 2, 8 or 8A.

283ERegulations with respect to off-shore industry mobile units

(1)The regulations may make provision:
(a)for or in relation to giving effect to resolutions of the International Maritime Organization with respect to off-shore industry mobile units or classes of off-shore industry mobile units;
(b)in relation to off-shore industry mobile units with respect to any matter with respect to which provision is made by this Act or may be made by regulations made otherwise than by virtue of this section; and
(c)for or in relation to any of the following matters, namely:
(i)the inspection and survey of off-shore industry mobile units,

and the issue of survey certificates in respect of such units;

(ii)the construction, hull, equipment and machinery of off-shore industry mobile units;

(iii) the stability of off-shore industry mobile units;

(iv)accommodation on off-shore industry mobile units;

(v)safety in relation to off-shore industry mobile units, including life-saving equipment and appliances to be carried on such units;

(vi)the prevention, detection and extinction of fire on off-shore industry mobile units;

(vii) the prevention of collisions involving off-shore industry mobile units;

(viii)the navigation (including towing) of off-shore industry mobile units;

(ix)the equipping of off-shore industry mobile units with radio installations and operation, maintenance and use on off-shore industry mobile units of radio installations;

(x)the manning of off-shore industry mobile units;

(xi)the securing to the seabed of off-shore industry mobile units engaged in drilling, laying pipelines or other operations;

(xii) the providing of off-shore industry vessels for use in association with off-shore industry mobile units;

(xiii)the transfer of persons and goods to or from off-shore industry mobile units, including the provision, maintenance and use of cranes and other lifting devices and equipment and helicopter landing facilities;

(xiv) the prevention of pollution, or other damage to the environment, by off-shore industry mobile units;

(xv)the carrying of an operating manual by off-shore industry mobile units;

(xvi) the carriage of dangerous goods on off-shore industry mobile units; and

(xvii)the granting of exemptions, whether conditionally or unconditionally, to off-shore industry mobile units from any requirement of this Act.

(2)The regulations may provide that a specified provision of this Act does not apply, or applies with prescribed modifications, in relation to off-shore industry mobile units or a class of off-shore industry mobile units.

(5)Section 2 does not have effect in relation to regulations made by virtue of this section, or in relation to orders made by virtue of such regulations, that make provision for or in relation to the providing of off-shore industry vessels for use in association with off-shore industry mobile units.

283FDirections with respect to off-shore industry mobile units

(1)The Authority may, by notice in writing served on the master or owner of an off-shore industry mobile unit, give directions with respect to any matter for or in relation to which provision may be made by the regulations by virtue of section 283E.

(2)Directions given under subsection (1) do not have effect to the extent that they are inconsistent with regulations made by virtue of section 283E or orders made under subsection 425(1AA).

(3)The master and owner of an off-shore industry mobile unit each commit an offence if:
(a)the Authority gives a direction to the master or owner under subsection (1); and
(b)that direction is not complied with.

Penalty: 60 penalty units.

(4)An offence under subsection (3) is an offence of strict liability.

Note: For strict liability, see section 6.1 of the Criminal Code.

283GOff-shore industry vessels and mobile units not registered in Australia deemed to be registered in Australia

(1)Subject to subsection (2) and except where the contrary intention appears, the provisions of this Act apply in relation to an off-shore industry vessel, or an off-shore industry mobile unit, that is not registered in Australia as if it were registered in Australia and were not registered in any other country.

(2)The Authority may, by instrument in writing, direct that, in relation to an off-shore industry vessel, an off-shore industry mobile unit, a class of off-shore industry vessels or a class of off-shore industry mobile units specified in the direction, subsection (1) does not have effect or does not have effect in respect of a provision or provisions of this Act specified in the direction.

(3)A direction under subsection (2):
(a)is subject to such conditions (if any) as are specified in the direction; and
(b)may be confined to a particular period or to one or more particular voyages or operations.

(4)The master and owner of an off-shore industry vessel or an off-shore industry mobile unit that is not registered in Australia each commit an offence if:
(a)the Authority gives a direction to the master or owner of the off-shore industry vessel or off-shore industry mobile unit, under subsection (2), in respect of:
(i)the off-shore industry vessel or off-shore industry mobile unit; or
(ii)a class of off-shore industry vessels or off-shore industry mobile units that includes the off-shore industry vessel or off-shore industry mobile unit; and
(b)the direction is expressed to be subject to a condition; and
(c)that condition is contravened or not complied with.

Penalty: 60 penalty units.

(5)An offence under subsection (4) is an offence of strict liability.

Note: For strict liability, see section 6.1 of the Criminal Code.

283HPersonnel of off-shore industry vessels and mobile units not passengers

(1)For the purposes of this Act, personnel carried on board an off-shore industry vessel or off-shore industry mobile unit shall, except where the contrary intention appears, be deemed not to be passengers on that ship.

(2)In subsection (1), personnel means persons carried on board an off-shore industry vessel or off-shore industry mobile unit with the knowledge or consent of the owner, agent or master of the ship, other than:
(a)the master or any other member of the crew of the ship;
(b)a pilot;
(c)a person temporarily employed on the ship in port; or
(d)any person included in a class of persons prescribed for the purposes of this paragraph.

283JNotices by Minister as to International Maritime Organization resolutions

(1)The Minister may, by notice published in the Gazette, set out the terms of a resolution of the International Maritime Organization with respect to:
(a)off-shore industry vessels or a class or classes of off-shore industry vessels; or
(b)off-shore industry mobile units or a class or classes of off-shore industry mobile units.

(2)A notice in the Gazette purporting to be published under subsection (1) is, for all purposes, prima facie evidence of the matters declared in the notice.

283KRegulations, orders and directions inconsistent with Petroleum (Submerged Lands) Act 1967 etc. [see Note 3]

(1)Regulations made by virtue of sections 283D and 283E, orders made under subsection 425(1AA) and directions given under section 283F do not have effect to the extent that they are inconsistent with the Petroleum (Submerged Lands) Act 1967 (including regulations made under that Act and directions given under section 101 of that Act, but not including the provisions of the laws of the States and the Northern Territory applied by that Act) or with the Petroleum (Submerged Lands) Act of a State or the Northern Territory (including regulations made, and directions given, under such an Act, but not including the provisions of other laws of the State or Territory, as the case may be, applied by such

an Act).

(2)The reference in subsection (1) to the Petroleum (Submerged Lands) Act of a State or the Northern Territory shall be construed as a reference to the Act of the State or the Territory, as the case may be, relating to the exploration for, and the exploitation of, the petroleum resources of submerged land adjacent to the coast of that State or Territory.

Part VI-The coasting trade

284Application of Part

This Part shall, except where otherwise expressed, apply to all ships, including ships to which Part II does not apply.

286Permits to unlicensed ships

(1)Where it can be shown to the satisfaction of the Minister, in regard to the coasting trade with any port or between any ports in the Commonwealth or in the Territories:
(a)that no licensed ship is available for the service; or
(b)that the service as carried out by a licensed ship or ships is inadequate to the needs of such port or ports;
and the Minister is satisfied that it is desirable in the public interest that unlicensed ships be allowed to engage in that trade, the Minister may grant permits to unlicensed ships to do so, either unconditionally or subject to such conditions as he or she thinks fit to impose.

(2)The carriage, by the ship named in a permit issued under this section, of passengers or cargo to or from any port, or between any ports, specified in the permit shall not be deemed engaging in the coasting trade.

(3)A permit issued under this section may be for a single voyage only, or may be a continuing permit.

(4)If:
(a)a continuing permit is in force in respect of a particular unlicensed ship; and
(b)at any time, the Minister forms the view that it may be no longer desirable in the public interest for that permit to remain in force:
the Minister may, by notice in writing:
(c)inform the permit holder that he or she is of that view; and
(d)invite the permit holder to show cause, within 7 days of receipt of that notice, why the permit should not be cancelled.

(5)A notice under subsection (4) is not a legislative instrument for the purposes of the Legislative Instruments Act 2003.

(5A)If, after having regard to any representations made by or on

behalf of the permit holder and to any other relevant matter, the Minister is satisfied that it continues to be desirable in the public interest for the continuing permit to remain in force, the Minister must inform the permit holder that he or she is so satisfied.

(5B)If, after having regard to any representations made by or on behalf of the permit holder and to any other relevant matter, the Minister is satisfied that it is no longer desirable in the public interest for the continuing permit to remain in force, the Minister must:
(a)cancel the permit with effect from a specified day at least 14 days after the Minister becomes so satisfied; and
(b)notify the permit holder of the fact of the cancellation and its date of effect and of the reasons for the cancellation.

(5C)The Minister must, within 14 days of making a decision under subsection (1) to grant a continuing permit or a decision under subsection (5B) to cancel such a permit, notify in the Gazette:
(a)in the case of a decision to grant a permit-the issue of the permit and particulars of the permit issued; or
(b)in the case of a decision to cancel a permit-the cancellation of the permit, particulars of the permit cancelled and the date from which the cancellation takes effect.

(6)Where it is shown to the satisfaction of the Minister that the tourist traffic between any ports in the Commonwealth or in the Territories is being injured or retarded, and the Minister is satisfied that it is desirable that unlicensed ships be allowed to engage in the trade, the Minister may, by notice published in the Gazette, grant permission to unlicensed ships of such size and speed as are specified in the notice to engage in the carriage of passengers between those ports subject to such conditions (if any) and for such period as are set out in the notice.

(7)The carriage of passengers between those ports, by a ship of the description specified in any such notice and under the conditions (if any), and during the period, set out in the notice, shall not be deemed engaging in the coasting trade.

(8)In this section:

permit holder in relation to a continuing permit granted under this section in respect of an unlicensed ship, means the master, owner, charterer or agent to whom the permit was granted.

287Ships in receipt of subsidies

(1)The master, owner and agent of a ship commit an offence if:
(a)any one or more of the master, owner and agent engage in conduct; and
(b)the ship:
(i)is receiving, directly or indirectly, any subsidy or bonus from the Government of a country other than Australia; or
(ii)is to receive such a subsidy or bonus under an arrangement; or

(iii) has received such a subsidy or bonus in the 12 months immediately preceding the conduct; and
(c)the conduct results in the ship engaging in the coasting trade.

Penalty: $5,000.

(1A)An offence under subsection (1) is an offence of strict liability.

Note: For strict liability, see section 6.1 of the Criminal Code.

(2)Any payment for services bona fide rendered in the carriage of mails, passengers, or goods, at rates based solely on the actual commercial value of these services, shall not be taken to be a subsidy within the meaning of this section.

288Licensing of ships to engage in coasting trade

(1)Subject to this Act, where a ship that is not licensed to do so engages in the coasting trade, the master, owner and agent of the ship are each guilty of an indictable offence punishable on conviction by a fine not exceeding $5,000.

(2)Licences to ships to engage in the coasting trade shall be for such period, not exceeding 3 years, as is prescribed, and may be granted as prescribed.

(3)Every licence shall be issued subject to compliance on the part of the ship, its master, owner, and agent, during such time as it is engaged in the coasting trade, with the following conditions:
(a)That the seamen employed on the ship shall be paid wages in accordance with this Part;
(c)That where a library is provided for the use of passengers, every seaman shall-where no library for their special use is provided-be entitled to obtain books therefrom under the same conditions as may regulate the issue of such books to the passengers.

(4)Where a condition referred to in paragraph (3)(a) is not complied with, the owner of the ship is guilty of an offence punishable on conviction by a fine not exceeding $5,000.

(5)Before granting any licence, the Minister may require security to be given to his or her satisfaction by the master, owner, charterer or agent for compliance with the conditions of the licence and the requirements of this Part.

(6)In addition to, or in lieu of, any penalty otherwise provided, the Minister may cancel any licence if he or she is satisfied that a breach of any of the above conditions has been committed.

(7)No licence shall be cancelled unless an opportunity has been given to the master, owner, or agent of the ship to show cause against cancellation.

(8)An offence under subsection (1) or (4) is an offence of strict liability.

Note: For strict liability, see section 6.1 of the Criminal Code.

289Payment of Australian rates of wages

(1)Every seaman employed on a ship engaged in any part of the coasting trade shall, subject to any lawful deductions, be entitled to and shall be paid, for the period during which the ship is so engaged, wages at the current rates ruling in Australia for seamen employed in that part of the coasting trade, and may sue for and recover those wages.

(2)In the case of ships trading to places beyond Australia, the wages to which a seaman is entitled under this section shall be paid before the departure of the ship from Australia, and the master of such a ship shall produce to the officer of Customs to whom application is made for a clearance under the Customs Act for an international voyage from a port in Australia evidence to the satisfaction of that officer of such payment, and the officer of Customs may refuse to grant the clearance, and the ship may be detained, until such evidence is produced to him or her.

290Indorsement of rate of wages on agreement

(1)If the seamen employed on any ship were not engaged in Australia, the master shall, before the ship engages in the coasting trade, make and sign an indorsement or memorandum on the agreement specifying the wages to be paid to the seamen whilst the ship engages in the coasting trade, and that indorsement or memorandum shall have effect as an agreement under section 46 between the master and those seamen.

(2)Where under the original agreement a seaman is entitled to be paid at a higher rate of wages than the rate ruling in Australia for seamen in a corresponding rating, nothing in this section shall affect the seaman's right to such higher rate during the engagement of the ship in the coasting trade.

291Seamen's rights not affected by agreement

(1)No provision in any agreement, whether made in or out of Australia, shall be taken to limit or prejudice the rights of any seaman under this Part.

(2)Where, by reason of a seaman's being entitled to a higher rate of wages while the ship on which the seaman serves is engaged in the coasting trade:
(a)any deduction is made from his or her wages earned out of Australia; or
(b)the seaman is paid a lesser rate of wages outside Australia than is usual in voyages of a similar nature;

it shall be deemed that the seaman is not paid wages in accordance with this Part while the ship is so engaged in the coasting trade.

292Evidence of rates of wages

An Australian Pay and Classification Scale (or APCS) or a transitional award within the meaning of the Workplace Relations Act 1996 which is binding on or applicable to seamen employed in any part of the coasting trade is prima facie evidence of the rates of wages in Australia for those seamen.

293Responsibility of master, owner and agent for compliance with Act

The master, owners, and agents of any ship engaging in the coasting trade, shall be jointly and severally responsible for compliance with this Part by or in respect of the ship.

293APower to suspend provisions as to coasting trade

(1)The Governor-General may, if at any time he or she considers it expedient in the public interest to do so, by Proclamation suspend, for such time as is specified in the Proclamation, the operation of any of the foregoing provisions of this Part, as regards any ship or class of ships, and either unconditionally or subject to such conditions (if any) as he or she thinks fit to impose.

(2)A Proclamation issued in pursuance of subsection (1) may provide for suspension for the period specified in the Proclamation, or may provide for suspension until the issue of a Proclamation revoking the prior Proclamation.

Part VII-Wrecks and salvage

Division 1-Interpretation

294Interpretation

(1)In this Part, unless the context otherwise requires:

common understanding concerning Articles 13 and 14 of the Salvage Convention means the common understanding:
(a)that is referred to in section 315; and
(b)the terms of which are set out in Part B of Schedule 9.

damage to the environment means substantial physical damage to human health or to marine life or resources in coastal or inland waters or areas adjacent thereto, caused by pollution, contamination, fire, explosion or similar major incidents.

historic wreck means:
(a)a historic shipwreck within the meaning of the Historic Shipwrecks Act 1976; or
(b)a historic relic within the meaning of that Act.

natural resources means the mineral and non-living resources of the seabed and its subsoil.

Organization means the International Maritime Organization.

payment means any reward, remuneration or compensation due under Division 3.

property means any property not permanently and intentionally attached to the shoreline and includes freight at risk.

receiver means the Authority or a person appointed by the Authority to be a receiver of wreck in any assigned district.

Salvage Convention means the International Convention on Salvage, 1989, as set out in Part A of Schedule 9 to this Act.

salvage operation means any act or activity undertaken to assist a vessel or any other property in danger in navigable waters or in any other waters whatsoever.

Secretary-General means the Secretary-General of the Organization.

tidal water means a part of the sea, or a part of a river within the ebb and flow of the tide at ordinary spring tides, but does not include a harbour.

vessel means any ship or craft, or any structure capable of navigation.

wreck includes jetsam, flotsam, lagan, and derelict found in or on the shores of the sea or any tidal water, and any articles or goods of whatever kind which belonged to or came from any ship wrecked, stranded, or in distress, or any portion of the hull machinery or equipment of any such ship.

(2)A reference in this Part to Division 3 includes a reference to the provision having the force of law under section 315.

295Powers of Customs reserved

The operation of this Part shall in no way derogate from or interfere with the powers of the Customs conferred by any Act.

295ACertain provisions of Part not applicable to historic wrecks

(1)The provisions of sections 302 to 312 (inclusive), section 314 and Division 3 do not apply in relation to a wreck that is a historic wreck.

(2)Where the provisions referred to in subsection (1) (in this subsection referred to as the relevant provisions) cease to apply in relation to a wreck by reason that it becomes a historic wreck, section 8 of the Acts Interpretation Act 1901 has effect, subject to the Historic Shipwrecks Act 1976, in respect of any previous

application of the relevant provisions in relation to that wreck as if the relevant provisions had been repealed by another Act with effect from the date on which they so cease to apply, but nothing in this subsection precludes the relevant provisions from again applying in relation to that wreck if it subsequently ceases to be a historic wreck.

295BCertain provisions of Part not applicable to certain wrecks

(1)The provisions of sections 302 to 312 (inclusive), section 314 and Division 3 do not apply in relation to a wreck:
(a)that is a historic shipwreck or historic relic within the meaning of a law of a State or of the Northern Territory that relates to shipwrecks or relics of historic significance; and
(b)in relation to which the provisions of that law apply.

(2)Where the provisions referred to in subsection (1) (in this subsection referred to as the relevant provisions) cease to apply in relation to a wreck to which subsection (1) applies, section 8 of the Acts Interpretation Act 1901 has effect in respect of any previous application of the relevant provisions in relation to that wreck as if the relevant provisions had been repealed by another Act with effect from the date on which they so ceased to apply, but nothing in this subsection precludes the relevant provisions from again applying in relation to that wreck if it subsequently ceases to be a wreck to which subsection (1) applies.

Division 2-Wreck

296Receiver where ship in distress

(1)Where any ship is wrecked, stranded, or in distress at any place on or near the coasts of Australia or any tidal water within Australia, the receiver for the district shall proceed thither, and upon arrival shall take the command of all persons present, and give such directions to each person as the receiver thinks fit for the preservation of the ship, and of the lives of the persons belonging to the ship (in this Part referred to as shipwrecked persons), and of the wreck:
Provided that the receiver shall not interfere between the master and the crew of the ship in reference to the management thereof, unless requested to do so by the master.

(2)No person shall disobey the directions of the receiver.

Penalty for a contravention of this subsection: $500.

297Powers of receiver to require assistance

(1)The receiver may, with a view to the preservation of shipwrecked persons or of the wreck:
(a)require such persons as he or she thinks necessary to assist the receiver;
(b)require the master of any ship near at hand to give such aid

with his or her men or ship as is in the master's power;
(c)require the use of any vehicle or draught animal that is near at hand.

(2)No person shall refuse to comply with any such requisition.

Penalty: $500.

(3)Subsection (2) does not apply if the person has reasonable cause.

Note: A defendant bears an evidential burden in relation to the matter in subsection (3) (see subsection 13.3(3) of the Criminal Code).

298Power to pass over private land to assist at wreck

(1)Whenever a ship is wrecked, stranded, or in distress, all persons may, for the purpose of rendering assistance to the ship, or of saving the lives of the shipwrecked persons, or of saving the wreck, unless there is some public road equally convenient, freely pass and repass, either with or without vehicles or draught animals, over any lands, but doing as little damage as possible, and may also, on the like condition, deposit any wreck on any lands.

(2)Any damage occasioned by the exercise of the rights given by this section shall be a charge on the wreck in respect of or by which the damage is occasioned, and the amount of compensation payable for such damage shall be determined and be recoverable in the same manner as if it were salvage.

(3)A person commits an offence if the person engages in conduct, and the conduct results in:
(a)the impeding of any person in the exercise of the rights given by this section; or
(b)the impeding of the deposit of any wreck on the land; or
(c)the prevention of any wreck from remaining so deposited until it can be removed to a safe place.

Penalty: $500.

299Power of receiver to suppress plunder and disorder by force

(1)Whenever a ship is wrecked, stranded, or in distress and any person plunders, creates disorder, or obstructs the preservation of the ship, or of the shipwrecked persons or of the wreck, the receiver may cause that person to be apprehended.

(2)The receiver may use force for the suppression of any such plundering, disorder, or obstruction, and may command all persons present to assist him or her in so doing.

(3)If any person is killed, maimed, or hurt, by reason of his or her resisting the receiver or any person acting under the

receiver's orders in the execution of his or her duty, neither of the latter shall be liable to any punishment or to pay any damages by reason of the person being so killed, maimed, or hurt.

300Exercise of powers when receiver absent

(1)Where a receiver is not present, the following persons in succession (each in the absence of the other, in the order in which they are named) namely, an officer of Customs or an officer of police, may do anything authorized to be done by the receiver.

(2)Any person so acting for a receiver shall with respect to any wreck be considered as the agent of the receiver, and shall place the wreck in his or her custody, but shall not be deprived, by reason of that person so acting, of any right to salvage to which he or she would otherwise be entitled.

301Examination on oath as to wrecks

(1)Where any ship is or has been wrecked, stranded, or in distress within the limits of Australia, a receiver, or in the absence of the receiver a collector or a justice, shall examine on oath any person who is able to give any account thereof as to the following matters (that is to say):
(a)the name and description of the ship;
(b)the name of the master and of the owners;
(c)the names of the owners of the cargo;
(d)the ports from and to which the ship was bound;
(e)the occasion of the wrecking, stranding, or distress of the ship;
(f)the services rendered; and
(g)such other matters or circumstances relating to the ship, or to the cargo on board, as the person holding the examination thinks necessary.

(2)The person holding the examination shall cause the evidence given at the examination to be taken down in writing and shall send a copy of the evidence so taken down to the Authority.

(3)The person holding the examination shall, for the purposes thereof, have all the powers of the Authority under this Act.

302Finding or taking possession of wreck

Where any person:
(a)finds or takes possession of any wreck within the limits of Australia, or
(b)having found or taken into possession any wreck outside Australia, subsequently brings it within the limits of Australia;
that person shall give notice to the receiver, stating that he or she has found or taken possession of the wreck, and describing the marks by which it may be recognized.

Penalty: $1,000.

303Penalty for retaining possession of wreck

(1)No person, other than the owner thereof, shall keep possession of any wreck, or fail on demand to deliver it to the receiver or to any person authorized by the receiver to demand it.

Penalty: $1,000.

(2)The receiver, or any person authorized by the receiver, may take any such wreck by force from any person refusing to deliver it.

304Notice to be posted in Customs-house

Where a receiver takes possession of any wreck, he or she shall within 48 hours cause to be posted in the nearest Customs-house a description thereof, and of any distinguishing marks.

305Claim of owner to wreck

(1)The owner of any wreck in the possession of the receiver, upon establishing his or her claim thereto to the satisfaction of the receiver within one year from the time at which the wreck came into his or her possession, shall, upon paying the salvage, fees, and expenses due, be entitled to have the wreck or the proceeds thereof delivered up to him or her.

(2)Where any wreck from a ship to which Part II does not apply, which has been wrecked on or near the coasts of Australia, is found on or near those coasts, or is brought into any port in Australia, the consul of the country to which the ship or in the case of cargo to which the owner thereof belongs, shall, in the absence of the owner and of any agent of the owner, be deemed to be the agent of the owner, so far as relates to the custody and disposal of the goods.

306Sale of wreck by receiver

(1)A receiver may at any time sell any wreck in his or her custody, if in the receiver's opinion it is:
(a)under the value of $40; or
(b)of such condition or nature that it should not be kept; or
(c)not of sufficient value to pay for keeping.

(2)The proceeds of the sale shall, after defraying the expenses thereof, be held by the receiver for the same purposes and subject to the same claims, rights, and liabilities as if the wreck had remained unsold.

307Expenses connected with wreck

In regard to expenses connected with any wreck, the following provisions shall apply:
(a)All expenses properly incurred by any receiver in the execution

of his or her duty shall be recoverable in a summary manner from the owner of the ship or wreck in respect of which any services were performed;

(b)The receiver shall, in addition to all other rights and remedies for the recovery of those expenses, have the same rights and remedies in respect thereof as a salvor has in respect of salvage;

(c)If any dispute arises in regard to any such expenses, it shall be determined by the Minister, whose decision shall be final.

308Right of Commonwealth

The Commonwealth shall be entitled to all unclaimed wreck found in Australia.

309Sale of unclaimed wreck by receiver

Where no owner establishes a claim to any wreck, found in or brought into Australia and in the possession of a receiver, within one year after it came into the receiver's possession, the receiver shall sell it and shall pay the proceeds of the sale (after deducting therefrom the expenses of the sale and any other expenses incurred by the receiver, and paying thereout to the salvors such amount of salvage as the Minister directs or as is prescribed) to the Commonwealth.

310Discharge of receiver from liability

Upon compliance with the provisions of this Part the receiver shall be discharged from all liability, but such discharge shall not prejudice or affect any question which may be raised by third parties concerning the right or title to any wreck.

311Disputes as to title to wreck

(1)Where a dispute arises as to the title to any wreck, it may be determined in the same manner as if it were a dispute as to salvage.

(2)If any party to the dispute is unwilling to have it so determined, that party may proceed, in any Court of competent jurisdiction, to establish his or her title.

312Taking wreck out of Australia

Every person who takes into any place out of Australia any ship stranded, derelict, or otherwise in distress, or any wreck found on or near the coasts of Australia, and there sells it, shall be guilty of an offence punishable on conviction by a fine not exceeding $5,000 or imprisonment for a period not exceeding 2 years, or both.

313Boarding ship in distress without authority

(1)No person shall board any ship which is wrecked, stranded, or

in distress.

Penalty: $500.

(1A)Subsection (1) does not apply if the person has the leave of the master of the ship concerned.

Note: A defendant bears an evidential burden in relation to the matter in subsection (1A) (see subsection 13.3(3) of the Criminal Code).

(2)The master of the ship may repel by force any person acting in contravention of this section.

314Offences as to wreck

A person commits an offence if the person engages in conduct, and the conduct results in:
(a)the impeding of the saving of any ship stranded or in distress, or of any wreck; or
(b)the secreting of any wreck, or the defacing or obliteration of any marks on any wreck; or
(c)the wrongful removal of any wreck.

Penalty: $2,000.

314ARemoval of wrecks on or near coast

(1)If a ship or part of a ship is wrecked, stranded, sunk or abandoned on or near the coast of Australia, the Authority has, in regard thereto, the following powers:
(a)to require the owner thereof, by notice in writing, to remove the wreck, or a specified part of the wreck, within a time specified in the notice, or give security for such removal to its satisfaction;
(b)in the event of the owner not complying with such notice, to remove or to destroy the wreck, or the part of the wreck, as the case may be, in any manner it sees fit;
(c)to sell any wreck, or a part of any wreck, recovered under its orders, and out of the proceeds of the sale:
(i)to retain a sum to cover the expenses incurred in the recovery and sale of the wreck or the part of the wreck; and
(ii)to pay the surplus (if any) to the owner;
(d)to recover from the owner any expenses incurred by it in connection with such removal or destruction.

(2)For the purposes of this section:

owner means the owner immediately prior to the time of the loss or abandonment of the ship or the part of the ship.

(3)The provisions of subsection (1) have effect in relation to a wreck that is a historic wreck despite anything contained in the Historic Shipwrecks Act 1976 but, in respect of a wreck that is a historic wreck, the Authority must not exercise any of the powers

referred to in that subsection unless in its opinion it is necessary to do so for the purposes of:
(a)saving human life; or
(b)securing the safe navigation of ships; or
(c)dealing with an emergency involving a serious threat to the environment.

(4)The Authority shall not exercise any of the powers referred to in subsection (1) in relation to a wreck to which subsection 295B(1) applies unless in its opinion it is necessary to do so for the purpose of:
(a)saving human life; or
(b)securing the safe navigation of ships; or
(c)dealing with an emergency involving a serious threat to the environment.

(5)Section 2 does not have effect in relation to this section.

Division 3-Salvage

315Certain provisions of Salvage Convention to have force of law

Articles 6 to 8, 12 to 19, 21 to 22, 26 and 30 of the Salvage Convention and the common understanding concerning Articles 13 and 14 of the Salvage Convention have the force of law in Australia.

316Application of this Division

(1)Subject to subsections (2) and (3), this Division applies whenever judicial or arbitral proceedings relating to the provision of salvage operations are brought in Australia.

(2)The Division does not apply to:
(a)off-shore industry fixed structures; or
(b)off-shore industry mobile units;
that are on location engaged in the exploration for, or the exploitation or production, of natural resources.

(3)This Division does not apply to any salvage operation:
(a)that takes place in inland waters and that involves vessels all of which are of inland navigation; or
(b)that takes place in inland waters and does not involve a vessel; or
(c)to the extent that it involves property:
(i)that is maritime cultural property of prehistoric, archaeological or historic interest; and
(ii)that is situated on the seabed.

317Application of section 2 to this Division

Unless otherwise specified, section 2 does not apply to this Division.

317AAssistance to persons in danger at sea

(1)The master of a ship shall, so far as he or she can do so without serious danger to his or her ship, its crew and passengers (if any), render assistance to any person, even if such person be a subject of a foreign State at war with Australia, who is found at sea in danger of being lost.

(2)The master of a ship who fails to comply with the provisions of this section shall be guilty of an offence punishable on conviction by imprisonment for a period not exceeding 10 years.

(3)Compliance by the master of a ship with the provisions of this section shall not affect his or her right, or the right of any other person, to make a claim in respect of a salvage operation.

329BSalvage claims against the Crown

(1)Subject to subsection (2), this Part, other than Division 2, applies in relation to salvage operations conducted:
(a)to save life from, or to assist, a Government ship; or
(b)to save a wreck, or any cargo or equipment, which belongs to the Commonwealth or a State or Territory;
in the same manner as if the ship, wreck, cargo or equipment belonged to a private person.

(2)A claim does not lie against the Commonwealth or the Australian Postal Corporation by virtue of this section in respect of anything done or suffered in relation to an article in the course of post, or the contents of an article in the course of post, while the article is being carried by sea.

(3)In this section:

article in the course of post means an article that is being carried by or through the Australian Postal Corporation, and includes an article that has been collected or received by the Australian Postal Corporation for carriage by post, but has not been delivered by the Australian Postal Corporation.

329CSalvage claims by the Crown

(1)If salvage operations are conducted by or on behalf of the Commonwealth, a State, a Territory or the government of a prescribed country, the Commonwealth, the State, the Territory or that government, as the case may be, is entitled to claim payment in respect of those operations to the same extent, and has the same rights and remedies, as any other salvor.

(2)The regulations may make provision in relation to salvage operations, and claims for salvage operations, conducted by or on behalf of the Commonwealth, a State, a Territory or the government of a prescribed country.

(3)Without limiting the generality of subsection (2), the regulations which may be made by virtue of that subsection include

regulations providing for or in relation to:
(a)the action to be taken with respect to ships and other property saved as a result of salvage operations conducted by or on behalf of the Commonwealth or a State or Territory;
(b)the execution of bonds for the payment of salvage operations so conducted;
(c)the taking of security for the performance of bonds executed under regulations made by virtue of paragraph (b);
(d)the adjudication on, and the enforcement of, bonds executed under regulations made by virtue of paragraph (b) or under a law of a prescribed country corresponding with those regulations; and
(e)the conditions subject to which claims for salvage operations may be made by the commander or master, or other members of the crew, of a Government ship or a ship belonging to a prescribed country.

Part VIII-Exclusion of shipowners' liability

Division 2-Exclusion of liability

338Ship owner not to be liable in certain cases of loss of, or damage to, goods

The owner of a ship to which Part II applies or which is registered in a prescribed country shall not be liable to make good to any extent whatever any loss or damage happening without his or her actual fault or privity where:
(a)any goods, merchandise or other things whatsoever taken in or put on board the ship are lost or damaged by reason of fire on board the ship; or
(b)any goods, being gold, silver, diamonds, watches, jewels or precious stones taken in or put on board the ship, the true nature and value of which have not, at the time of shipment, been declared by the owner or shipper thereof to the owner or master of the ship in the bills of lading or otherwise in writing, are lost or damaged by reason of any robbery, embezzlement, making away with or secreting thereof.

Part IXA-Review of decisions

377BDecisions under Part I

Application may be made to the Administrative Appeals Tribunal for review of a decision under subsection 8B(2) refusing to give a direction, or a particular kind of direction, in relation to a ship or in relation to ships included in a class of ships, or the giving of a direction under that subsection subject to conditions or limitations.

377CDecisions under Part II

Application may be made to the Administrative Appeals Tribunal for review of:

(a)a decision under subsection 14(6) refusing to exempt a ship or to exempt ships included in a class of ships, or the granting of an exemption under that subsection subject to conditions or limitations;

(b)a decision under paragraph 14(9)(a) to cause a ship to be detained;

(c)the imposing of a requirement under paragraph 14(9)(b);

(d)a decision under subsection 46(2A) refusing to approve an agreement;

(e)the making of a determination under subsection 47(1), or a decision refusing to revoke a determination made under that subsection;

(f)a decision under subsection 76(4) disallowing or refusing to disallow a deduction;

(g)a decision refusing to give a direction under subsection 76(5) in relation to the master of a specified ship or the master of a ship included in a specified class of ships, or the giving of a direction under that subsection subject to conditions;

(h)the imposing of a requirement under subsection 116(2), or a decision refusing to impose a requirement under that subsection;

(j)a decision under subsection 116(4) certifying that there was no reasonable ground for a complaint;

(k)a finding under subsection 120(2) that provisions or water are not of good quality;

(m)the imposing of a requirement under subsection 126(2);

(n)the imposing of a requirement under subsection 132A(1);

(o)the imposing of a requirement under section 137;

(p)a decision under subsection 156(1) or (3);

(q)a decision under subsection 158(5) or (6);

(r)a decision under section 158A;

(s)a decision under section 159 refusing a claim to the property of a deceased seaman; or

(t)the giving of a notice under subsection 162(1).

377CADecisions under Part IIIA

Application may be made to the Administrative Appeals Tribunal for review of a decision under section 186K:

(a)refusing to grant an exemption from the requirement to navigate with a pilot in a compulsory pilotage area; or

(b)refusing to grant such an exemption as to a part of a ship's proposed navigation in a compulsory pilotage area.

377DPrincipal decisions under Part IV in relation to certificates and exemptions

Application may be made to the Administrative Appeals Tribunal for review of a decision under Part IV:

(a)refusing to issue a certificate;

(b)refusing to grant an exemption from a requirement in relation to a certificate or from any other requirement or any provision of this Act;

(c)granting an exemption subject to conditions;
(d)restricting an exemption;
(e)determining the duration of a certificate or exemption;
(f)refusing to extend a certificate or exemption;
(g)cancelling or suspending a certificate;
(h)refusing to permit a certificate to be amended; or
(j)cancelling or suspending an exemption.

377EOther decisions under Division 1 of Part IV

Application may be made to the Administrative Appeals Tribunal for review of:
(a)a decision refusing to give a direction under subsection 187A(4), or the giving of a direction under that subsection subject to conditions;
(b)a decision under section 187BA refusing to approve a standard of classification certificate;
(c)the imposing of a requirement under subsection 190AA(3);
(d)the imposing of a requirement under subsection 190A(4), or the detaining of a ship under that subsection;
(e)a decision under subsection 191A(2) refusing to allow a particular fitting, material, appliance or apparatus, or type of fitting, material, appliance or apparatus, to be fitted or carried in a ship; or
(f)a decision refusing to inform the owner or master of a ship as to satisfaction with the matter referred to in subsection 192C(3).

377FOther decisions under Division 3 of Part IV

Application may be made to the Administrative Appeals Tribunal for review of:
(a)a decision under subsection 210(1) provisionally to detain a ship;
(b)a decision under subsection 210(6) finally to detain a ship or to order its release on conditions;
(c)a decision under subsection 210(7) refusing to order the release of a ship; or
(d)a decision under subsection 213(1) requiring a complainant to give security for costs and compensation.

377GOther decisions under Divisions 4, 5, 6A and 10 of Part IV

Application may be made to the Administrative Appeals Tribunal for review of:
(a)a decision refusing to issue a memorandum under subsection 216A(1);
(b)the modifications specified in a memorandum issued under subsection 216A(1);
(c)a decision not to make a request under subsection 227(1);
(d)the detaining of a ship under section 227C;
(e)the making of a declaration under subsection 227E(2);
(f)the detaining of a ship under section 231D; or
(g)the giving of a notice under subsection 254(1).

377HOther decisions under Divisions 12, 12A and 12C of Part IV

Application may be made to the Administrative Appeals Tribunal for review of the giving of a direction under subsection 267K(1), 267Y(1) or 267ZQ(1).

377JDecisions under Part VB

Application may be made to the Administrative Appeals Tribunal for review of the giving of a direction under subsection 283F(1).

377JADecisions under Part VI

Application may be made to the Administrative Appeals Tribunal for review of a decision to cancel a continuing permit granted under section 286.

377KDecisions under Part XA

Application may be made to the Administrative Appeals Tribunal for review of:
(a)a decision as to the terms of a tonnage measurement certificate under section 405F or 405H;
(b)a decision refusing to issue a tonnage measurement certificate under section 405F or 405H; or
(c)a decision not to make a request under section 405J.

377LDecisions under Part XI

Application may be made to the Administrative Appeals Tribunal for review of:
(a)the imposing of a requirement under paragraph 413(1)(g);
(b)a decision refusing to approve a security under subsection 418A(1); or
(c)a decision under subsection 421 refusing to exempt a ship or person, or the granting of an exemption under that subsection subject to conditions.

377MStatements to accompany notices

(1)This section applies where:
(a)the person making a decision under this Act gives to a person whose interests are affected by the decision notice in writing of the making of the decision; and
(b)application may be made to the Administrative Appeals Tribunal for review of the decision.

(2)The notice shall:
(a)include a statement to the effect that, if the person is dissatisfied with the decision, application may, subject to the Administrative Appeals Tribunal Act 1975, be made to the Administrative Appeals Tribunal for review of the decision; and
(b)except where subsection 28(4) of that Act applies, also include a statement to the effect that the person may request a statement under section 28 of that Act.

(3)A contravention of subsection (2) in relation to a decision does not affect the validity of the decision.

(4)In this section, decision has the same meaning as in the Administrative Appeals Tribunal Act 1975.

Part X-Legal proceedings

Division 1-Jurisdiction

378Place where deemed to have been committed

For the purpose of giving jurisdiction under this Act, every offence shall be deemed to have been committed, and every cause of complaint to have arisen, either:
(a)in the place in which it actually was committed or arose; or
(b)in any place in which the offender or person complained against is.

379Presumption of jurisdiction

If, in any legal proceeding under this Act, a question arises whether any ship or person is or is not within the provisions of this Act or of some part thereof, the ship or person shall be taken to be within those provisions unless the contrary is proved.

380Jurisdiction over ships lying off coast

(1)Where any district within which any Court has jurisdiction is situate on the sea coast, or abuts on or projects into any navigable water, the Court shall have jurisdiction over any ship being on or lying or passing off that coast, or being in or near that navigable water, and over all persons thereon or belonging thereto, in the same manner as if the ship or persons were within the limits of the original jurisdiction of the Court.

(2)The jurisdiction in this section shall be in addition to, and not in derogation of, any jurisdiction or power of a Court of summary jurisdiction.

384Action against official

(1)No action shall lie against any official for anything done under the provisions of this Act, unless direct proof of corruption or malice be given.

(2)Any such action must be commenced within 3 months from the date of the act forming the subject of such action.

(3)If the plaintiff in any such action discontinues, or is non-suited, or if judgment is given for the defendant, the latter shall have treble costs.

Division 2-Offences

385Definitions

In this Division, unless the contrary intention appears:

appropriately qualified means having such training or experience as may be prescribed for the purposes of this definition.

approved laboratory means a laboratory approved by the Authority under paragraph 386J(1)(d) to conduct tests to determine a person's blood alcohol content under subsection 386B(3).

approved operator means an operator approved by the Authority under paragraph 386J(1)(b) to take breath samples under paragraph 386B(3)(a) or 386C(1)(d).

approved person means a person approved by the Authority under paragraph 386J(1)(c) to receive declarations under paragraph 386G(1)(b).

authorised person means a person:
(a)who is appropriately qualified; and
(b)who is approved as an authorised person by the Authority for the purposes of sections 386C, 386E and 386F.

breath analysis machine means a machine or device:
(a)that is for taking and analysing samples of breath; and
(b)that is of a kind approved by the Authority in accordance with regulations made for the purposes of paragraph 386J(1)(a).

386General offences

No person shall:
(c)refuse to answer any questions lawfully put to him or her, or to produce documents lawfully demanded of him or her;
(d)refuse to give all reasonable assistance to any person who is carrying out any duty or power imposed on him or her by this Act;

Penalty: $1,000.

386AImpairment of person's capacity to carry out duties as master or seaman

(1)If a master or seaman is, while on board a ship, under the influence of alcohol or any other drug (whether medicinal or otherwise) to such an extent that the person's capacity to carry out the person's duties as master or seaman is impaired, the person is guilty of an offence.

Penalty: Imprisonment for 12 months.

(2)If:

(a)a master or seaman is, while on board a ship:
(i)under the influence of alcohol or any other drug (whether medicinal or otherwise) to such an extent that the person's capacity to carry out the person's duties as master or seaman is impaired; or
(ii)in breach of his or her duty as such a master or seaman; or
(iii) operating the ship in a dangerous manner; and
(b)the impairment, breach of duty or manner of operation causes or contributes to:
(i)the likelihood of loss or destruction of, or damage to, the ship or another ship, or to the cargo or equipment of the ship or another ship; or
(ii)the loss or destruction of, or damage to, the ship or another ship, or to the cargo or equipment of the ship or another ship; or
(iii) the likelihood of injury to, or of the death of, another person; or
(iv)injury to, or the death of, another person;
the master or seaman commits an offence against this subsection.

(3)An offence against subsection (2) is punishable, on conviction, as follows:
(a)if the impairment, breach of duty or manner of operation caused or contributed to the likelihood of loss or destruction of, or damage to, the ship or another ship, or to the cargo or equipment of the ship or another ship-imprisonment for 2 years;
(b)if the impairment, breach of duty or manner of operation caused or contributed to the actual loss or destruction of, or damage to, the ship or another ship, or to the cargo or equipment of the ship or another ship-imprisonment for 4 years;
(c)if the impairment, breach of duty or manner of operation caused or contributed to the likelihood of injury to, or of the death of, another person-imprisonment for 5 years;
(d)if the impairment, breach of duty or manner of operation caused or contributed to injury to another person-imprisonment for 7 years;
(e)if the impairment, breach of duty or manner of operation caused or contributed to the death of another person-imprisonment for 10 years.

386BUnacceptable blood alcohol content

(1)If a master or seaman has, while on board a ship, a blood alcohol content that equals or exceeds the specified limit, that person is guilty of an offence against this section.

Penalty: Imprisonment for 6 months.

(1A)An offence under subsection (1) is an offence of strict liability.

Note: For strict liability, see section 6.1 of the Criminal Code.

(2)The specified limit of blood alcohol content is:

(a)in the case of a master or of a seaman while on duty-.04 grams of alcohol per 100 millilitres of blood; or
(b)in the case of a master or seaman, on board the ship but not on duty-.08 grams of alcohol per 100 millilitres of blood.

(3)The blood alcohol content of a person's blood may be determined:
(a)by a test of the person's breath by an approved operator using a breath analysis machine in a manner prescribed; or
(b)by an examination of the person's blood or urine by an approved laboratory.

386CMaster or seaman may be required to undergo examination or to provide samples

(1)If an authorised person has reasonable cause to believe:
(a)that the capacity of a master or seaman to undertake the duties of his or her position is impaired because of alcohol or other drugs; or
(b)that the blood alcohol content of the blood of a master or seaman exceeds the specified limit;
the authorised person may, by notice in writing given to the master or seaman, require the master or seaman to do all or any of the following:
(c)undergo a physical examination by a medical practitioner;
(d)permit the taking of a sample of blood by a medical practitioner;
(e)provide a breath sample to, or to permit the taking of such a sample by, an approved operator of a breath analysis machine;
(f)provide a sample of urine to, or to permit the taking of a sample of urine by, an authorised person or a medical practitioner;
(g)provide a mouth swab to, or to permit the taking of a mouth swab by, an authorised person or a medical practitioner.

(2)A notice under subsection (1) must set out:
(a)the time at which the requirement was made; and
(b)the name of the person who made the requirement; and
(c)the place at which, and time within which, the master or seaman to whom the notice is given must present himself or herself for the purpose of undergoing the examination, or for providing or permitting the taking of the sample, or the mouth swab, to which the notice relates.

(3)A notice under subsection (1) is not a legislative instrument for the purposes of the Legislative Instruments Act 2003.

386DRefusal to provide sample of breath for analysis

A person who has, in accordance with the requirement of this Act, been required to provide a sample of breath for analysis is guilty of an offence if:
(a)he or she refuses to provide a sample of breath for analysis; or
(b)he or she refuses to provide a sample of breath in accordance

with the reasonable directions of the operator of a breath analysis machine.

Penalty: Imprisonment for 6 months.

386ERefusal to submit to physical examination or to provide samples

(1)A person who is required under this Act to undertake a physical examination is guilty of an offence if:
(a)he or she fails or refuses to submit to the physical examination; or
(b)he or she fails or refuses, when required under this Act to do so, to provide a urine sample or mouth swab to the medical practitioner conducting the examination for analysis by an approved laboratory or to permit a blood or urine sample, or a mouth swab to be taken by the practitioner for that purpose.

Penalty: Imprisonment for 6 months.

(1A)A person who is required under this Act to permit a medical practitioner to take a blood sample for analysis commits an offence if he or she refuses or fails to permit it to be taken.

Penalty: Imprisonment for 6 months.

(2)A person who is required under this Act to provide a urine sample or a mouth swab to an authorised person or to a medical practitioner for analysis, or to permit an authorised person or a medical practitioner to take a urine sample or mouth swab for that purpose, commits an offence if he or she refuses or fails so to provide the sample, or to permit it to be taken.

Penalty: Imprisonment for 6 months.

(2A)An offence under subsection (1), (1A) or (2) is an offence of strict liability.

Note: For strict liability, see section 6.1 of the Criminal Code.

(3)It is a defence to a prosecution for an offence against subsection (1), (1A) or (2) if the person establishes that the failure or refusal was based on religious or other conscientious grounds or on medical grounds.

386FConsumption of alcohol before undergoing examination etc.

(1)If an authorised person requires a master or seaman to undergo a physical examination or to give or permit the taking of, a sample of breath, blood or urine for analysis, the person must not, before undergoing that examination or giving or permitting the taking of that sample of breath, blood or urine, consume any alcohol or take any other drug (whether medicinal or otherwise).

Penalty: Imprisonment for 6 months.

(2)It is a defence to a prosecution for an offence against subsection (1) if the person establishes that the taking of the drug:
(a)was based on a reasonably held belief that failure to take the drug could endanger life or health; or
(b)was required by a prescription issued by a medical practitioner.

386GMedical drugs

(1)A person who has taken, or who proposes to take, a drug for medical purposes must not come on duty or remain on duty after taking that drug unless:
(a)the person has taken reasonable steps to satisfy himself or herself that the drug will not affect, or has ceased to affect, the person's capacity to perform the duties of his or her position; or
(b)the person has given a declaration to an approved person setting out:
(i)the circumstances in which the drug was taken, or will be taken; and
(ii)the nature and quantity of the drug involved; and
(iii) the time or times at which the drug was taken or will be taken.

Penalty: Imprisonment for 6 months.

(2)If the person referred to in subsection (1):
(a)is a seaman other than a master-the person must give the declaration under subsection (1) in writing to the master of the vessel on which the person is performing his or her duties; and
(b)is a master-the person may give the declaration either in writing or by radio message or by facsimile or telephone to his or her employers.

(3)A declaration made under subsection (1) must not be disclosed to or by a third person except for the purposes of seeking advice concerning the capacity of the person who gave the declaration to carry out the duties of his or her position.

Penalty: Imprisonment for 12 months.

(4)If a person has given a declaration to another person under subsection (1), that other person must not allow the person who gave the declaration to come on duty or to remain on duty if the person to whom the declaration was made knows, or ought reasonably to have known, that the capacity of the person giving the declaration to carry out the duties of his or her position would be impaired by the drug concerned.

Penalty: Imprisonment for 12 months.

(5)Subsection (4) does not apply if the person has a reasonable excuse.

Note: A defendant bears an evidential burden in relation to the matter in subsection (5) (see subsection 13.3(3) of the Criminal Code).

386HPermitting or requiring performance of duties by impaired person

(1)If a person:
(a)permits or requires another person to undertake or to continue duty; and
(b)knows or ought reasonably to know the other person's capacity to perform those duties is impaired by the influence of alcohol or any other drug;
the first-mentioned person is guilty of an offence.

Penalty: Imprisonment for 6 months.

(2)It is a defence to a prosecution for an offence against subsection (1) if the person establishes that the permission was given or the requirement made on the grounds of necessity.

386JRegulations

(1)The regulations may make provision for the Authority to approve:
(a)breath analysis machines designed and constructed to ascertain the concentration of alcohol present in a sample of a person's breath and capable of recording that concentration in grams per 100 millilitres of blood; and
(b)operators to carry out breath analysis using breath analysis machines; and
(c)persons to whom declarations under section 386G must be given; and
(d)laboratories to carry out analysis of urine and blood samples obtained by medical practitioners.

(2)The regulations may make provision for the procedure to be undertaken:
(a)by a medical practitioner in taking a sample of blood from a person; or
(b)by an approved operator in obtaining a sample of a person's breath; or
(c)by an authorised person or by a medical practitioner in taking a sample of urine or a mouth swab from a person.

387Hindering or interfering with masters or officers

A person is guilty of an offence if the person, by violence, threat or intimidation, hinders or interferes with:
(a)the master of a ship; or
(b)an officer of a ship;
in the performance of the master's or officer's duty in relation to the maintenance of the discipline on board the ship.

Penalty: 50 penalty units or imprisonment for 2 years, or both.

387APersuading or inciting breach of agreement

A person shall not persuade or incite a master or seaman to commit a breach of his or her agreement.

Penalty: $500.

388Being on board a ship unlawfully

(1)No person (other than an official or a person duly authorized by the Minister or the Authority) shall go on board or remain alongside or hover near any ship in the port during the night.

Penalty: $500.

(1A)Subsection (1) does not apply if the person has a reasonable excuse or has the permission of the master of the ship concerned.

Note: A defendant bears an evidential burden in relation to the matter in subsection (1A) (see subsection 13.3(3) of the Criminal Code).

(2)The master, an officer of Customs or an officer of police may apprehend and keep in safe custody any person so offending who shall be brought before a justice on the following morning.

389False declarations etc.

A person who:
(a)makes a false declaration, false statement or false representation; or
(b)gives false evidence on oath, in connexion with an application or proceeding under this Act is guilty of an offence punishable on conviction by a fine not exceeding $5,000 or imprisonment for a period not exceeding 2 years, or both.

389AOffences in connection with certificates

(3)If a prescribed officer has reason to believe that an offence against section 137.1, 144.1, 145.1 or 145.2 of the Criminal Code has been committed in relation to a certificate, the officer may, by notice in writing to the person in possession of the certificate, require the certificate to be delivered to the officer.

(4)A person to whom a notice is given under subsection (3) shall comply with the notice.

Penalty: $500.

(4A)An offence under subsection (4) is an offence of strict liability.

Note: For strict liability, see section 6.1 of the Criminal

Code.

(5)Where a certificate has been delivered to a prescribed officer in pursuance of a notice given under subsection (3):
(a)the prescribed officer may, for the purpose of inquiring into the matter, retain the certificate until the expiration of a period of one month after the certificate was delivered to the officer; and
(b)if proceedings in respect of an offence against section 137.1, 144.1, 145.1 or 145.2 of the Criminal Code are pending in relation to the certificate at the expiration of that period, the officer may retain the certificate until the proceedings are discontinued or finally determined.

(6)In this section, certificate means any of the certificates of a master, officer, seaman or pilot that is issued under this Act, and includes a certified copy of such a certificate.

(7)For the purposes of subsection (6), certificate, in relation to a pilot, includes a licence issued to a pilot under regulations made under section 186C.

391Beneficial owners subject to pecuniary penalties

(1)Where a person has a beneficial interest (including an equitable interest arising under contract or otherwise) in a ship, or a share in a ship, registered in the name of another person as owner, the person so interested is, as well as the registered owner, subject to any pecuniary penalty imposed by this Act on the owner of the ship and proceedings may be taken for the enforcement of the penalty against the registered owner or the person so interested, or both of them, with or without joining them.

(2)A person who has an interest in a ship, or a share in a ship, which arose by way of mortgage shall, for the purposes of subsection (1), be deemed not to have a beneficial interest in the ship or in that share in the ship unless he or she is in possession of the ship.

Division 3-Prosecution and penalties

395AProceedings against Corporations

(1)Where, in proceedings for an offence against this Act in respect of any conduct engaged in by a corporation, it is necessary to establish the state of mind of the corporation, it is sufficient to show that a director, servant or agent of the corporation, being a director, servant or agent by whom the conduct was engaged in within the scope of his or her actual or apparent authority, had that state of mind.

(2)Any conduct engaged in on behalf of a corporation:
(a)by a director, servant or agent of the corporation within the scope of his or her actual or apparent authority; or

(b)by any other person at the direction or with the consent or agreement (whether express or implied) of a director, servant or agent of the corporation, where the giving of such direction, consent or agreement is within the scope of the actual or apparent authority of the director, servant or agent;
shall be deemed, for the purposes of a provision of this Act that creates an offence, to have been engaged in by the corporation.

(3)A reference in subsection (1) to the state of mind of a person includes a reference to the knowledge, intention, opinion, belief or purpose of the person and the person's reasons for the intention, opinion, belief or purpose.

396Limitation of actions

(1)No action shall be maintainable to enforce any claim or lien against a ship or its owners in respect of any damage or loss to another ship, its cargo or freight, or any property on board the ship, or damage for loss of life or personal injuries suffered by any person on board the ship, caused by the fault of the former ship, whether such ship be wholly or partly in fault, or in respect of any salvage services, unless proceedings therein are commenced within 2 years from the date when the damage or loss or injury was caused or the salvage services rendered were terminated.

(2)No action shall be maintainable under this Act to enforce any contribution in respect of an over-paid proportion of any damages for loss of life or personal injuries unless proceedings therein are commenced within one year from the date of payment.

(3)Any Court having jurisdiction to deal with an action to which this section relates may, in accordance with the rules of court, extend any period mentioned in this section to such an extent and on such conditions as it thinks fit.

(4)For the purposes of this section, the expression "freight" includes passage money and hire, and reference to damage or loss caused by the fault of a ship shall be construed as including references to any salvage or other expenses consequent upon that fault, recoverable at law by way of damages.

397Offences against certain provisions of Act and regulations

(1)Section 19B of the Crimes Act 1914 does not apply to an offence to which this section applies by virtue of subsection (2) or to an offence against the regulations that is declared by the regulations to be an offence to which this section applies.

(2)This section applies to offences against the following provisions of this Act:
subsections 14(8) and (11), section 16, subsection 125(1), section 186E, subsections 188(4) and 190A(1), section 191B, subsections 192C(4), 193(1), 202(1) and 206H(2), sections 206S, 206T, 206U, 206V and 217, subsections 221(4) and (8), 227A(1) and 227B(1), sections 227D, 228, 231A, 231B, 231C and 233,

subsections 235(1) and (2), section 236, subsection 249(1), section 253, subsections 253A(2) and 254(1), sections 255 and 268 and subsection 269A(1).

399Distress and sale of ships

In all cases in which any Court directs payment of any sum of money by any party, being the master or owner of a ship, and that party does not pay it in accordance with the order, the Court making the order may, in addition to any other of its powers, direct the amount or the portion thereof remaining unpaid to be levied by distress and sale of the whole or any portion of the ship and its equipment, and they shall be sold accordingly.

Division 4-Evidence and service

400Production of depositions

(1)Whenever in the course of any legal proceeding the testimony of any witness is required in relation thereto, then upon due proof that the witness cannot be found in Australia, any deposition that the witness has previously made on oath in relation to the same subject-matter before any Judge or magistrate in a prescribed country, or before a consul of a prescribed country, shall be admissible in evidence, provided that:
(a)if the deposition was made in Australia, it shall not be admissible in any proceeding instituted in Australia;
(b)if the proceeding is criminal, the deposition shall not be admissible unless it was made in the presence of the person accused.

(2)A deposition so made shall be authenticated by the signature of the Judge, magistrate, or consul before whom it is made, and the Judge, magistrate or consul shall certify, if the fact is so, that the accused was present at the taking thereof.

(3)It shall not be necessary in any case to prove the signature or official character of the person appearing to have signed any such deposition, and in any criminal proceeding a certificate under this section shall, unless the contrary is proved, be sufficient evidence of the accused having been present in manner thereby certified.

(4)Nothing in this section shall affect any case in which depositions taken in any proceeding are rendered admissible in evidence by any law of the Commonwealth or of a State or Territory.

401Proof of certificates and other documents

(1)All certificates and other documents purporting to be issued in pursuance of this Act by any official, and to be signed by that official, shall be taken to have been so issued and signed unless the contrary is proved.

(2)Every document purporting to be an office copy of any such certificate or other document, and to be signed in the manner required, shall be admissible in evidence, and shall be deemed to be a true copy of the original.

(3)In proving the transmission of any such certificate or other document to any person required by this Act to possess such a certificate or other document, it shall be sufficient to prove that it:
(a)was duly received by some officer in the public service, and was delivered by such officer to or left at the place of abode or business of such person; or
(b)was forwarded to the person by registered letter.

(4)In this section:

certificate includes a licence issued to a pilot under regulations made under section 186C.

402Evidence as to execution

Any document required by this Act to be executed in the presence of, or to be attested by, a witness, may be proved by the evidence of any person who is able to bear witness to the facts without calling any attesting witness.

403Admissibility of documents in evidence

(1)Where a document is by this Act declared to be admissible in evidence, it shall, on production from the proper custody, be admissible in evidence in any court, or before any person having by law or consent of parties authority to receive evidence, and, subject to all just exceptions, shall be evidence of the matters stated therein in pursuance of this Act or in pursuance of any duty under this Act.

(2)A copy of, or extract from, any such document shall also be admissible in evidence if:
(a)it is proved to be an examined copy or extract; or
(b)it purports to be signed and certified as a true copy or extract by the officer to whose custody the original document was entrusted;
and that officer shall, upon payment of the prescribed fee, furnish a copy or extract so certified to any person applying for it.

(3)Where a document is by this Act declared to be admissible in evidence, a copy of, or an extract from, the document certified by a proper authority, by writing under his or her hand, to be a copy of, or an extract from, that document is, in all courts, admissible in evidence without further proof or production of the original.

(4)Unless the contrary is proved, a certificate purporting to have been signed by a proper authority shall be deemed to have been signed by the person by whom it purports to be signed and that person shall be deemed to be a proper authority.

403AEvidence in proceedings

In any proceeding:
(a)a record kept for the purposes of this Act by an official is admissible as prima facie evidence of the matters stated in the record;
(b)a copy of an entry in such a record, being a copy certified by the person by whom the record is kept to be a true copy of the entry, is admissible as prima facie evidence of the matters stated in the entry; and
(c)a document purporting to be such a record, or purporting to be such a certified copy, shall, unless the contrary is established, be deemed to be such a record or certified copy and to have been duly kept or certified, as the case may be.

404Service of summons

Service of any summons or process in any legal proceeding under this Act shall be deemed good service if made:
(a)personally on the person to be served; or
(b)at his or her last known place of abode or business; or
(c)on board any ship to which he or she belongs, and accompanied with a statement of the purport thereof to the person being or appearing to be in command or charge of the ship.

405Service of notice where there is no master

Where any order, notice, statement, or document is required for the purpose of any provision of this Act to be served on the master of a ship, it shall be served, where there is no master and the ship is within the limits of Australia, on the managing owner of the ship, or, if there is no managing owner, on some agent of the owner residing in Australia, or, where no such agent is known or can be found, by affixing a copy thereof to the mast of the ship.

Division 5-Proceedings against the Crown

405AProceedings against the Crown

(1)Nothing in this Act:
(a)authorizes proceedings in rem in respect of a claim against the Commonwealth or a State or Territory or the arrest, detention or sale of a Government ship or of cargo or other property belonging to the Commonwealth or a State or Territory; or
(b)gives to any person a lien on a Government ship or cargo or other property belonging to the Commonwealth or a State or Territory.

Part XA-Tonnage measurement of ships

405BInterpretation

(1)In this Part, unless the contrary intention appears:

Australian tonnage measurement certificate means a certificate issued under subparagraph 405F(a)(ii) or paragraph 405F(b).

International Tonnage Certificate (1969) means a certificate in the form of the International Tonnage Certificate (1969) set out in Annex II to the Tonnage Measurement Convention.

international voyage means a voyage:
(a)from a port in Australia to a port outside Australia;
(b)to a port in Australia from a port outside Australia;
(c)from a port in a Tonnage Measurement Convention country to a port outside that country; or
(d)to a port in a Tonnage Measurement Convention country from a port outside that country.

ship to which the Tonnage Measurement Convention applies means a ship to which, in accordance with Articles 3 and 4 of the Tonnage Measurement Convention, that Convention applies.

Tonnage Measurement Convention means the International Convention on Tonnage Measurement of Ships, 1969 (a copy of the English text of the articles of which, and of the annexes to which, is set forth in Schedule 8), as affected by any amendment, other than an amendment not accepted by Australia, made under Article 18 of the Convention.

Tonnage Measurement Convention certificate means an International Tonnage Certificate (1969) issued under subparagraph 405F(a)(i).

Tonnage Measurement Convention country means a country or territory specified in a notice under section 405C.

(2)For the purpose of determining whether a voyage is an international voyage:
(a)account shall not be taken of a deviation by a ship from an intended voyage if the deviation is due only to stress of weather or any other circumstance that neither the master nor the owner of the ship could have prevented or forestalled; and
(b)a territory for which the United Nations are the administering authority, or for the international relations of which Australia or any other country is responsible, shall be deemed to be a separate country.

(3)For the purposes of this Part, an unregistered ship flying the flag of a country shall be deemed to be registered in that country.

(4)Where a ship in the course of construction, or the construction of which has been completed, has not been registered and is not flying the flag of a country, but is intended to be registered in a particular country, the ship shall, for the purposes of this Part, be deemed to be registered in that country.

405CDeclaration of countries to which the Tonnage Measurement Convention applies

The Authority may, by notice published in the Gazette, declare that, for the purposes of this Part, a country or territory, other than Australia, specified in the notice is a country or territory to which the Tonnage Measurement Convention applies.

405DCertificate by Minister as to amendments of Convention

The Minister may, by writing under his or her hand, certify that the amendments, other than amendments not accepted by Australia, by which the Tonnage Measurement Convention was affected as at such date as is specified in the certificate are set out in, or annexed to, the certificate, and such a certificate is, for all purposes, prima facie evidence of the matters so certified.

405ETonnage measurement regulations

(1)The regulations may make provision for and in relation to giving effect to the Tonnage Measurement Convention and may, for any purpose specified in the regulations, otherwise make provision (not inconsistent with the Convention) for or in relation to the ascertainment of the tonnage of ships.

(2)Any regulations or orders that make provisions for or in relation to giving effect to the Tonnage Measurement Convention may be expressed to apply to a ship, or a class of ships, that is not engaged on international voyages or to which the Convention otherwise does not apply, and may be expressed so as to apply with or without modifications specified in or to be determined under the regulations or orders, as the case may be.

(3)The Governor-General may, with respect to a provision of the Tonnage Measurement Convention the terms of which are such as to vest in the several governments who are parties to the Convention a discretion as to whether any, and, if any, as to what, action should be taken thereunder, make, by regulation, such provision (if any) as the Governor-General in the exercise of that discretion thinks appropriate.

405FIssue of tonnage measurement certificates

Where the tonnage of a ship is measured under the regulations or orders, the Authority, or a survey authority authorized by the Authority, by instrument in writing, to issue certificates under this section, may issue in respect of the ship:
(a)if the ship is registered in Australia and is a ship to which the Tonnage Measurement Convention applies or would be such a ship if it were engaged on international voyages:
(i)an International Tonnage Certificate (1969); and
(ii)such other tonnage measurement certificates as the regulations or orders provide should be issued in respect of the ship; or
(b)in any other case-such tonnage measurement certificates as the

regulations or orders provide should be issued in respect of the ship.

405GExtension and cancellation of certificates

(1)Provision may be made in the regulations for and in relation to:
(a)the cancellation, in accordance with paragraph (1) of Article 10 of the Tonnage Measurement Convention, of a Tonnage Measurement Convention certificate; and
(b)the continuance in force, in accordance with paragraph (3) of Article 10 of the Tonnage Measurement Convention, of a Tonnage Measurement Convention certificate.

(2)Subject to the regulations or orders, a Tonnage Measurement Convention certificate ceases to have effect if the ship in respect of which it was issued ceases to be registered in Australia.

(3)The regulations may specify circumstances in which an Australian tonnage measurement certificate ceases to have effect and may make provision for and in relation to the extension or cancellation of an Australian tonnage measurement certificate.

(4)Where a Tonnage Measurement Convention certificate or an Australian tonnage measurement certificate is cancelled:
(a)the certificate is of no force or effect after the Authority has given notice in writing of the cancellation to the owner, agent or master of the ship in respect of which the certificate was issued; and
(b)the Authority may require the owner or master of the ship in respect of which the certificate was issued to deliver up the certificate to the Authority or to such other person as the Authority directs, and the ship may be detained until the requirement is complied with.

405HTonnage Measurement Convention country may request Authority to issue certificate

(1)Upon receipt of a request by the government of a Tonnage Measurement Convention country for the issue of an International Tonnage Certificate (1969) in respect of a ship that is registered in that country and a ship to which the Tonnage Measurement Convention applies, the Authority may:
(a)cause the tonnage of the ship to be measured under the regulations or orders; and
(b)issue, or cause to be issued, an International Tonnage Certificate (1969) in respect of the ship.

(2)A certificate issued under this section:
(a)shall contain a statement to the effect that it has been issued at the request of the government of the country in which the ship is registered; and
(b)has effect, for the purposes of this Act, as if it had been issued by that government.

405JAuthority may request Tonnage Measurement Convention country to issue certificate

(1)The Authority may request the government of a Tonnage Measurement Convention country to issue, or cause to be issued, in respect of a ship that is registered in Australia and is a ship to which the Tonnage Measurement Convention applies, an International Tonnage Certificate (1969).

(2)A certificate issued in pursuance of such a request and containing a statement that it has been so issued has effect, for the purposes of this Act, as if it had been issued by the Authority under subparagraph 405F(a)(i).

405KPower of inspection of surveyors

(1)A surveyor may at any reasonable time go on board a ship that is at a port in Australia, being a ship that is registered in a Tonnage Measurement Convention country and is a ship to which the Tonnage Measurement Convention applies, and:
(a)may require the production of the International Tonnage Certificate (1969) issued in respect of the ship; and
(b)may inspect the ship, or any part of the ship, for the purpose of verifying that the main characteristics of the ship correspond to the data given in the certificate.

(2)A person shall not fail to comply with a requirement made by a surveyor under subsection (1).

Penalty: $500.

(3)Subsection (2) does not apply if the person has a reasonable excuse.

Note: A defendant bears an evidential burden in relation to the matter in subsection (3) (see subsection 13.3(3) of the Criminal Code).

(4)An offence under subsection (2) is an offence of strict liability.

Note: For strict liability, see section 6.1 of the Criminal Code.

405MRegister tonnage of non-Convention ships

(1)The amount of the register tonnage specified in the certificate of registry of a ship registered in a prescribed country, other than a ship to which the Tonnage Measurement Convention applies, shall be the register tonnage of the ship for the purpose of this Act.

(2)The amount of the register tonnage of a ship, other than a ship registered in a prescribed country or a ship to which the Tonnage Measurement Convention applies, shall, for the purposes of this

Act, be the register tonnage of the ship as determined in accordance with directions given in writing by the Authority in relation to the ship or the class of ships in which the ship is included.

405NTonnage of non-Convention ships to be measured in certain cases

Where:
(a)an unregistered ship, other than a ship to which the Tonnage Measurement Convention applies, enters a port in Australia; or
(b)a dispute arises as to the tonnage of a ship, other than a ship to which the Tonnage Measurement Convention applies;
the tonnage of the ship shall be measured under the regulations or orders.

405PAssignment of other tonnages to non-Convention ships

(1)Where, under the regulations or orders, there is assigned to a ship a gross tonnage and a register tonnage, instead of the gross tonnage and register tonnage ascertained in relation to the ship in accordance with the other provisions of those regulations, this Act applies in relation to the ship as if references in this Act to gross tonnage were references to the gross tonnage so assigned and references in this Act to register tonnage were references to the register tonnage so assigned.

(2)Where, under the regulations or orders, there is assigned to a ship a gross tonnage and a register tonnage, as alternatives to the gross tonnage and register tonnage ascertained in relation to the ship in accordance with the other provisions of those regulations, the assignment of such a gross tonnage and register tonnage shall be disregarded for the purposes of this Act, without prejudice to its effect for the purposes of any other law.

(3)This section does not apply to a ship to which the Tonnage Measurement Convention applies.

Part XI-Miscellaneous

407Application of penalties and moneys

(1)Unless the contrary intention appears in this Act, all penalties, forfeitures, fees, or moneys recovered or received under this Act shall be paid to the Commonwealth.

(2)Subsection (1) does not apply:
(a)to fees or moneys recovered or received in respect of a function performed by the Authority; or
(b)to fees that, under the regulations, are payable to the Authority.

410Copy of act to be kept on certain ships

(1)The master of a ship to which Part II applies shall keep a copy of this Act on board the ship.

Penalty: 5 penalty units.

(2)In subsection (1), "this Act", except to the extent that the regulations provide otherwise, does not include regulations or orders made under this Act or in pursuance of the regulations.

410ACharts

(1)The master of a ship shall not take the ship to sea, and the owner of the ship shall not permit the ship to go to sea, unless it is supplied with charts, of a suitable scale and properly corrected down to the time of sailing, necessary for use on the particular voyage about to be undertaken.

Penalty (on master or owner):$2,000 or imprisonment for 12 months, or both.

(2)Every officer employed in connexion with the navigation of a ship to which this section applies shall have free access to the charts belonging to the ship in use during the voyage.

Penalty, on master: $2,000 or imprisonment for 12 months, or both.

(3)In this section:

chart includes a chart in electronic form.

410BCivil liability in relation to ship under pilotage

(1)A pilot who has the conduct of a ship is subject to the authority of the master of the ship and the master is not relieved from responsibility for the conduct and navigation of the ship by reason only of the ship being under pilotage.

(2)Despite any law of the Commonwealth or of a State or Territory, the owner or master of a ship navigating under circumstances in which pilotage is compulsory under such a law is answerable for any loss or damage caused by the ship, or by a fault of the navigation of the ship, in the same manner as the master or owner would if pilotage were not compulsory.

(3)If a pilot:
(a)does an act, issues an instruction, or provides information or advice in or in relation to the pilotage of a ship; and
(b)that act is done, that instruction is issued, or that information or advice is provided, in the course of the pilot's duty and in good faith; and
(c)that act, instruction, information or advice affects the navigation of the ship so that loss or damage is caused to or by the ship;
neither the pilot nor any pilotage provider responsible for the provision of the pilot's services is liable in civil proceedings

for that loss or damage.

411Liability of master or owner under vessel traffic management arrangements

(1)The master of a ship is not relieved from responsibility for the conduct and navigation of the ship merely because the ship is subject to vessel traffic management arrangements.

(2)Despite any law of the Commonwealth or of a State or Territory, the owner or master of a ship navigating in circumstances where vessel traffic management arrangements are required to be complied with under such a law is answerable for any loss or damage caused by the ship, or by a fault of the navigation of the ship, in the same manner as the master or owner would be if those vessel traffic management arrangements were not required to be complied with.

(3)In this section:

vessel traffic management arrangements means any measures that affect a ship's navigation implemented under a vessel traffic service by a person not on board the ship.

vessel traffic service means a navigational service implemented under a law of the Commonwealth or of a State or Territory and in accordance with guidelines for vessel traffic services adopted by the International Maritime Organization on 27 November 1997 to improve the safety and efficiency of vessel traffic and to protect the environment.

412Search of vessels

A person authorised by the Minister or by the Authority may, with such assistance as is reasonably necessary, search a ship in a port where the person has reasonable grounds for believing the search to be necessary for the purposes of this Act.

413Powers of Minister

(1)The Minister, or any person authorized by the Minister or the Authority, may:
(a)go on board any ship at any time and inspect the hull, boilers and machinery equipment or any article on board or connected with the ship;
(b)enter and inspect any premises;
(c)summon persons before him or her and require them to answer questions;
(d)require and enforce the production of documents by any person;
(e)administer oaths;
(f)muster the crew and passengers of any ship; and
(g)require and take securities for compliance with this Act.

(2)No person who, in pursuance of this section, is summoned to appear and answer questions or to produce documents or to appear on muster shall fail to so appear or to answer questions or to produce

the documents he or she is lawfully required to produce, or to appear on muster.

Penalty: $1,000.

(3)Subsection (2) does not apply if the person has just cause.

Note: A defendant bears an evidential burden in relation to the matter in subsection (3) (see subsection 13.3(3) of the Criminal Code).

414Detention of ships

(1)Where, under this Act, a ship is to be or may be detained, a superintendent or an officer of Customs may detain the ship.

(2)The master of a ship commits an offence if:
(a)the ship has been detained or notice of detention of the ship has been served on the master; and
(b)following that detention or the service of that notice, the ship goes to sea before it is released by a competent authority.

Penalty: 500 penalty units.

415Taking official to sea

(1)The master and owner of a ship each commit an offence if:
(a)an official performing any duty under this Act is taken to sea in the ship without his or her consent; and
(b)neither the master nor the owner took reasonable steps to prevent the official being so taken to sea.

Penalty: 100 penalty units.

(1A)If either the master or owner of a ship is found to have committed an offence against subsection (1), the master and owner are jointly and severally liable to pay all expenses incidental to the official's return to duty.

(2)An offence under subsection (1) is an offence of strict liability.

Note: For strict liability, see section 6.1 of the Criminal Code.

416Refusal of clearance

Where under this Act any ship is to be detained or may be detained, or where the requirements of this Act with regard to the ship or its officers, crew, or equipment have not been complied with, all officers of Customs may refuse to grant outward clearance to that ship or to grant the ship any transire or any document in the nature thereof.

417Births, deaths etc.

(1)Where, to the knowledge of the master of a ship to which Part II applies:
(a)a member of the crew of the ship, or a passenger or any other person carried on the ship, gives birth to a child, dies or disappears; or
(b)a member of the crew suffers a hurt or injury, or contracts an illness, which incapacitates him or her from the performance of his or her duty;
the master shall:
(c)record the occurrence in the official log-book of the ship together with such particulars with respect to the occurrence as are prescribed; and
(d)as soon as practicable, furnish to a proper authority a report in writing of the occurrence in accordance with the prescribed form.

Penalty: $500.

(3)Where the death, disappearance or illness of, or a hurt or injury to, a person is reported to a proper authority under this section, a proper authority, or such other person as the Authority approves, may, unless the Authority otherwise directs, inquire into the occurrence.

(4)A person who inquires into an occurrence under subsection (3) shall:
(a)enter in the official log-book of the ship concerned a statement to the effect that, in that person's opinion, the record of the occurrence in the official log-book of the ship is correct or is not correct, as the case requires; and
(b)furnish a copy of the entry to the Authority or to such other person as is prescribed.

418ASecurity

(1)A security required or authorized to be given under this Act shall be given in a manner and form approved by the Minister or the Authority, as appropriate, by instrument in writing and may, subject to that approval, be by bond, guarantee, cash deposit or any other method, or by 2 or more different methods.

(2)The prescribed form of security shall suffice for all the purposes of a bond or guarantee under this Act, and, without sealing, shall bind its subscribers as if sealed, and, unless otherwise provided therein, jointly and severally and for the full amount.

419Seal

For the purposes of this Act, the Minister shall have a seal, the design of which shall be approved by the Minister by instrument in writing.

421Power of exemption

(1)The Minister or the Authority may, in writing, direct that this Act does not apply, or specified provisions of this Act do not apply, to:
(a)a ship or class of ships; or
(b)a person or class of persons.

(2)An exemption under subsection (1) may be confined to one or both of the following:
(a)one or more specified periods;
(b)one or more specified voyages or operations.

(3)An exemption under subsection (1) is subject to such conditions (if any) as are specified in the direction.

(4)If a condition that is applicable to an exemption of a ship is contravened, the master and the owner of the ship are guilty of an offence.

Penalty: Imprisonment for 4 years.

(4A)An offence under subsection (4) is an offence of strict liability.

Note: For strict liability, see section 6.1 of the Criminal Code.

(5)A person commits an offence if:
(a)the person is subject to a requirement under subsection (3) to comply with a condition; and
(b)the person engages in conduct; and
(c)the person's conduct contravenes the requirement.

Penalty: Imprisonment for 4 years.

(5A)Strict liability applies to paragraph (5)(a).

Note: For strict liability, see section 6.1 of the Criminal Code.

(6)The Minister or the Authority must not make a direction if the proposed exemption would be inconsistent with an obligation of Australia under an international agreement.

(7)The Minister or the Authority must not make a direction unless satisfied that the proposed exemption will not jeopardise the safety of a ship or persons on board a ship.

424Marine Council

(1)There shall be a Marine Council.

(2)The Marine Council shall consist of:
(a)an employee of the Authority;

(b)4 members representing shipowners;
(c)a member representing deck officers;
(d)a member representing engine-room officers;
(e)2 members representing seamen other than officers; and
(f)for the purposes of inquiring into, and reporting to the Minister on, a matter referred to the Council under subsection (5)-any members appointed under subsection (3A) for the purpose of assisting the Council to inquire into, and report on, the matter.

(3)The members of the Marine Council (other than the members referred to in paragraph (2)(f)) shall be appointed by, and hold office during the pleasure of, the Minister.

(3A)The Minister may, for the purpose of assisting the Marine Council to inquire into, and report to the Minister on, a matter referred to the Council under subsection (5), appoint a person with special knowledge of the matter to be a member of the Council for the purposes of inquiring into, and reporting to the Minister on, the matter.

(3B)The following provisions apply in relation to a person appointed as a member under subsection (3A) for the purpose of assisting the Marine Council to inquire into, and report on, a matter:
(a)subject to paragraph (b), the person's appointment ends when the Council completes its inquiry and report in relation to the matter;
(b)until the Council completes its inquiry and report in relation to the matter, the person holds office during the pleasure of the Minister.

(4)The member of the Marine Council referred to in paragraph (2)(a) shall be the Chairperson of the Marine Council.

(4A)The Minister may appoint a person to be the deputy of the Chairperson or of any other member of the Marine Council.

(4B)The deputy of the Chairperson is, in the event of the absence of the Chairperson from a meeting of the Marine Council, entitled to attend the meeting and, when so attending, shall be deemed to be Chairperson of the Marine Council.

(4C)The deputy of a member other than the Chairperson is, in the event of the absence of the member of whom he or she is the deputy from a meeting of the Marine Council, entitled to attend the meeting and, when so attending, shall be deemed to be a member of the Marine Council.

(4D)At a meeting of the Marine Council from which the Chairperson and the deputy of the Chairperson are absent, another member appointed by the members present at the meeting shall preside.

(5)The Marine Council shall inquire into and report to the Minister upon any matter arising out of or relating to this Act

which the Minister refers to the Council for advice.

(5A)The Marine Council may investigate any matter referred to it in accordance with a provision of an agreement under section 46 relating to the observance of a code of conduct and may make such recommendations in relation to the matter as it thinks fit.

(6)Regulations shall not be made for the purposes of section 117 unless the Minister has first obtained from the Marine Council a report on the proposed regulations.

(8A)The Chairperson and other members of the Marine Council, and the deputies of the Chairperson and other members of the Marine Council, shall be paid such remuneration as is determined by the Remuneration Tribunal.

(8B)The Chairperson and other members of the Marine Council, and the deputies of the Chairperson and other members of the Marine Council, shall be paid such allowances as are prescribed.

(8C)Subsections (8A) and (8B) have effect subject to the Remuneration Tribunal Act 1973.

(9)The regulations may make provision for and in relation to:
(b)the number of members of the Marine Council to constitute a quorum;
(c)the manner in which the Marine Council may exercise its powers and functions; and
(d)the manner in which the business and meetings of the Marine Council shall be conducted.

425Regulations

(1)The Governor-General may make regulations, not inconsistent with this Act, prescribing all matters which by this Act are required or permitted to be prescribed or which are necessary or convenient to be prescribed for carrying out or giving effect to this Act or for the conduct of any business under this Act, and in particular prescribing matters providing for and in relation to:
(a)the inspection and testing of machinery and appliances for the loading and unloading of ships;
(b)the prevention of the use of defective machinery or appliances for the loading or unloading of ships;
(c)the protection of the health and the security from injury of persons engaged in the loading or unloading of ships;
(d)matters affecting the stability of ships;
(da)the regulation of the use of lights or fire in the holds of ships;
(db)the safe navigation and operation of ships;
(e)the safety of persons, including pilots, going on or coming from, or on board, ships;
(g)the issue of certificates as to the service at sea of seamen;
(h)the imposition of penalties not exceeding 50 penalty units for a contravention of:
(i)a provision of the regulations; or

(ii)a provision of an order made under subsection (1AA); or
(iii) a notice, order, direction or instruction given, issued or made under, or in force by virtue of, the regulations;
(ha)the manner in which notices, orders, directions, instructions or other documents under this Act may be given, served or notified; and
(i)the fixing of the fees to be paid in respect of any matters under this Act.

(1AA) The Authority may, by legislative instrument, make orders with respect to any matter in Part II, III, IIIA, IV, V, VA, VB or XA for or in relation to which provision may be made by the regulations, other than matters referred to in paragraph (1)(h).

Note: Part 6 of the Legislative Instruments Act 2003, which deals with sunsetting of legislative instruments, does not apply to an order under this subsection (see item 27 of the table in subsection 54(2) of that Act).

(2)The power to make regulations and orders conferred by this Act shall not be taken, by implication, not to include the power to make provision for or in relation to a matter by reason only of the fact that:
(a)provision is made by this Act or the regulations, as the case may be, in relation to that matter or another matter; or
(b)power is expressly conferred by this Act or the regulations, as the case may be, to make provision by regulation or order for or in relation to another matter.

(3)The power to make regulations and orders conferred by this Act may be exercised:
(a)in relation to all cases to which the power extends, or in relation to all those cases subject to specified exceptions, or in relation to any specified cases or classes of case; and
(b)so as to make, as respects the cases in relation to which it is exercised, the same provision for all those cases or a different provision for different cases or classes of case.

(4)The power conferred by this Act to make modifications by regulation includes the power to omit any matter or add any new matter.

(5A)Unless the contrary intention appears, expressions used in orders have the same meanings as in this Act.

(5B)Orders shall be read subject to this Act and so as not to exceed the power conferred by this Act to the intent that, where such orders would, but for this subsection, have been construed as being in excess of the power conferred by this Act, they shall be deemed to be valid orders to the extent to which they are not in excess of that power.

(5C)Where a provision of an order is inconsistent with a provision of this Act or the regulations, the latter shall prevail and the former shall, to the extent of the inconsistency, be of no force or

effect.

(6A)Despite section 14 of the Legislative Instruments Act 2003, the regulations may make provision for or in relation to a matter by applying, adopting or incorporating any matter contained in orders as in force or existing from time to time.

(7)Despite section 14 of the Legislative Instruments Act 2003, the regulations, and orders under this Act, may make provision for or in relation to a matter by applying, adopting or incorporating all or any of the provisions of the Code referred to in section 427 as in force or existing from time to time.

426APower to provide in orders for review of decisions

An order made under subsection 425(1AA) shall be taken, for the purposes of the Administrative Appeals Tribunal Act 1975, to be an enactment.

427Ministerial orders concerning Uniform Shipping Laws Code and the NSCV

(1)In this section:

Code means the code known as the Uniform Shipping Laws Code adopted by the Council.

Council means the conference of Commonwealth, New Zealand, State, Australian Capital Territory and Northern Territory Ministers known as the Australian Transport Council.

NSCV means the National Standard for Commercial Vessels adopted by the Council.

(2)The Minister may, by order published in the Gazette, declare:
(a)that the provisions referred to in the order are provisions, or are the provisions, of the Code as in existence on a specified date; or
(b)that specified provisions of the Code as in existence on a specified date have been varied by the Council on a specified date and that the variations referred to in the order are the variations so made by the Council.

(3)The Minister may, by order published in the Gazette, declare:
(a)that the provisions referred to in the order are provisions, or are the provisions, of the NSCV as in existence on a specified date; or
(b)that specified provisions of the NSCV as in existence on a specified date have been varied by the Council on a specified date and that the variations referred to in the order are the variations so made by the Council.

(4)An order under subsection (2) or (3):
(a)is, for all purposes, prima facie evidence of the matters declared in the order; and
(b)is not a legislative instrument for the purposes of the

Legislative Instruments Act 2003.

Subsection 187A(1)

ARTICLE I

General Obligations under the Convention

(a)TheContractingGovernmentsundertaketogiveeffecttothe provisions of the present Convention and the Annex thereto, which shall constitute an integral part of the present Convention. Everyreference to the present Convention constitutes at the same time areferenceto the Annex.

(b)TheContractingGovernmentsundertaketopromulgatealllaws, decrees, orders and regulations and to take all other stepswhichmay be necessary to give the present Convention full andcompleteeffect, so as to ensure that, from the point of view of safety of life, aship is fit for the service for which it is intended.

ARTICLE II

Application

The present Convention shall apply to ships entitled to fly the flagof States the Governments of which are Contracting Governments.

ARTICLE III

Laws, Regulations

The Contracting Governments undertake to communicate to and deposit with theSecretary-GeneraloftheInter-GovernmentalMaritimeConsultative Organization (hereinafter referred to as "the Organization"):
(a)a list of non-governmental agencies which are authorized toact in their behalf in the administration of measures for safety oflife at seaforcirculationtotheContractingGovernmentsforthe information of their officers;
(b)the text of laws, decrees, orders andregulationswhichshall have been promulgated on the various matters within the scope ofthe present Convention;
(c)a sufficient number of specimens oftheirCertificatesissued under the provisions of the present Convention for circulation to the Contracting Governments for the information of their officers.

ARTICLE IV

Cases of Force Majeure

(a)A ship, which isnotsubjecttotheprovisionsofthepresent Convention at the time of its departure on any voyage, shall not become subject to the provisions of the present Convention on accountofany

deviation from its intended voyage due tostressofweatherorany other cause of force majeure.

(b)Persons who are on board a ship by reasonofforcemajeureorin consequence of the obligation laid upon the master to carry shipwrecked or other persons shall not be taken into accountforthepurposeof ascertaining the application to a ship of any provisions of the present Convention.

ARTICLE V

Carriage of Persons in Emergency

(a)For the purpose of evacuating persons in order to avoid athreatto the security of their lives a ContractingGovernmentmaypermitthe carriage of a larger number of persons in its ships thanisotherwise permissible under the present Convention.

(b)Such permission shall not deprive otherContractingGovernmentsof any right of control under the present Convention over such ships which come within their ports.

(c)Notice of any such permission,togetherwithastatementofthe circumstances,shallbesenttotheSecretary-Generalofthe Organization by the Contracting Government granting such permission.

ARTICLE VI

Prior Treaties and Conventions

(a)AsbetweentheContractingGovernments,thepresentConvention replaces and abrogates the International Convention for theSafetyof Life at Sea which was signed in London on 17 June 1960.

(b)All other treaties, conventions and arrangements relatingtosafety of life at sea, or matters appertaining thereto, atpresentinforce between Governments parties to the present Convention shall continue to have full and complete effect during the terms thereof as regards:
(i)ships to which the present Convention does not apply;
(ii)ships to which the present Conventionapplies,inrespectof matters for which it has not expressly provided.

(c)Totheextent,however,thatsuchtreaties,conventionsor arrangements conflict with the provisions ofthepresentConvention, the provisions of the present Convention shall prevail.

(d)All matters which are notexpresslyprovidedforinthepresent ConventionremainsubjecttothelegislationoftheContracting Governments.

ARTICLE VII

Special Rules drawn up by Agreement

When in accordance with the present Convention special rulesaredrawn

up by agreement between all or some oftheContractingGovernments,such rules shall be communicated to theSecretary-GeneraloftheOrganization for circulation to all Contracting Governments.

ARTICLE VIII

Amendments

(a)The present Convention may be amended byeitheroftheprocedures specified in the following paragraphs.

(b)Amendments after consideration within the Organization:
(i)Any amendment proposed byaContractingGovernmentshallbe submitted to the Secretary-General of the Organization,whoshall then circulate it toallMembersoftheOrganizationandall ContractingGovernmentsatleastsixmonthspriortoits consideration.
(ii) Any amendment proposed and circulated as above shall be referred totheMaritimeSafetyCommitteeoftheOrganizationfor consideration.
(iii)Contracting Governments of States, whether or notMembers of the Organization,shallbeentitledtoparticipateinthe proceedings of the Maritime Safety Committee for theconsideration and adoption of amendments.
(iv) Amendments shall be adopted byatwo-thirdsmajorityofthe Contracting Governments present and voting in theMaritimeSafety Committee expanded as provided for in sub-paragraph (iii)ofthis paragraph (hereinafter referred to as "the expanded Maritime Safety Committee") on condition that at least one-third of the Contracting Governments shall be present at the time of voting.
(v)Amendments adopted in accordance with sub-paragraph (iv) of this paragraph shall be communicated bytheSecretary-Generalofthe Organization to all Contracting Governments for acceptance.
(vi)(1)An amendment to an Article of the Convention or to Chapter I of the Annex shall be deemed to havebeenacceptedonthe date on which it is accepted by two-thirds oftheContracting Governments.
(2)An amendment to the Annex other than Chapter I shallbedeemed to have been accepted:
(aa)attheendoftwoyearsfromthedateonwhichitis communicated to Contracting Governments for acceptance; or
(bb)at the end of a different period, which shall not belessthan one year, if so determined at the time of its adoptionby atwo-thirdsmajorityoftheContractingGovernments presentandvotingintheexpandedMaritimeSafety Committee.
However, if within the specified period either more than one-thirdof ContractingGovernments,orContractingGovernmentsthe combined merchant fleets ofwhichconstitutenotlessthan fifty per cent of the gross tonnageoftheworld'smerchant fleet, notify the Secretary-General oftheOrganizationthat they object to the amendment, it shall be deemednottohave been accepted.
(vii) (1)An amendment to an Article of the Convention or toChapter I of the Annex shall enter into forcewithrespecttothose

Contracting Governments whichhaveacceptedit,sixmonths after the date on which it is deemed to have been accepted, and with respect to each Contracting Governmentwhichacceptsit after that date, six months after the date of thatContracting Government's acceptance.
(2)An amendment to the Annex other than Chapter I shall enterinto force with respect to all Contracting Governments, except those whichhaveobjectedtotheamendment under sub-paragraph (vi)(2)ofthisparagraphandwhichhavenot withdrawn such objections, six months after the dateonwhich it is deemed to have been accepted. However,beforethedate set for entry into force, any Contracting Governmentmaygive notice to the Secretary-General oftheOrganizationthatit exempts itself from givingeffecttothatamendmentfora period not longer than one year from the date of its entry into force, or for such longer period as may be determined by a two-thirds majority oftheContractingGovernmentspresentand voting in the expanded Maritime Safety Committee at the time of the adoption of the amendment.

(c)Amendment by a Conference:
(i)Upon the request of a Contracting Government concurred in byat least one-third of the ContractingGovernments,theOrganization shall convene a Conference of Contracting Governmentstoconsider amendments to the present Convention.
(ii)Every amendment adopted by such aConferencebyatwo-thirds majority of the Contracting Governments present and voting shall be communicated by the Secretary-General of theOrganizationtoall Contracting Governments for acceptance.
(iii) Unless the Conference decides otherwise, the amendment shallbe deemed tohavebeenacceptedandshallenterintoforcein accordance with the procedures specified insub-paragraphs (b)(vi) and (b)(vii) respectively of this Article, provided that references in these paragraphs to the expanded Maritime Safety Committee shall be taken to mean references to the Conference.
(d)(i)A Contracting Government which has accepted an amendment to the Annex which has entered into force shall not be obligedtoextend thebenefitofthepresentConventioninrespectofthe certificates issued to a ship entitled to fly the flag ofaState the Governmentofwhich,pursuanttotheprovisionsofsub-paragraph (b)(vi)(2) of this Article, has objected to the amendment and has not withdrawn such an objection, butonlytotheextent that such certificates relate to matters covered bytheamendment in question.
(ii)A Contracting Government which has accepted an amendment tothe Annex which has entered into force shall extend the benefit ofthe present Convention in respect of the certificates issued to aship entitled to fly the flagofaStatetheGovernmentofwhich, pursuant to the provisionsofsub-paragraph (b)(vii)(2)ofthis Article, has notified theSecretary-GeneraloftheOrganization that it exempts itself from giving effect to the amendment.

(e)Unless expressly provided otherwise, anyamendmenttothepresent Convention made under this Article, which relates to the structure of a ship, shall apply only to ships the keels of which arelaidorwhich

are at a similar stage of construction, on or after the dateonwhich the amendment enters into force.

(f)Any declaration of acceptance of, or objection to,anamendmentor any notice given under sub-paragraph (b)(vii)(2) of this Articleshall be submitted in writing to the Secretary-General oftheOrganization, who shall inform all Contracting Governments of any such submission and the date of its receipt.

(g)TheSecretary-GeneraloftheOrganizationshallinformall Contracting Governments of any amendments which enter into forceunder this Article, together with thedateonwhicheachsuchamendment enters into force.

ARTICLE IX

Signature, Ratification, Acceptance, Approval and Accession

(a)The presentConventionshallremainopenforsignatureatthe Headquarters of the Organization from 1 November 1974 until 1 July 1975 and shall thereafter remainopenforaccession.Statesmaybecome parties to the present Convention by:
(i)signature without reservation as to ratification, acceptanceor approval; or
(ii)signaturesubjecttoratification,acceptanceorapproval, followed by ratification, acceptance or approval; or
(iii) accession.

(b)Ratification, acceptance, approval or accession shall be effectedby the deposit of an instrument to that effect with theSecretary-General of the Organization.

(c)TheSecretary-GeneraloftheOrganizationshallinformthe Governments of all States which have signed the presentConventionor acceded to it of any signature or of the deposit of anyinstrumentof ratification, acceptance, approval or accession andthedateofits deposit.

ARTICLE X

Entry into Force

(a)The present Convention shall enter into force twelve months after the date on which not less than twenty-five States, thecombinedmerchant fleets of which constitute not less than fifty per centofthegross tonnage of the world's merchant shipping, have become parties to itin accordance with Article IX.

(b)Any instrument of ratification,acceptance,approvaloraccession deposited after the date on which the presentConventionentersinto force shall take effect three months after the date of deposit.

(c)After the date on which an amendment tothepresentConventionis deemed to have been accepted underArticleVIII,anyinstrumentof ratification, acceptance, approval or accession depositedshallapply

to the Convention as amended.

ARTICLE XI

Denunciation

(a)The present Convention may be denounced by any Contracting Government at any time after the expiry of five years from the date onwhichthe Convention enters into force for that Government.

(b)Denunciation shall be effected by the depositofaninstrumentof denunciation with the Secretary-General of the Organizationwhoshall notify all the otherContractingGovernmentsofanyinstrumentof denunciation received and of the date of its receiptaswellasthe date on which such denunciation takes effect.

(c)A denunciation shall take effect one year, or such longerperiodas may be specified in the instrument of denunciation, afteritsreceipt by the Secretary-General of the Organization.

ARTICLE XII

Deposit and Registration

(a)The present Convention shall be deposited with theSecretary-General of the Organization who shall transmit certified true copies thereof to the Governments of all States which have signed the presentConvention or acceded to it.

(b)As soon as the present Convention enters into force, thetextshall be transmitted by the Secretary-GeneraloftheOrganizationtothe Secretary-GeneraloftheUnitedNationsforregistrationand publication, in accordance with Article102oftheCharterofthe United Nations.

ARTICLE XIII

Languages

The present Convention is established in a single copy intheChinese, English, French, Russian and Spanishlanguages,eachtextbeingequally authentic.OfficialtranslationsintheArabic,GermanandItalian languages shall be prepared and deposited with the signed original.

ANNEX

CHAPTER I

GENERAL PROVISIONS

PART A-APPLICATION, DEFINITIONS, ETC.

Regulation 1

Application

(a)Unless expressly provided otherwise, thepresentRegulationsapply only to ships engaged on international voyages.

(b)The classes of ships to which each Chapter applies are more precisely defined, and the extent of the application is shown, in each Chapter.

Regulation 2

Definitions

For the purpose of the present Regulations,unlessexpresslyprovided otherwise:
(a)"Regulations" means the Regulations contained intheAnnexto the present Convention.
(b)"Administration" means the Government of theStatewhoseflag the ship is entitled to fly.
(c)"Approved" means approved by the Administration.
(d)"International voyage" means a voyage from acountrytowhich the present Convention applies to a portoutsidesuchcountry,or conversely.
(e)A passenger is every person other than:
(i)the master and the members of the crew or other persons employed or engaged in any capacity on board a ship on the business of that ship; and
(ii) a child under one year of age.
(f)A passenger ship isashipwhichcarriesmorethantwelve passengers.
(g)A cargo ship is any ship which is not a passenger ship.
(h)A tanker is a cargo ship constructed or adapted for the carriage in bulk of liquid cargoes of an inflammable(nature.
(i)A fishing vessel is a vessel usedforcatchingfish,whales, seals, walrus or other living resources of the sea.
(j)A nuclear ship is a ship provided with a nuclear power plant.
(k)"New ship" means a ship the keel of which is laid or which is at a similar stage of construction on or after the date ofcominginto force of the present Convention.
(l)"Existing ship" means a ship which is not a new ship.
(m)A mile is 1,852 metres or 6,080 feet.

Regulation 3

Exceptions

(a)The present Regulations, unless expressly provided otherwise, donot apply to:
(i)Ships of war and troopships.
(ii)Cargo ships of less than 500 tons gross tonnage.
(iii) Ships not propelled by mechanical means.
(iv)Wooden ships of primitive build.
(v)Pleasure yachts not engaged in trade.
(vi)Fishing vessels.

(b)Except as expressly provided in Chapter V, nothing herein shall apply to ships solely navigating the Great Lakes ofNorthAmericaandthe

River St. Lawrence as far east as a straight line drawnfromCapdes Rosiers to West Point, Anticosti Islandand,onthenorthsideof Anticosti Island, the 63rd Meridian.

Regulation 4

Exemptions

(a)A ship which is not normally engagedoninternationalvoyagesbut which, in exceptional circumstances, is required to undertake asingle international voyage may be exempted by the Administration from anyof the requirements of the present Regulations provided thatitcomplies with safety requirements which areadequateintheopinionofthe Administration for the voyage which is to be undertaken by the ship.

(b)The Administration may exempt any ship which embodies featuresofa novel kind from any of the provisions of Chapters II-1, II-2,IIIand IV of these Regulations the application of which might seriously impede research into the development of such features and theirincorporation in shipsengagedoninternationalvoyages.Anysuchshipshall, however, comply with safety requirements which, in the opinion ofthat Administration, are adequate for the service for which itisintended and are such as to ensure the overall safety of the ship and whichare acceptable to the Governments of the States to be visited by theship. The Administration which allows any such exemption shall communicate to the Organization particulars of same and the reasons therefor which the Organization shall circulate to the Contracting Governmentsfortheir information.

Regulation 5

Equivalents

(a)Where the present Regulationsrequirethataparticularfitting, material, appliance or apparatus, or type thereof, shall befittedor carried in a ship, or that any particular provision shall be made,the Administration may allow anyotherfitting,material,applianceor apparatus, or type thereof, to befittedorcarried,oranyother provision to be made in that ship, if it is satisfied by trialthereof or otherwise that such fitting, material, applianceorapparatus,or type thereof, or provision, is at least as effective asthatrequired by the present Regulations.

(b)Any Administration whichsoallows,insubstitution,afitting, material, appliance or apparatus, or type thereof, or provision,shall communicate to the Organization particularsthereoftogetherwitha report on any trials made and theOrganizationshallcirculatesuch particulars to other Contracting Governmentsfortheinformationof their officers.

PART B-SURVEYS AND CERTIFICATES

Regulation 6

Inspection and Survey

The inspection and survey of ships, so far as regards the enforcement of the provisions of the present Regulations andthegrantingofexemptions therefrom, shall be carried out by officers ofthecountryinwhichthe ship is registered,providedthattheGovernmentofeachcountrymay entrust the inspection and survey eithertosurveyorsnominatedforthe purpose or to organizations recognized by it. In every casetheGovernment concernedfullyguaranteesthecompletenessandefficiencyofthe inspection and survey.

Regulation 7

Surveys of Passenger Ships

(a)A passenger ship shall be subjected to the surveys specified below:
(i)A survey before the ship is put in service.
(ii)A periodical survey once every twelve months.
(iii) Additional surveys, as occasion arises.

(b)The surveys referred to above shall be carried out as follows:
(i)The survey before the ship is put inserviceshallincludea complete inspection ofitsstructure,machineryandequipment, including the outside of theship'sbottomandtheinsideand outside of the boilers. This survey shall be such as to ensure that thearrangements,material,andscantlingsofthestructure, boilers and other pressure vessels andtheirappurtenances,main andauxiliarymachinery,electrical installation, radio installation,radiotelegraphinstallationsinmotorlifeboats, portableradioapparatusforsurvivalcraft,life-saving appliances,fireprotection,firedetectingandextinguishing appliances,radar,echo-soundingdevice,gyro-compass,pilot ladders, mechanical pilot hoists and other equipment, fullycomply with the requirements of the present Convention, and ofthelaws, decrees, orders and regulations promulgated as a result thereofby the Administration forshipsoftheserviceforwhichitis intended. The survey shall also besuchastoensurethatthe workmanship of all parts of the ship and its equipmentisinall respects satisfactory, and thattheshipisprovidedwiththe lights, shapes, means of making sound signals and distresssignals as required by the provisions of thepresentConventionandthe International RegulationsforPreventingCollisionsatSeain force.
(ii)Theperiodicalsurveyshallincludeaninspectionofthe structure,boilersandotherpressurevessels,machineryand equipment, including the outside of the ship's bottom.Thesurvey shall be such as to ensure that the ship, as regards the structure, boilers and other pressure vessels andtheirappurtenances,main andauxiliarymachinery,electrical installation, radio installation,radiotelegraphinstallationsinmotorlifeboats, portableradioapparatusforsurvivalcraft,life-saving appliances,fireprotection,firedetectingandextinguishing appliances,radar,echo-soundingdevice,gyro-compass,pilot ladders,mechanicalpilothoistsandotherequipment,isin satisfactory condition and fit for theserviceforwhichitis intended, and that it complies with the requirements of the present

Convention, andofthelaws,decrees,ordersandregulations promulgated as a result thereof by the Administration. Thelights, shapes and means of making sound signals and thedistresssignals carried by the ship shall also be subjecttotheabove-mentioned survey for the purposeofensuringthattheycomplywiththe requirements of the present ConventionandoftheInternational Regulations for Preventing Collisions at Sea in force.

(iii)Asurveyeithergeneralorpartial,accordingtothe circumstances, shall be made every time anaccidentoccursora defect is discovered which affects the safety of theshiporthe efficiency or completeness of its life-saving appliancesorother equipment, or whenever any important repairs or renewals aremade. The survey shall be such as to ensure that the necessary repairs or renewalshavebeeneffectivelymade,thatthematerialand workmanship of such repairs are in all respectssatisfactory,and that the ship complies in all respects with the provisionsofthe presentConventionandoftheInternationalRegulationsfor Preventing Collisions at Sea in force, and ofthelaws,decrees, orders and regulations promulgatedasaresultthereofbythe Administration.

(c)(i)The laws,decrees,ordersandregulationsreferredtoin paragraph (b) of this Regulation shall be in all respectssuchas to ensure that, from the point of view of safety of life, theship is fit for the service for which it is intended.

(ii)They shall among other things prescribe the requirements tobe observed as totheinitialandsubsequenthydraulicorother acceptable alternativeteststowhichthemainandauxiliary boilers, connexions, steam pipes, high pressure receivers, and fuel tanks for internal combustion engines are to be submitted including the test procedures to be followed and theintervalsbetweentwo consecutive tests.

Regulation 8

Surveys of Life-Saving Appliances and other Equipment of Cargo Ships

The life-saving appliances, except a radiotelegraphinstallationina motor lifeboat or a portable radio apparatus for survival craft,theecho-sounding device, the gyro-compass, and the fire-extinguishing appliancesof cargo ships to which Chapters II-1, II-2, III and V apply shallbesubject to initial andsubsequentsurveysasprovidedforpassengershipsin Regulation 7 of this Chapter with thesubstitutionof24monthsfor12 months in sub-paragraph (a)(ii) of that Regulation. The firecontrolplans in new ships and the pilot ladders, mechanical pilot hoists, lights,shapes and means of making sound signals carried by new andexistingshipsshall be included in the surveys for the purposeofensuringthattheycomply fullywiththerequirementsofthepresentConventionand,where applicable, the International Regulations for Preventing CollisionsatSea in force.

Regulation 9

Surveys of Radio and Radar Installations of Cargo Ships

The radio and radar installations of cargo ships towhichChaptersIV

and V apply and any radiotelegraphinstallationinamotorlifeboator portable radio apparatus for survival craft which is carriedincompliance with the requirements ofChapterIIIshallbesubjecttoinitialand subsequent surveys as provided for passenger ships in Regulation 7ofthis Chapter.

Regulation 10

Surveys of Hull, Machinery and Equipment of Cargo Ships

The hull, machinery and equipment (other than items in respect ofwhich Cargo Ship Safety Equipment Certificates, Cargo Ship SafetyRadiotelegraphy Certificates or Cargo Ship Safety RadiotelephonyCertificatesareissued) of a cargo ship shall be surveyedoncompletionandthereafterinsuch manner and at such intervals as the Administrationmayconsidernecessary in order to ensure that their condition isinallrespectssatisfactory.
The survey shall be such as to ensure that the arrangements,material,and scantlings of the structure, boilers and other pressurevesselsandtheir appurtenances, main and auxiliary machinery,electricalinstallationsand other equipment are in all respects satisfactory for the serviceforwhich the ship is intended.

Regulation 11

Maintenance of Conditions after Survey

After any survey of the ship under Regulations 7, 8, 9or10ofthis Chapter has been completed, nochangeshallbemadeinthestructural arrangements, machinery, equipment, etc. covered by the survey, withoutthe sanction of the Administration.

Regulation 12

Issue of Certificates

(a)(i)A certificate called a Passenger Ship Safety Certificateshall be issued after inspection and survey toapassengershipwhich complies with the requirements of Chapters II-1, II-2, IIIandIV and any other relevant requirements of the present Regulations.
(ii)AcertificatecalledaCargoShipSafetyConstruction Certificate shall be issued after surveytoacargoshipwhich satisfies the requirements for cargo ships onsurveysetoutin Regulation 10 of this Chapterandcomplieswiththeapplicable requirements of Chapters II-1 and II-2 other than those relating to fire-extinguishing appliances and fire control plans.
(iii) A certificate called a Cargo Ship SafetyEquipmentCertificate shall be issued after inspection to acargoshipwhichcomplies with the relevant requirements of Chapters II-1, II-2 andIIIand any other relevant requirements of the present Regulations.
(iv)AcertificatecalledaCargoShipSafetyRadiotelegraphy Certificate shall be issuedafterinspectiontoacargoship, fitted with a radiotelegraph installation, which complies withthe requirements of Chapter IV and any other relevantrequirementsof the present Regulations.
(v) AcertificatecalledaCargoShipSafetyRadiotelephony

Certificate shall be issuedafterinspectiontoacargoship, fitted with a radiotelephone installation, which complies withthe requirements of Chapter IV and any other relevantrequirementsof the present Regulations.

(vi)When an exemption is granted to a ship under andinaccordance with the provisionsofthepresentRegulations,acertificate called an Exemption Certificate shall be issued in addition tothe certificates prescribed in this paragraph.

(vii)PassengerShipSafetyCertificates,CargoShipSafety ConstructionCertificates,Cargo Ship Safety Equipment Certificates, Cargo Ship Safety Radiotelegraphy Certificates, Cargo Ship Safety Radiotelephony Certificates and ExemptionCertificates shall be issued either by the Administration or byanypersonor organizationdulyauthorizedbyit.Ineverycase,that Administration assumes full responsibility for the Certificate.

(b)Notwithstanding any other provision ofthepresentConvention any certificate issued under, and in accordance with, the provisions of the International Convention for the Safety of Life at Sea, 1960, which is current when the present Convention comes into force inrespectof the Administration by which the certificateisissued,shallremain valid until it expires under the terms of Regulation 14 of Chapter I of that Convention.

(c)A Contracting Government shallnotissuecertificatesunder, and in accordance with, the provisions of the InternationalConvention for the Safety of Life at Sea, 1960, 1948 or 1929, afterthedateon which acceptance of the presentConventionbytheGovernmenttakes effect.

Regulation 13

Issue of Certificate by another Government

A Contracting Government may, atttherequestoftheAdministration, cause a ship to be surveyed and, if satisfied that the requirementsofthe present Regulations are complied with, shall issue certificates to theship in accordance with the present Regulations. Any certificate soissuedmust contain a statement to the effect that it has been issued at the requestof the Government of the country in which the ship is orwillberegistered, and it shall have the same force andreceivethesamerecognitionasa certificate issued under Regulation 12 of this Chapter.

Regulation 14

Duration of Certificates

(a)Certificates other than Cargo Ship Safety ConstructionCertificates, Cargo Ship Safety EquipmentCertificatesandExemptionCertificates shall be issued for a period of not more than12months.CargoShip Safety Equipment Certificates shall be issued for a period of notmore than 24 months. Exemption Certificates shall not bevalidforlonger than the period of the certificates to which they refer.

(b)If a survey takes place within twomonthsbeforetheendofthe

period for which a Cargo Ship Safety Radiotelegraphy Certificateora Cargo Ship Safety Radiotelephony Certificate issued in respect of cargo ships of 300 tons gross tonnage and upwards, butlessthan500tons grosstonnage,wasoriginallyissued,thatcertificatemaybe withdrawn, and a new certificate may be issued whichshallexpire12 months after the end of the said period.

(c)If a ship at the time when its certificate expires is not inaport of the country in whichitisregistered,thecertificatemaybe extended by the Administration, but suchextensionshallbegranted only for the purpose of allowing the ship to complete its voyage to the country in which it is registered or is to be surveyed, andthenonly in cases where it appears proper and reasonable so to do.

(d)No certificate shall be thus extended for a longer periodthanfive months, and a ship to which such extension is granted shall not, on its arrival in the country in which it is registered or the portinwhich it is to be surveyed, be entitled by virtue of such extension toleave that port or country without having obtained a new certificate.

(e)A certificatewhichhasnotbeenextendedundertheforegoing provisions of this Regulation may be extended by the Administration for a period of grace of up to one month from the date of expiry statedon it.

Regulation 15

Form of Certificates

(a)All certificates shall bedrawnupintheofficiallanguageor languages of the country by which they are issued.

(b)The form of the certificates shall be that of the models given in the Appendix to the present Regulations. Thearrangementoftheprinted part of the model certificatesshallbeexactlyreproducedinthe certificatesissued,orincertifiedcopiesthereof,andthe particulars inserted in the certificates issued, or in certified copies thereof, shall be in Roman characters and Arabic figures.

Regulation 16

Posting up of Certificates

All certificates or certified copies thereof issuedunderthepresent Regulations shall be posted up in a prominent and accessibleplaceinthe ship.

Regulation 17

Acceptance of Certificates

Certificates issued under theauthorityofaContractingGovernment shall be accepted by the otherContractingGovernmentsforallpurposes covered by the present Convention. Theyshallberegardedbytheother Contracting Governments as having the same force as certificatesissuedby

them.

Regulation 18

Qualification of Certificates

(a)If in the course of a particular voyage a ship has on board anumber of persons less than the total numberstatedinthePassengerShip Safety Certificate andisinconsequence,inaccordancewiththe provisions of the present Regulations, free to carry asmallernumber of lifeboats and other life-saving appliances than that statedinthe Certificate, an annex maybeissuedbytheGovernment,personor organization referred to in Regulation 12 or 13 of this Chapter.

(b)This annexshallstatethatinthecircumstancesthereisno infringement of the provisions of the present Regulations. It shallbe annexed to the Certificate and shall be substituted for it in so far as the life-saving appliances are concerned. It shall bevalidonlyfor the particular voyage for which it is issued.

Regulation 19

Control

EveryshipholdingacertificateissuedunderRegulation12or Regulation 13 ofthisChapterissubjectintheportsoftheother Contracting Governments to controlbyofficersdulyauthorizedbysuch Governments in so far as this control isdirectedtowardsverifyingthat there is on board a valid certificate. Such certificateshallbeaccepted unless there are clear grounds for believing that the condition of theship or of its equipment does not correspond substantially withtheparticulars of that certificate. In that case, theofficercarryingoutthecontrol shall take such steps as will ensure that the ship shall not sailuntilit can proceed to sea without danger to the passengersorthecrew.Inthe event of this control giving rise to intervention of any kind,theofficer carrying out the control shall inform the Consul ofthecountryinwhich the ship is registered in writing forthwithofallthecircumstancesin which intervention was deemed tobenecessary,andthefactsshallbe reported to the Organization.

Regulation 20

Privileges

The privileges of the present Convention may not be claimed in favour of any ship unless it holds appropriate valid certificates.

PART C-CASUALTIES

Regulation 21

Casualties

(a)Each Administration undertakes to conductaninvestigationofany casualty occurring to any of its ships subject to the provisions of the

present Convention when it judges that such an investigation may assist in determiningwhatchangesinthepresentRegulationsmightbe desirable.

(b)Each Contracting Government undertakestosupplytheOrganization withpertinentinformationconcerningthefindingsofsuch investigations. No reports or recommendations of the Organization based upon such information shall disclose the identity or nationality of the ships concerned or in any manner fix or imply responsibilityuponany ship or person.

CHAPTER II-1

CONSTRUCTION-SUBDIVISION AND STABILITY, MACHINERY AND ELECTRICAL INSTALLATIONS

PART A-GENERAL

Regulation 1

Application

(a)(i)Unless expressly provided otherwise, thisChapterappliesto new ships.
(ii)Existing passenger ships and cargo ships shall complywiththe following:
(1)for ships the keels of whichwerelaidorwhichwereata similar stage of construction on or after the dateofcoming into force of the International Convention for theSafetyof Life at Sea, 1960, the Administration shallensurethatthe requirements which wereappliedunderChapterIIofthat Convention tonewshipsasdefinedinthatChapterare complied with;
(2)for ships the keels of whichwerelaidorwhichwereata similar stage of construction on or after the dateofcoming into force of the International Convention for theSafetyof Life at Sea, 1948, but before the date of coming into force of the International Convention for the Safety ofLifeatSea, 1960, the Administration shall ensurethattherequirements which were applied under Chapter II of the 1948 Conventionto new ships as defined in that Chapter are complied with;
(3)for ships the keels of whichwerelaidorwhichwereata similar stage of construction before the date ofcominginto force of the International Convention for the SafetyofLife atSea,1948,theAdministrationshallensurethatthe requirements which wereappliedunderChapterIIofthat Convention to existing ships as defined inthatChapterare complied with;
(4)as regards the requirementsofChapterII-1ofthepresent Convention which are not contained in Chapter II ofthe1960 and 1948 Conventions, the Administration shall decide which of these requirements shallbeappliedtoexistingshipsas defined in the present Convention.
(iii) A ship which undergoes repairs, alterations,modificationsand outfitting related thereto shall continue to comply withatleast

the requirements previously applicable totheship.Anexisting ship in such a case shall not, as a rule, comply to a lesser extent with the requirements for a new ship than it didbefore.Repairs, alterations and modifications of a major characterandoutfitting related thereto should meet the requirements for a new shipinso far as the Administration deems reasonable and practicable.

(b)For the purpose of this Chapter:
(i)a new passenger ship is a passenger ship the keelofwhichis laid or which is at a similar stage of construction on or after the date of coming into force of the presentConvention,oracargo ship which is converted to a passenger ship on or after thatdate, all other passenger ships beingdescribedasexistingpassenger ships.
(ii)A new cargo ship is a cargo ship the keel of whichislaidor which is at a similar stageofconstructionafterthedateof coming into force of the present Convention.

(c)The Administration may, if it considers that the sheltered nature and conditions of the voyage are such as to render the applicationofany specific requirements ofthisChapterunreasonableorunnecessary, exempt from those requirements individual shipsorclassesofships belonging to its country which, in the course of their voyage,donot proceed more than 20 miles from the nearest land.

(d)Inthecaseofapassengershipwhichispermittedunder paragraph (c) of Regulation 27 of Chapter IIItocarryanumberof persons on board in excess of the lifeboat capacity provided, itshall complywiththespecialstandardsofsubdivisionsetoutin paragraph (e) of Regulation 5ofthisChapter,andtheassociated specialprovisionsregardingpermeabilityinparagraph (d)of Regulation 4 of this Chapter, unless theAdministrationissatisfied that, having regardtothenatureandconditionsofthevoyage, compliance with the other provisions of the Regulations of this Chapter and Chapter II-2 of the present Convention is sufficient.

(e)In the case of passenger ships which are employed inspecialtrades for the carriage of large numbers of special trade passengers, suchas thepilgrimtrade,theAdministration,ifsatisfiedthatitis impracticable to enforcecompliancewiththerequirementsofthis Chapter, may exempt such ships, when they belong to itscountry,from those requirements, provided that they comply fully with the provisions of:
(i) theRulesannexedtotheSpecialTradePassengerShips Agreement, 1971, and
(ii)the Rules annexed to theProtocolonSpaceRequirementsfor Special Trade Passenger Ships, 1973, when it enters into force.

Regulation 2

Definitions

For the purpose of this Chapter, unless expressly provided otherwise:
(a)(i) Asubdivisionloadlineisawater-lineusedin determining the subdivision of the ship.

(ii)The deepestsubdivisionloadlineisthewater-linewhich corresponds to the greatest draught permittedbythesubdivision requirements which are applicable.

(b)Thelengthoftheshipisthelengthmeasuredbetween perpendiculars taken at the extremities of thedeepestsubdivision load line.

(c)The breadth of the ship is the extremewidthfromoutsideof frame to outside of frame at or below the deepestsubdivisionload line.

(d)The draught is the vertical distance from the moulded baseline amidships to the subdivision load line in question.

(e)The bulkheaddeckistheuppermostdeckuptowhichthe transverse watertight bulkheads are carried.

(f)The margin line is a linedrawnatleast76millimetres(3 inches) below the upper surface of the bulkhead deck at side.

(g)The permeability of a space isthepercentageofthatspace which can be occupied by water.
The volume of a space which extends above the margin lineshall be measured only to the height of that line.

(h)The machinery space is to be taken as extending from the moulded base line to the margin line and between the extreme main transverse watertight bulkheads bounding the spacescontainingthemainand auxiliarypropellingmachinery,boilersservingtheneedsof propulsion, and all permanent coal bunkers.
In the case ofunusualarrangements,theAdministrationmay define the limits of the machinery spaces.

(i)Passengerspacesarethosewhichareprovidedforthe accommodation anduseofpassengers,excludingbaggage,store, provision and mail rooms.
For the purposes of Regulations 4 and 5 of this Chapter,spaces provided below the margin line for the accommodation and use ofthe crew shall be regarded as passenger spaces.

(j)In all case volumes and areas shallbecalculatedtomoulded lines.

PART B-SUBDIVISION AND STABILITY(

(Part B applies to passenger ships only, except that Regulation 19 also applies to cargo ships.)

Regulation 3

Floodable Length

(a)The floodable length at any point of the length of ashipshallbe determined by a method of calculation whichtakesintoconsideration

the form, draught and other characteristics of the ship in question.

(b)In a ship with a continuous bulkhead deck, the floodable length ata given point is the maximum portion of the length oftheship,having its centre at the point in question, which canbefloodedunderthe definite assumptions set forth in Regulation 4 of this Chapterwithout the ship being submerged beyond the margin line.
(c)(i)In the case of a ship not having acontinuousbulkheaddeck, the floodable length at any point may be determined toanassumed continuousmarginlinewhichatnopointislessthan76 millimetres (3 inches) below the top of the deck (at side) to which the bulkheads concerned and the shell are carried watertight.
(ii)Where a portion of an assumed margin line isappreciablybelow the deck to which bulkheads arecarried,theAdministrationmay permit a limited relaxation in the watertightness of those portions of the bulkheads which are above the marginlineandimmediately under the higher deck.

Regulation 4

Permeability

(a)The definite assumptions referred to in Regulation 3 of thisChapter relate to the permeabilities of the spaces below the margin line. In determining the floodable length, a uniformaveragepermeability shall be used throughout the whole lengthofeachofthefollowing portions of the ship below the margin line:
(i)the machinery space as defined in Regulation 2 of this Chapter;
(ii)the portion forward of the machinery space; and
(iii) the portion abaft the machinery space.
(b)(i)The uniform average permeability throughout the machinery space shall be determined from the formula-

[pic]

where:
a=volume of the passenger spaces, as defined in Regulation 2 of this Chapter, which are situated belowthemarginline within the limits of the machinery space;
c=volume of between deck spaces below the margin line within the limits of the machinery space which are appropriatedto cargo, coal or stores;
v=whole volume of the machinery space below the margin line.
(ii)Where it is shown tothesatisfactionoftheAdministration that the average permeability as determined by detailed calculation is less than that given by theformula,thedetailedcalculated value may beused.Forthepurposeofsuchcalculation,the permeabilities of passenger spaces, as defined in Regulation2of this Chapter, shall be taken as 95, that ofallcargo,coaland store spaces as 60, and that of double bottom, oil fuelandother tanks at such values as may be approved in each case.

(c)Except as provided in paragraph (d) of this Regulation,theuniform average permeability throughout the portionoftheshipbefore(or abaft) the machinery space shall be determined from the formula-

[pic]

where:
a= volume of the passenger spaces, as defined inRegulation2of this Chapter, which are situated below the marginline,before (or abaft) the machinery space, and
v= whole volume of the portion of the ship belowthemarginline before (or abaft) the machinery space.

(d)In the case of a shipwhichispermittedunderparagraph (c)of Regulation 27 of Chapter III to carry a number of persons onboardin excess ofthelifeboatcapacityprovided,andisrequiredunder paragraph (d) of Regulation 1 of this Chapter tocomplywithspecial provisions, the uniform average permeability throughout the portionof the ship before (or abaft) the machinery space shall be determined from the formula-

[pic]

where:
b= the volume of the spaces below the marginlineandabovethe tops of floors, inner bottom, or peak tanks, as the case may be, which are appropriated to and used as cargo spaces, coal oroil fuel bunkers, store-rooms, baggage and mail rooms, chain lockers and fresh water tanks, before (or abaft)themachineryspace; and
v= whole volume of the portion of the ship belowthemarginline before (or abaft) the machinery space.

In the case of ships engaged on services where thecargoholdsare not generally occupied by any substantial quantities of cargo, nopart of the cargo spaces is to be included in calculating "b".

(e)In the case of unusual arrangements the Administration may allow,or require,adetailedcalculationofaveragepermeabilityforthe portions before or abaft the machinery space. For the purposeofsuch calculation,thepermeabilityofpassengerspacesasdefinedin Regulation 2 of this Chapter shall betakenas95,thatofspaces containing machinery as 85, that of all cargo, coal and store spaces as 60, and that of double bottom, oil fuel and other tanks atsuchvalue as may be approved in each case.

(f)Where a between deck compartment betweentwowatertighttransverse bulkheads contains any passenger orcrewspace,thewholeofthat compartment, less any space completely enclosed within permanentsteel bulkheads and appropriated to otherpurposes,shallberegardedas passenger space.Where,however,thepassengerorcrewspacein question is completely enclosed within permanent steel bulkheads,only the space so enclosed need be considered as passenger space.

Regulation 5

Permissible Length of Compartments

(a)Ships shall be as efficiently subdivided as is possible having regard to the nature of the service for which they are intended. The degree of subdivision shall vary withthelengthoftheshipandwiththe service,insuchmannerthatthehighestdegreeofsubdivision corresponds with the ships of greatest length, primarily engaged in the carriage of passengers.

(b)FactorofSubdivision.Themaximumpermissiblelengthofa compartment having its centre at any pointintheship'slengthis obtained from the floodable length bymultiplyingthelatterbyan appropriate factor called the factor of subdivision.

The factor of subdivision shall depend on the length of the ship, and for a given length shall vary according to the natureoftheservice for which the ship is intended. It shalldecreaseinaregularand continuous manner:
(i)as the length of the ship increases, and
(ii)from a factor A, applicable to ships primarilyengagedinthe carriage of cargo, to a factor B,applicabletoshipsprimarily engaged in the carriage of passengers.

The variations of the factors A andBshallbeexpressedbythe following formulae (I) and (II) where L is the length oftheshipas defined in Regulation 2 of this Chapter:
L in metres
[pic].....(I)
L in feet
[pic]
L in metres
[pic]
L in feet
[pic]

(c)Criterion of Service. For a shipofgivenlengththeappropriate factor of subdivision shall be determined by the CriterionofService Numeral (hereinafter called the CriterionNumeral)asgivenbythe following formulae (III) and (IV) where:
Cs=the Criterion Numeral;
L =Length of the ship, as defined inRegulation2ofthis Chapter;
M=thevolumeofthemachineryspace,asdefinedin Regulation 2 of this Chapter; with the addition thereto of the volume of any permanent oil fuel bunkers which may be situated above the inner bottomandbeforeorabaftthemachinery space;
P =the whole volume of the passenger spaces below themargin line, as defined in Regulation 2 of this Chapter;
V =the whole volume of the ship below the margin line;
P1=KN where:
N= number ofpassengersforwhichtheshipistobe certified, and
K has the following values:
Value of K

Length in metres and volumes in cubic metres .056L
Length in feet and volumes in cubic feet.6L

Where the value of KN is greater than the sumofPandthewhole volume of the actual passenger spaces above the margin line, the figure to be taken as P1 is thatsumortwo-thirdsKN,whicheveristhe greater.

When P1 is greater than P-

[pic](III)

and in other cases-

[pic](IV)

For ships not having a continuous bulkhead deck the volumes are to be taken up to the actual margin lines used in determiningthefloodable lengths.

(d)Rules for Subdivision of Ships other than those covered by paragraph (e) of this Regulation
(i)The subdivision abaft the forepeakofships131metres(430 feet) in length and upwards having a criterionnumeralof23or less shall be governed by the factor A givenbyformula(I);of those having a criterion numeral of 123 or morebythefactorB given by formula (II); and ofthosehavingacriterionnumeral between 23 and 123 by the factor F obtained by linear interpolation between the factors A and B, using the formula:

[pic](V)

Nevertheless, where the criterion numeral is equal to 45 ormoreand simultaneously the computedfactorofsubdivisionasgivenby formula (V) is .65 or less, butmorethan.50,thesubdivision abaft the forepeak shall be governed by the factor .50.
Where the factor F is less than .40anditisshowntothe satisfaction of the Administration to beimpracticabletocomply with the factor F in amachinerycompartmentoftheship,the subdivision of such compartment may begovernedbyanincreased factor, which, however, shall not exceed .40.
(ii)The subdivision abafttheforepeakofshipslessthan131 metres (430 feet) but not less than 79 metres (260 feet) inlength having a criterion numeral equal to S, where-

[pic]

shall be governed by the factor unity; ofthosehavingacriterion numeral of 123 or more by the factor B given by theformula(II); of those having a criterion numeral between S and 123 by the factor F obtained by linear interpolation between unity and thefactorB using the formula:

[pic](VI)

(iii) The subdivision abaft theforepeakofshipslessthan131 metres (430 feet) but not less than 79 metres (260 feet) inlength and having a criterion numeral less than S, and of allshipsless than 79 metres (260 feet) in length shall be governed by the factor unity, unless, in either case, it is shown to thesatisfactionof the Administration to be impracticable to comply withthisfactor in any part of the ship, in which case the Administration may allow such relaxation as may appear to be justified, having regard to all the circumstances.
(iv)The provisions of sub-paragraph (iii) of thisparagraphshall apply also to ships of whatever length, which are tobecertified to carry a number of passengers exceeding 12 but not exceeding-

[pic]

(e)Special Standards of Subdivision for Ships which are permittedunder paragraph (c) of Regulation 27 of Chapter IIItocarryanumberof persons on board in excess of the lifeboat capacityprovidedandare required under paragraph (d) of Regulation 1 of this Chapter tocomply with special provisions
(i)(1)In the case of ships primarily engaged in thecarriageof passengers, the subdivision abaft the forepeak shall be governed by a factor of .50 or bythefactordeterminedaccordingto paragraphs (c) and (d) of this Regulation, if less than .50.
(2)In the case of such ships less than 91.5 metres(300feet)in length, if the Administration is satisfied that compliancewith such factor would be impracticableinacompartment,itmay allow the length of that compartment to be governed by ahigher factorprovidedthefactorusedisthelowestthatis practicable and reasonable in the circumstances.
(ii)Where, in the case of any ship whetherlessthan91.5metres (300 feet) or not, the necessity of carrying appreciable quantities of cargo makes it impracticable to requirethesubdivisionabaft the forepeak to be governed by afactornotexceeding.50,the standard of subdivisiontobeappliedshallbedeterminedin accordance with the following sub-paragraphs (1) to (5), subject to the condition thatwheretheAdministrationissatisfiedthat insistenceonstrictcomplianceinanyrespectwouldbe unreasonable, it may allowsuchalternativearrangementofthe watertight bulkheads as appears to be justified on merits andwill not diminish the general effectiveness of the subdivision.
(1)The provisions of paragraph (c) of this Regulationrelatingto the criterion numeral shall apply with the exceptionthatin calculating the value of P1 for berthedpassengersKisto have the value defined in paragraph (c) of this Regulation, or 3.55 cubic metres (125 cubic feet), whichever is thegreater, and for unberthed passengers K is to have the value 3.55 cubic metres (125 cubic feet).
(2)The factor Binparagraph (b)ofthisRegulationshallbe replaced by the factor BB determined by the following formula:
L in metres

[pic]

L in feet

[pic]

(3)The subdivision abaft the forepeakofships131metres(430 feet) in length and upwards having a criterion numeralof23 or less shall be governed by the factor A given by formula (I) inparagraph (b)ofthisRegulation;ofthosehavinga criterion numeral of 123 of more by the factor BB given by the formula in sub-paragraph (ii)(2) ofthisparagraph;andof those having a criterion numeral between 23and123bythe factor F obtained by linear interpolation between thefactors A and BB, using the formula:

[pic]

except that if the factor F so obtained is less than.50thefactor to be used shallbeeither.50orthefactorcalculated according to the provisions of sub-paragraph (d) (i)ofthis Regulation, whichever is the smaller.

(4)The subdivision abafttheforepeakofshipslessthan131 metres (430 feet) but not less than 55 metres(180feet)in length having a criterion numeral equal to S1 where-

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shall be governed by the factor unity; ofthosehavingacriterion numeral of 123 or more by the factor BB given bytheformula in sub-paragraph (ii)(2) of this paragraph; of those havinga criterion numeral between S1 and 123 by the factor Fobtained by linear interpolation between unity and the factor BBusing the formula:

[pic]

except that in either of the two latter cases if the factor so obtained is less than .50 the subdivision may be governed by a factor not exceeding .50.

(5)The subdivision abaft the forepeak of ships less than131 metres (430 feet) but not less than 55 metres(180feet)in length and having a criterion numeral less than S1 and ofall ships less than 55metres(180feet)inlengthshallbe governed by the factorunity,unlessitisshowntothe satisfaction of theAdministrationtobeimpracticableto comply with this factor in particular compartments,inwhich event the Administration may allow such relaxations in respect of those compartments as appear to be justified, having regard toallthecircumstances,providedthattheaftermost compartmentandasmanyaspossibleoftheforward compartments (between the forepeak and the afterendofthe machinery space) shall be kept within the floodable length.

Regulation 6

Special Rules concerning Subdivision

(a)Where in a portion or portions of a ship the watertight bulkheads are carried to a higher deck than in the remainder of the shipanditis desired to take advantage of this higher extension of the bulkheadsin calculating the floodable length, separate margin lines may be used for each such portion of the ship provided that:
(i)the sides of the ship are extended throughout the ship'slength to the deck corresponding to the upper margin line and all openings in the shell plating below this deck throughout the lengthofthe ship are treated as being below a margin line, for the purposesof Regulation 14 of this Chapter; and
(ii)the two compartments adjacent tothe"step"inthebulkhead deck are each within the permissible length corresponding totheir respective margin lines, and, in addition,theircombinedlength does not exceed twice the permissible lengthbasedonthelower margin line.
(b)(i)A compartment may exceed the permissible lengthdeterminedby the rules of Regulation 5 of thisChapterprovidedthecombined lengthofeachpairofadjacentcompartmentstowhichthe compartment in questioniscommondoesnotexceedeitherthe floodable length or twice the permissible length, whichever isthe less.
(ii)If one of the two adjacent compartments is situatedinsidethe machinery space, and the second is situated outsidethemachinery space, and the average permeability of the portion of theshipin which the second is situated differs fromthatofthemachinery space, thecombinedlengthofthetwocompartmentsshallbe adjusted to the mean average permeability of thetwoportionsof the ship in which the compartments are situated.
(iii) Where the two adjacent compartments havedifferentfactorsof subdivision, the combined length of the two compartmentsshallbe determined proportionately.

(c)In ships 100 metres (330 feet) in length and upwards, one of the main transverse bulkheads abaft the forepeak shall be fitted atadistance from forward perpendicular which is not greaterthanthepermissible length.

(d)A main transverse bulkhead may be recessed provided that all parts of the recess lie inboard of vertical surfaces on both sides of theship, situated at a distance from the shell plating equaltoone-fifththe breadth of the ship, as defined in Regulation 2 ofthisChapter,and measured at right angles to the centre line at the level of the deepest subdivision load line.

Any part of a recess which lies outside these limits shallbedealt with as a step in accordance with paragraph (e) of this Regulation.

(e)A main transverse bulkhead may be stepped provided that it meetsone of the following conditions:
(i)the combined length of the two compartments,separatedbythe bulkhead in question, does not exceed either 90percentofthe

floodable length or twice the permissible length,exceptthatin ships having a factor of subdivision greater than .9, thecombined length of the two compartments in questionshallnotexceedthe permissible length;
(ii)additional subdivisionisprovidedinwayofthestepto maintain the same measure of safety asthatsecuredbyaplane bulkhead;
(iii) the compartment over which the step extends does not exceedthe permissiblelengthcorrespondingtoamarginlinetaken76 millimetres (3 inches) below the step.

(f)Whereamaintransversebulkheadisrecessedorstepped,an equivalent plane bulkhead shall be used in determining the subdivision.

(g)If the distance between two adjacent maintransversebulkheads,or theirequivalentplanebulkheads,orthedistancebetweenthe transverse planes passing through the nearest stepped portionsofthe bulkheads, is less than 3.05 metres (10 feet) plus 3 percentofthe length of the ship, or 10.67 metres (35 feet) whicheveristheless, only one of these bulkheads shall be regarded as formingpartofthe subdivision of the ship in accordance with the provisions of Regulation 5 of this Chapter.

(h)Whereamaintransversewatertightcompartmentcontainslocal subdivisionanditcanbeshowntothesatisfactionofthe Administration that, after any assumed sidedamageextendingovera length of 3.05 metres (10 feet) plus 3 per cent of thelengthofthe ship, or 10.67 metres (35 feet) whichever is the less, the whole volume of the main compartment will not be flooded, a proportionateallowance may be made in thepermissiblelengthotherwiserequiredforsuch compartment. In such a case the volume of effective buoyancy assumed on the undamaged side shall notbegreaterthanthatassumedonthe damaged side.

(i)Where the required factor of subdivision is .50 or less, the combined length of any two adjacent compartments shall not exceed thefloodable length.

Regulation 7

Stability of Ships in Damaged Condition

(a)Sufficientintactstabilityshallbeprovidedinallservice conditions so as to enable the ship to withstandthefinalstageof flooding of any one main compartment which is required to be within the floodable length.

Where two adjacent main compartmentsareseparatedbyabulkhead which is stepped undertheconditionsofsub-paragraph (e)(i)of Regulation 6 of this Chapter the intact stability shall be adequateto withstand the flooding of those two adjacent main compartments.

Where the required factor of subdivision is .50 or less but more than .33 intact stability shall be adequate to withstand the flooding of any two adjacent main compartments.

Where the required factor of subdivision is .33 orlesstheintact stability shall be adequate to withstandthefloodingofanythree adjacent main compartments.

(b)(i)The requirements of paragraph (a) of this Regulationshallbe determinedbycalculationswhichareinaccordancewith paragraphs (c), (d) and (f) of this Regulation and which takeinto consideration the proportions anddesigncharacteristicsofthe shipandthearrangementandconfigurationofthedamaged compartments. In makingthesecalculationstheshipistobe assumed in theworstanticipatedserviceconditionasregards stability.

(ii)Where it is proposed to fit decks, inner skinsorlongitudinal bulkheads of sufficient tightness to seriously restrict the flow of water,theAdministrationshallbesatisfiedthatproper consideration is given to such restrictions in the calculations.

(iii) IncaseswheretheAdministrationconsiderstherangeof stability in the damaged condition to be doubtful, itmayrequire investigation thereof.

(c)For the purpose of making damage stabilitycalculationsthevolume and surface permeabilities shall be in general as follows:

Spaces	Permeability
Appropriated to Cargo, Coal or Stores	
	60
Occupied by Accommodation	
	95
Occupied by Machinery	
	85
Intended for Liquids	0 or 95(

Higher surface permeabilities are to be assumed in respect ofspaces which, in the vicinity of the damage waterplane, contain no substantial quantity ofaccommodationormachineryandspaceswhicharenot generally occupied by any substantial quantity of cargo or stores.

(d)Assumed extent of damage shall be as follows:

(i)longitudinal extent: 3.05 metres (10 feet) plus 3percentof the length of the ship, or 10.67 metres (35 feet) whichever isthe less. Where the required factor of subdivision is .33 orlessthe assumedlongitudinalextentofdamageshallbeincreasedas necessary so as to includeanytwoconsecutivemaintransverse watertight bulkheads;

(ii)transverse extent (measured inboard fromtheship'sside,at right angles to thecentrelineatthelevelofthedeepest subdivision load line): a distance of one-fifth of thebreadthof the ship, as defined in Regulation 2 of this Chapter; and

(iii) vertical extent: from the base line upwards without limit.

(iv)If any damage of lesserextentthanthatindicatedinsub-paragraphs (i), (ii) and (iii) of this paragraph would result ina more severe condition regarding heel or loss of metacentric height, such damage shall be assumed in the calculations.

(e)Unsymmetrical flooding is to be kept toaminimumconsistentwith efficient arrangements. Where it is necessary to correctlargeangles of heel, the means adopted shall, wherepracticable,beself-acting, but in any case where controls to cross-flooding fittings areprovided they shall be operable from above thebulkheaddeck.Thesefittings together with theircontrolsaswellasthemaximumheelbefore equalization shall be acceptable to theAdministration.Wherecross-flooding fittings are required thetimeforequalizationshallnot exceed 15 minutes. Suitable information concerning theuseofcross-flooding fittings shall be supplied to the master of the ship.+

(f)The final conditions of the ship after damage and,inthecaseof unsymmetrical flooding, after equalizationmeasureshavebeentaken shall be as follows:
(i)in the case of symmetrical flooding there shallbeapositive residual metacentric height of at least 50 millimetres(2inches) as calculated by the constant displacement method;
(ii)in the case of unsymmetrical flooding the total heelshallnot exceedsevendegrees,exceptthatinspecialcases,the Administration may allow additional heel due totheunsymmetrical moment, but in no case shall the final heel exceed fifteen degrees;
(iii) in no case shall the marginlinebesubmergedinthefinal stage of flooding. If it is considered thatthemarginlinemay become submerged during anintermediatestageofflooding,the Administration may require such investigations and arrangementsas it considers necessary for the safety of the ship.

(g)The master of the ship shall be supplied with the datanecessaryto maintain sufficient intact stability under service conditions to enable the ship to withstand critical damage. In the case ofshipsrequiring cross-flooding themasteroftheshipshallbeinformedofthe conditions of stability on which the calculations of heel are based and be warned that excessive heeling might result should theshipsustain damage when in a less favourable condition.
(h)(i)No relaxation from the requirements for damage stability may be considered by the Administration unless it is shown that the intact metacentric height in any service condition necessary to meet these requirements is excessive for the service intended.
(ii)Relaxations from the requirements for damage stability shallbe permitted only in exceptional cases and subjecttothecondition that the Administration is to be satisfiedthattheproportions, arrangements and other characteristics of theshiparethemost favourable to stability afterdamagewhichcanpracticallyand reasonably be adopted in the particular circumstances.

Regulation 8

Ballasting

When ballasting with water is necessary, the water ballast should not in general be carried in tanks intended for oil fuel. In ships in whichitis not practicable toavoidputtingwaterinoilfueltanks,oily-water separator equipment to thesatisfactionoftheAdministrationshallbe fitted, or other alternative means acceptable totheAdministrationshall

be provided for disposing of the oily-water ballast.

Regulation 9

Peak and Machinery Space Bulkheads, Shaft Tunnels, etc.

(a)(i)A ship shall have a forepeak or collision bulkhead, which shall be watertight up to thebulkheaddeck.Thisbulkheadshallbe fitted not less than 5 per cent of the length of the ship, andnot more than 3.05 metres (10 feet) plus 5 per cent ofthelengthof the ship from the forward perpendicular.
(ii)If the ship has alongforwardsuperstructure,theforepeak bulkhead shall be extended weathertight to the deck next abovethe bulkhead deck. The extension need not be fitted directlyoverthe bulkhead below, provided it is at least 5 per cent of the length of the ship from theforwardperpendicular,andthepartofthe bulkheaddeckwhichformsthestepismadeeffectively weathertight.

(b)An afterpeak bulkhead, and bulkheads dividing the machinery space, as defined in Regulation 2 of this Chapter, from the cargoandpassenger spaces forward and aft, shall also be fitted and made watertight upto the bulkhead deck. The afterpeakbulkheadmay,however,bestepped below the bulkhead deck, provided the degree of safety of theshipas regards subdivision is not thereby diminished.

(c)In all cases stern tubes shall be enclosed inwatertightspacesof moderate volume. The stern gland shallbesituatedinawatertight shaft tunnel or other watertight space separatefromthesterntube compartment and of such volume that, if flooded by leakage throughthe stern gland, the margin line will not be submerged.

Regulation 10

Double Bottoms

(a)A double bottom shall be fitted extending from the forepeakbulkhead to the afterpeak bulkhead as far as this is practicable andcompatible with the design and proper working of the ship.
(i)In ships 50 metres (165 feet) and under 61 metres (200 feet)in length a double bottom shall be fitted at least from themachinery space to the forepeak bulkhead, or as near thereto as practicable.
(ii)In ships 61 metres (200 feet) and under 76 metres (249 feet)in length a doublebottomshallbefittedatleastoutsidethe machinery space, and shallextendtotheforeandafterpeak bulkheads, or as near thereto as practicable.
(iii) In ships 76 metres (249 feet) in length andupwards,adouble bottom shall be fitted amidships, and shall extend to the foreand after peak bulkheads, or as near thereto as practicable.

(b)Where a double bottom is required to be fitted its depth shall beto the satisfaction of the Administration and the innerbottomshallbe continued out to the ship's sides in such a manner astoprotectthe bottom to the turnofthebilge.Suchprotectionwillbedeemed satisfactory if the line of intersectionoftheouteredgeofthe

margin plate with the bilge plating is not lower atanypartthana horizontal plane passing through the pointofintersectionwiththe frame line amidships of atransversediagonallineinclinedat25 degrees to the base line and cutting it at a point one-half theship's moulded breadth from the middle line.

(c)Small wells constructedinthedoublebottominconnexionwith drainage arrangements of holds, etc., shall not extenddownwardsmore than necessary. The depth of the well shall in no case be more than the depth less 457 millimetres (18 inches) ofthedoublebottomatthe centreline, nor shallthewellextendbelowthehorizontalplane referred to in paragraph (b) of this Regulation. Awellextendingto the outer bottom is, however, permitted at the after end oftheshaft tunnel of screw-ships. Other wells (e.g.,forlubricatingoilunder main engines) may be permitted by the Administration if satisfiedthat the arrangements give protectionequivalenttothataffordedbya double bottom complying with this Regulation.

(d)A double bottom need not be fitted in way of watertightcompartments of moderate size used exclusively for the carriage of liquids, provided the safety of the ship, in the event of bottom or side damage, isnot, in the opinion of the Administration, thereby impaired.

(e)In the case of ships to whichtheprovisionsofparagraph (d)of Regulation 1 of this Chapter apply and whichareengagedonregular service within the limits of a short international voyage as defined in Regulation 2 of Chapter III, the Administrationmaypermitadouble bottom to be dispensed with in any part of the ship which is subdivided by a factor not exceeding .50, ifsatisfiedthatthefittingofa double bottom in that part would not be compatible with the designand proper working of the ship.

Regulation 11

Assigning, Marking and Recording of Subdivision Load Lines

(a)In order that the required degree of subdivision shall be maintained, a load line corresponding to the approved subdivision draught shallbe assigned and marked on the ship's sides. A ship having spaces which are specially adapted for the accommodation of passengers and thecarriage of cargo alternatively may, if the ownersdesire,haveoneormore additional load linesassignedandmarkedtocorrespondwiththe subdivision draughts whichtheAdministrationmayapproveforthe alternative service conditions.

(b)The subdivision load lines assigned and marked shall berecordedin the Passenger Ship Safety Certificate, and shallbedistinguishedby the notation C.1 for the principal passenger condition, andC.2,C.3, etc., for the alternative conditions.

(c)The freeboard corresponding to each oftheseloadlinesshallbe measured at the same position andfromthesamedecklineasthe freeboards determined in accordance with theInternationalConvention respecting Load Lines in force.

(d)The freeboard corresponding to each approvedsubdivisionloadline and the conditions of serviceforwhichitisapproved,shallbe clearly indicated on the Passenger Ship Safety Certificate.

(e)In no case shall any subdivision load line mark be placedabovethe deepest load line in salt water as determined by thestrengthofthe ship and/or theInternationalConventionrespectingLoadLinesin force.

(f)Whatever may be the position of the subdivision loadlinemarks,a ship shall in no case be loaded so as to submerge theloadlinemark appropriate to the season and locality as determined in accordance with the International Convention respecting Load Lines in force.

(g)A ship shall in no case be so loaded that when she is insaltwater the subdivision load line mark appropriate to the particular voyage and condition of service is submerged.

Regulation 12

Construction and Initial Testing of Watertight Bulkheads, etc.

(a)Eachwatertightsubdivisionbulkhead,whethertransverseor longitudinal, shall be constructed in such a manner thatitshallbe capable of supporting, with a proper margin of resistance, the pressure due to the maximum head of water which it might have to sustain inthe event of damage to the ship but at least the pressure due to a headof water up to the margin line. The construction of these bulkheadsshall be to the satisfaction of the Administration.
(b)(i)Steps and recesses in bulkheadsshallbewatertightandas strong as the bulkhead at the place where each occurs.
(ii)Whereframesorbeamspassthroughawatertightdeckor bulkhead,suchdeckorbulkheadshallbemadestructurally watertight without the use of wood or cement.

(c)Testingmaincompartmentsbyfillingthemwithwaterisnot compulsory. When testing by filling with water is notcarriedout,a hose test is compulsory; this test shall be carriedoutinthemost advanced stage of the fitting out of the ship. In any case, athorough inspection of the watertight bulkheads shall be carried out.

(d)The forepeak, double bottoms (including duct keels) andinnerskins shall be tested with water to a head corresponding to therequirements of paragraph (a) of this Regulation.

(e)Tanks which are intended to hold liquids, and which form part ofthe subdivision of the ship, shall be tested for tightness with water toa head up to the deepest subdivision load line or to a head corresponding to two-thirds of the depth from the top of keel to the marginlinein way of the tanks, whichever is the greater; provided thatinnocase shall the test head be less than 0.92 metres (3 feet) above the topof the tank.

(f)The tests referred to in paragraphs (d) and (e)ofthisRegulation are forthepurposeofensuringthatthesubdivisionstructural

arrangements are watertight and are not to be regarded as a test of the fitness of any compartment for the storage of oilfuelorforother special purposes for which atestofasuperiorcharactermaybe required depending on the height to which the liquid has access inthe tank or its connexions.

Regulation 13

Openings in Watertight Bulkheads

(a)The number of openings in watertight bulkheads shallbereducedto the minimum compatible with the design and proper working of theship; satisfactory means shall be provided for closing these openings.
(b)(i)Wherepipes,scuppers,electriccables,etc.arecarried through watertight subdivisionbulkheads,arrangementsshallbe madetoensuretheintegrityofthewatertightnessofthe bulkheads.
(ii)Valves and cocks not forming part of a piping systemshallnot be permitted in watertight subdivision bulkheads.
(iii) Lead or other heat sensitive materialsshallnotbeusedin systems which penetratewatertightsubdivisionbulkheads,where deterioration of such systems in the event of fire would impair the watertight integrity of the bulkheads.
(c)(i)No doors, manholes, or access openings are permitted:
(1)in the collision bulkhead below the margin line;
(2)in watertight transverse bulkheads dividing a cargospacefrom an adjoining cargospaceorfromapermanentorreserve bunker,exceptasprovidedinparagraph (1)ofthis Regulation.
(ii)Except as provided insub-paragraph (iii)ofthisparagraph, the collision bulkhead may be pierced below the margin line bynot more than one pipe for dealing with fluidintheforepeaktank, provided that the pipe is fitted with a screwdown valve capableof being operated from above the bulkhead deck, the valve chestbeing secured inside the forepeak to the collision bulkhead.
(iii) If the forepeak isdividedtoholdtwodifferentkindsof liquids the Administration may allow the collision bulkheadtobe pierced below the margin line by two pipes, each of which is fitted as required by sub-paragraph (ii) of this paragraph,providedthe Administration is satisfied that there is no practicalalternative to the fitting of such a second pipe and that, having regard to the additional subdivision provided in the forepeak, the safety ofthe ship is maintained.
(d)(i)Watertight doors fittedinbulkheadsbetweenpermanentand reserve bunkers shall be always accessible, except asprovidedin sub-paragraph (ii) of paragraph (k) of this Regulation forbetween deck and bunker doors.
(ii)Satisfactory arrangements shall be made by means ofscreensor otherwise to prevent the coal from interfering with the closingof watertight bunker doors.

(e)Within spaces containing the main and auxiliary propellingmachinery including boilers serving the needs ofpropulsionandallpermanent bunkers, not more than one door apart from thedoorstobunkersand shaft tunnels may be fitted in each main transverse bulkhead. Where two

or more shafts are fitted the tunnels shall be connected byaninter-communicating passage.Thereshallbeonlyonedoorbetweenthe machinery space and the tunnel spaces where two shafts arefittedand only two doors where there are more than two shafts.Allthesedoors shall be of the sliding type and shall be located so as tohavetheir sills as high as practicable. The hand gear for operatingthesedoors from above the bulkhead deckshallbesituatedoutsidethespaces containing the machinery if thisisconsistentwithasatisfactory arrangement of the necessary gearing.

(f)(i)Watertight doors shall be slidingdoorsorhingeddoorsor doors of an equivalent type. Plate doors secured only by boltsand doors required to be closed by droppingorbytheactionofa dropping weight are not permitted.

(ii)Sliding doors may be either:

hand-operated only, or

power-operated as well as hand-operated.

(iii) Authorized watertight doors may therefore be divided intothree Classes:

Class 1-hinged doors;

Class 2-hand-operated sliding doors;

Class 3-sliding doors which are power-operated as well as hand-operated.

(iv)The means of operation of anywatertightdoorwhetherpower-operated or not shall be capable of closing the door with theship listed to 15 degrees either way.

(v)In all classes of watertight doors indicatorsshallbefitted which show, at all operating stations from which the doors arenot visible, whether the doors areopenorclosed.Ifanyofthe watertight doors, of whatever Class, is not fitted so as toenable it to be closedfromacentralcontrolstation,itshallbe provided with a mechanical, electrical, telephonic,oranyother suitable direct means of communication, enabling the officer of the watch promptly to contact the person who is responsible for closing the door in question, under previous orders.

(g)Hinged doors (Class 1) shall befittedwithquickactionclosing devices, such as catches, workable from each side of the bulkhead.

(h)Hand-operated sliding doors(Class2)mayhaveahorizontalor vertical motion. It shall be possible to operate the mechanismatthe door itself from either side,andinaddition,fromanaccessible position above the bulkhead deck, with an all roundcrankmotion,or some other movement providing the same guarantee of safetyandofan approved type. Departures from the requirementofoperationonboth sides may be allowed, if this requirement is impossibleowingtothe layout of the spaces. When operating a hand gear the time necessary for the complete closure of the door with thevesselupright,shallnot exceed 90 seconds.

(i)(i)Power-operated sliding doors (Class 3) may have averticalor horizontal motion. If a door is required to be power-operatedfrom a central control, the gearing shall be so arranged thatthedoor can be operated by power also at the door itself frombothsides. Thearrangementshallbesuchthatthedoorwillclose automatically if opened by local control afterbeingclosedfrom the central control, and also such that any door can be kept closed

by local systems which will prevent the door from being opened from the upper control. Local controlhandlesinconnexionwiththe power gear shall be provided each side of the bulkhead and shall be so arranged as to enable persons passingthroughthedoorwayto hold both handles in the open position without beingabletoset the closing mechanisminoperationaccidentally.Power-operated sliding doors shall be provided with hand gear workable at the door itself on either side and from anaccessiblepositionabovethe bulkhead deck, withanallroundcrankmotionorsomeother movement providing the same guarantee of safety and of anapproved type. Provision shall be made to give warnings by sound signal that the door has begun to close and will continue to move untilitis completely closed. The door shall take a sufficient timetoclose to ensure safety.

(ii)There shall be at least two independentpowersourcescapable of opening and closing all the doors under control,eachofthem capable of operating all the doors simultaneously.Thetwopower sources shall be controlled from the central station on thebridge provided with all the necessary indicators for checkingthateach of the two power sources is capable of giving the requiredservice satisfactorily.

(iii) In the case of hydraulicoperation,eachpowersourceshall consist of a pump capable of closing all doors in not more than60 seconds. In addition, there shall beforthewholeinstallation hydraulic accumulators of sufficient capacity tooperateallthe doors at least three times,i.e.,closed-open-closed.Thefluid used shall be one which does not freeze at any of thetemperatures liable to be encountered by the ship during its service.

(j)(i)Hinged watertightdoors(Class1)inpassenger,crewand working spaces are only permitted above adecktheundersideof which, at its lowest point at side, isatleast2.13metres(7 feet) above the deepest subdivision load line.

(ii)Watertight doors, the sills of which are above the deepestload line and below the line specified intheprecedingsub-paragraph shall be sliding doors and may be hand-operated (Class2),except in vessels engaged on short international voyages andrequiredto have a factor of subdivision of .50 or less in which all such doors shallbepower-operated.Whentrunkwaysinconnexionwith refrigerated cargo and ventilationorforceddraughtductsare carried through more than one main watertight subdivision bulkhead, the doors at such openings shall be operated by power.

(k)(i)Watertight doors which may sometimes be opened at sea, andthe sills of which are below the deepest subdivision load line shall be sliding doors. The following rules shall apply:

(1) whenthenumberofsuchdoors(excludingdoorsat entrances to shaft tunnels) exceeds five, allofthesedoors and those at the entrance to shaft tunnelsorventilationor forced draught ducts, shall bepower-operated(Class3)and shall be capable of being simultaneously closed from acentral station situated on the bridge;

(2) whenthenumberofsuchdoors(excludingdoorsat entrances to shaft tunnels) is greater than one, butdoesnot exceed five,

(a)where the ship has no passenger spaces below the bulkheaddeck, all the above-mentioned doors may be hand-operated(Class

2);
(b)where the ship has passenger spaces below the bulkhead deckall the above-mentioned doors shall bepower-operated(Class 3) and shall be capableofbeingsimultaneouslyclosed from a central station situated on the bridge;
(3)in any ship where there are only two such watertight doors and they are into or within the space containing machinery, the Administration may allow these two doorstobehand-operated only (Class 2).
(ii)If sliding watertight doors which have sometimes to beopenat sea for the purpose of trimming coal are fitted between bunkersin the between decks below the bulkhead deck,thesedoorsshallbe operated by power. The opening and closing of these doors shallbe recordedinsuchlogbookasmaybeprescribedbythe Administration.
(l)(i) IftheAdministrationissatisfiedthatsuchdoorsare essential, watertight doors ofsatisfactoryconstructionmaybe fitted in watertight bulkheads dividing cargo between deckspaces. Such doors may be hinged, rolling or sliding doors but shall not be remotely controlled. They shall be fitted at the highest leveland as far from the shell plating as practicable, but in no caseshall the outboard vertical edges be situatedatadistancefromthe shell plating which is less than one-fifth of thebreadthofthe ship, as defined in Regulation 2 ofthisChapter,suchdistance being measured at right angles to the centre line oftheshipat the level of the deepest subdivision load line.
(ii)Such doors shall beclosedbeforethevoyagecommencesand shall be kept closed during navigation; andthetimeofopening such doors in port and of closing them before the ship leavesport shall be entered in the logbook.Shouldanyofthedoorsbe accessible during the voyage, they shall be fittedwithadevice which prevents unauthorized opening. When itisproposedtofit such doors, the number and arrangements shall receivethespecial consideration of the Administration.

(m)Portable platesonbulkheadsshallnotbepermittedexceptin machinery spaces. Such plates shall always be in place before theship leaves port, and shall not be removed during navigation except incase of urgent necessity.Thenecessaryprecautionsshallbetakenin replacing them to ensure that the joints shall be watertight.

(n)All watertight doors shall be kept closedduringnavigationexcept when necessarily opened for the working of the ship, andshallalways be ready to be immediately closed.
(o)(i)Where trunkways or tunnels for access fromcrewaccommodation to the stokehold, for piping, or for any other purpose arecarried throughmaintransversewatertightbulkheads,theyshallbe watertight and in accordance with the requirements of Regulation 16 of this Chapter. The access to at least one end of each such tunnel or trunkway, if used as a passage at sea, shall be through atrunk extending watertight to a height sufficient to permit accessabove the margin line. The access to the other endofthetrunkwayor tunnel may be through a watertight door of the type required by its location in the ship. Such trunkways or tunnelsshallnotextend throughthefirstsubdivisionbulkheadabaftthecollision

bulkhead.
(ii)Where it is proposed to fittunnelsortrunkwaysforforced draught, piercing main transverse watertight bulkheads, these shall receive the special consideration of the Administration.

Regulation 14

Openings in the Shell Plating below the Margin Line

(a)The number of openings in the shell plating shall be reducedtothe minimum compatible with the design and proper working of the ship.

(b)The arrangement and efficiency of the means for closinganyopening in the shell plating shall be consistent with its intended purposeand the position in which it is fitted and generally to the satisfaction of the Administration.
(c)(i)If in a between decks, the sills of any sidescuttles arebelow a line drawn parallel to the bulkhead deck at side andhavingits lowest point 21/2 per cent of the breadth oftheshipabovethe deepest subdivision load line, allsidescuttlesinthatbetween deck shall be of the non-opening type.
(ii)All sidescuttles the sills of which are below themarginline, other than those required to beofanon-openingtypebysub-paragraph (i) of this paragraph, shall be of suchconstructionas will effectivelypreventanypersonopeningthemwithoutthe consent of the master of the ship.
(iii) (1)Whereinabetweendecks,thesillsofanyofthe sidescuttlesreferredtoinsub-paragraph (ii)ofthis paragraph are below a line drawn parallel to the bulkhead deck at side and having its lowest point 1.37metres(41/2feet) plus 21/2 per cent of the breadth of the ship above thewater when the ship departs from any port, all thesidescuttlesin that between decksshallbeclosedwatertightandlocked before the ship leaves port, andtheyshallnotbeopened before the ship arrives at the next port. Intheapplication of this sub-paragraphtheappropriateallowanceforfresh water may be made when applicable.
(2)The time of opening such sidescuttles inportandofclosing and locking them before the ship leaves port shall beentered in such log book as may be prescribed by the Administration.
(3)For any ship that has one or more sidescuttlessoplacedthat the requirements of clause (1)ofthissub-paragraphwould apply when she was floating at herdeepestsubdivisionload line,theAdministrationmayindicatethelimitingmean draught at which thesesidescuttleswillhavetheirsills above the line drawn parallel to the bulkheaddeckatside, and having its lowest point 1.37 metres (41/2 feet) plus21/2 per cent of the breadthoftheshipabovethewater-line corresponding to the limiting mean draught, andatwhichit will therefore be permissibletodepartfromportwithout previously closing and locking them and to open them at sea on the responsibility of the master during the voyage to the next port. IntropicalzonesasdefinedintheInternational Convention respectingLoadLinesinforce,thislimiting draught may be increased by 0.305 metres (1 foot).

(d)Efficient hinged inside deadlightsarrangedsothattheycanbe easily and effectively closed and secured watertight shall be fitted to all sidescuttles except that abaft one-eighth of the ship's length from the forward perpendicular andabovealinedrawnparalleltothe bulkhead deck at side and having its lowest point at a heightof3.66 metres (12 feet) plus 21/2 per cent of the breadth oftheshipabove the deepest subdivision load line, the deadlights maybeportablein passenger accommodation other than that for steerage passengers, unless the deadlights are required by the International Conventionrespecting Load Linesinforcetobepermanentlyattachedintheirproper positions. Such portable deadlights shall bestowedadjacenttothe sidescuttles they serve.

(e)Sidescuttles and theirdeadlights,whichwillnotbeaccessible during navigation, shall be closed and secured before theshipleaves port.

(f)(i)No sidescuttlesshallbefittedinanyspaceswhichare appropriated exclusively to the carriage of cargo or coal.

(ii)Sidescuttles may, however,befittedinspacesappropriated alternatively to the carriage ofcargoorpassengers,butthey shall be of suchconstructionaswilleffectivelypreventany person opening them or their deadlights without the consent ofthe master of the ship.

(iii) If cargo is carried in such spaces, the sidescuttlesandtheir deadlights shall be closed watertight and locked beforethecargo is shipped and such closing and locking shall be recordedinsuch log book as may be prescribed by the Administration.

(g)Automatic ventilating sidescuttles shall not be fitted intheshell plating below the margin linewithoutthespecialsanctionofthe Administration.

(h)Thenumberofscuppers,sanitarydischargesandothersimilar openings in the shell plating shall be reduced to the minimum either by making each discharge serve for as many as possible of the sanitary and other pipes, or in any other satisfactory manner.

(i)(i)All inlets and discharges in the shell plating shall befitted with efficientandaccessiblearrangementsforpreventingthe accidental admission of water into the ship.Leadorotherheat sensitive materials shall not be used for pipes fitted outboardof shell valves in inlets ordischarges,oranyotherapplication where the deterioration of such pipes in the eventoffirewould give rise to danger of flooding.

(ii)(1)Exceptasprovidedinsub-paragraph (iii)ofthis paragraph, eachseparatedischargeledthroughtheshell plating from spaces below the margin lineshallbeprovided either with oneautomaticnon-returnvalvefittedwitha positive means of closing it from above the bulkhead deck, or, alternatively, with two automaticnon-returnvalveswithout such means, the upperofwhichissosituatedabovethe deepest subdivision load line as to be alwaysaccessiblefor examination under service conditions, and is of atypewhich is normally closed.

(2)Where a valve with positive meansofclosingisfitted,the

operating position above the bulkheaddeckshallalwaysbe readily accessible, and means shall be provided for indicating whether the valve is open or closed.

(iii) Main and auxiliary sea inlets and discharges inconnexionwith machinery shall be fitted with readily accessible cocksorvalves between the pipes andshellplatingorbetweenthepipesand fabricated boxes attached to the shell plating.

(j)(i)Gangway, cargo and coaling ports fitted below themarginline shall be of sufficient strength. They shall beeffectivelyclosed and secured watertight before the ship leaves port,andshallbe kept closed during navigation.

(ii)Such ports shall be in nocasefittedsoastohavetheir lowest point below the deepest subdivision load line.

(k)(i)The inboard opening ofeachash-shoot,rubbish-shoot,etc., shall be fitted with an efficient cover.

(ii)If the inboard opening is situated below themarginline,the cover shall be watertight, and in addition an automaticnon-return valve shall be fitted in the shoot in an easily accessible position above the deepest subdivision load line. When the shoot isnotin use both the cover and the valve shall be kept closed and secured.

Regulation 15

Construction and Initial Tests of Watertight Doors, Sidescuttles, etc.

(a)(i)The design, materials and construction of all watertight doors, sidescuttles, gangway, cargo and coaling ports, valves, pipes, ash-shoots and rubbish-shoots referred to in these Regulations shall be to the satisfaction of the Administration.

(ii)The frames of vertical watertight doors shall have no grooveat the bottom in which dirt might lodge and prevent thedoorclosing properly.

(iii) All cocks and valves for sea inletsanddischargesbelowthe bulkhead deck and all fittings outboard of suchcocksandvalves shall be made of steel, bronze or other approved ductilematerial. Ordinary cast iron or similar materials shall not be used.

(b)Each watertight door shall be tested by water pressure to aheadup to the bulkhead deck. The test shall be made before the ship is putin service, either before or after the door is fitted.

Regulation 16

Construction and Initial Tests of Watertight Decks, Trunks, etc.

(a)Watertight decks, trunks, tunnels, duct keels andventilatorsshall be of thesamestrengthaswatertightbulkheadsatcorresponding levels. The means used for making them watertight, and the arrangements adopted for closing openings in them, shall be to thesatisfactionof the Administration. Watertight ventilators and trunks shall becarried at least up to the bulkhead deck.

(b)After completion, ahoseorfloodingtestshallbeappliedto watertight decks and a hose testtowatertighttrunks,tunnelsand ventilators.

Regulation 17

Watertight Integrity above the Margin Line

(a)The Administration may require that allreasonableandpracticable measures shall be taken to limit the entry and spreadofwaterabove the bulkhead deck. Such measures may include partial bulkheads or webs. When partial watertight bulkheads and webs are fitted onthebulkhead deck, above or in the immediate vicinity of main subdivision bulkheads, they shall have watertight shell and bulkhead deck connexions so asto restrict the flow of water along the deck when the ship is in aheeled damaged condition. Where the partial watertight bulkhead does notline up with the bulkhead below, the bulkhead deckbetweenshallbemade effectively watertight.

(b)The bulkhead deck or a deck above it shallbeweathertightinthe sense that in ordinary sea conditions water willnotpenetrateina downward direction. All openings in the exposed weather deck shall have coamings of ample heightandstrengthandshallbeprovidedwith efficient means for expeditiously closingthemweathertight.Freeing ports, open rails and/or scuppers shallbefittedasnecessaryfor rapidlyclearingtheweatherdeckofwaterunderallweather conditions.

(c)Sidescuttles, gangway, cargo and coaling ports andothermeansfor closing openings in the shell plating above the margin line shall be of efficient design and construction andofsufficientstrengthhaving regard to the spaces in whichtheyarefittedandtheirpositions relative to the deepest subdivision load line.

(d)Efficient inside deadlights, arranged so that they can be easilyand effectively closed and secured watertight, shall beprovidedforall sidescuttles to spaces below the first deck above the bulkhead deck.

Regulation 18

Bilge Pumping Arrangements in Passenger Ships

(a)Ships shall be provided with an efficient bilge pumping plant capable of pumping fromanddraininganywatertightcompartmentwhichis neither a permanent oil compartment nor a permanentwatercompartment under all practicable conditions after a casualty whether theshipis upright or listed. For this purpose wingsuctionswillgenerallybe necessary except in narrow compartments at the ends of the ship,where one suctionmaybesufficient.Incompartmentsofunusualform, additional suctions may be required. Arrangements shall be made whereby water in the compartment may find its way to the suctionpipes.Where in relation to particular compartments the Administration issatisfied that the provision of drainage may be undesirable, itmayallowsuch provision to be dispensed with if calculations made in accordancewith the conditions laid down inparagraph (b)ofRegulation7ofthis Chapter show thatthesafetyoftheshipwillnotbeimpaired.
Efficient means shall be provided fordrainingwaterfrominsulated holds.

(b)(i)Ships shall have at least three power pumpsconnectedtothe bilge main, one of which may be attached totheпropellingunit. Wherethecriterionnumeralis30ormore,oneadditional independent power pump shall be provided.
(ii)The requirements are summarized in the following table:

Criterion numeral	Less than	30 and
	30	over
Main engine pump (may be		
replaced by one independent	1	1
pump)		
Independent pumps	2	3

(iii) Sanitary, ballast and general service pumps may beacceptedas independentpowerbilgepumpsiffittedwiththenecessary connexions to the bilge pumping system.

(c)Where practicable, the power bilge pumps shall be placed inseparate watertight compartments so arranged or situated that these compartments will not readily be flooded by the samedamage.Iftheenginesand boilers are in two or more watertight compartments, the pumps available for bilge service shall be distributed throughout these compartments as far as is possible.

(d)On ships 91.5 metres (300feet)ormoreinlengthorhavinga criterion numeral of 30 or more, the arrangements shall be such that at least one power pumpshallbeavailableforuseinallordinary circumstances in which a ship may be flooded at sea.Thisrequirement will be satisfied if:
(i)one of the required pumps is an emergencypumpofareliable submersible type havingasourceofpowersituatedabovethe bulkhead deck; or
(ii)the pumps and their sources of power are so disposedthroughout the length of the ship that under any condition offloodingwhich the ship isrequiredtowithstand,atleastonepumpinan undamaged compartment will be available.

(e)With the exception of additional pumps which may be provided for peak compartments only, each required bilge pump shall be arrangedtodraw water from any space required to be drained byparagraph (a)ofthis Regulation.
(f)(i)Each power bilge pump shall be capable ofgivingaspeedof water through the required main bilge pipe ofnotlessthan122 metres(400feet)perminute.Independentpowerbilgepumps situated in machinery spaces shall have direct suctions fromthese spaces, except that notmorethantwosuchsuctionsshallbe required in any one space. Where twoormoresuchsuctionsare provided there shall be at least one on the port sideandoneon the starboard side.TheAdministrationmayrequireindependent power bilge pumps situated in other spaces to have separatedirect suctions. Direct suctions shall be suitably arranged and those in a machinery space shall be of a diameter not less than thatrequired for the bilge main.

(ii)In coal-burning ships there shall be provided in thestokehold, in addition to the other suctions required bythisRegulation,a flexible suction hose of suitable diameter andsufficientlength, capable of being connected to the suction sideofanindependent power pump.

(g)(i)In addition to the direct bilge suction or suctions required by paragraph (f) of this Regulation there shall beinthemachinery space a direct suction from the main circulatingpumpleadingto the drainage level of the machinery space and fittedwithanon-return valve. The diameter of this direct suction pipe shall beat least two-thirds of the diameter of the pump inlet in thecaseof steamships, and of the same diameter as the pump inlet in thecase of motorships.

(ii)Where in the opinion of the Administration the maincirculating pump is not suitable for this purpose,adirectemergencybilge suction shall be led from the largest availableindependentpower driven pump to the drainagelevelofthemachineryspace;the suction shall be of the same diameter as the main inlet of the pump used. The capacity of the pump so connected shall exceed that ofa requiredbilgepumpbyanamountsatisfactorytothe Administration.

(iii) The spindles of the sea inlet and directsuctionvalvesshall extend well above the engine room platform.

(iv)Where the fuel is, or may be, coal and thereisnowatertight bulkhead between the engines and the boilers,adirectdischarge overboard oralternativelyaby-passtothecirculatingpump discharge, shall befittedfromanycirculatingpumpusedin compliance with sub-paragraph (i) of this paragraph.

(h)(i)All pipes from the pumps which are required for draining cargo or machinery spaces shall be entirely distinct from pipes which may be used for filling oremptyingspaceswherewateroroilis carried.

(ii)All bilge pipes used in or under coal bunkersorfuelstorage tanks or in boiler or machinery spaces, including spacesinwhich oil-settling tanks or oil fuel pumping units are situated, shall be of steel or other approved material.

(i)The diameter of the bilge main shall be calculated accordingtothe following formulae provided that the actual internaldiameterofthe bilge main may be oftheneareststandardsizeacceptabletothe Administration:

[pic]

where: d=internaldiameterofthebilgemainin millimetres,
L and B are the length and the breadth of the shipinmetres, as defined in Regulation 2 of this Chapter, and
D =moulded depthoftheshiptobulkheaddeckin metres;
or

[pic]

where:d =internal diameter of the bilge main in inches,

L and B are the length and the breadth of the ship in feet,as defined in Regulation 2 of this Chapter, and
D =moulded depth of the ship to bulkhead deck in feet.

The diameter of the bilge branch pipes shall be determined by rulesto be made by the Administration.

(j)The arrangement of the bilge and ballast pumping system shall be such as to prevent the possibility of water passing from theseaandfrom water ballast spaces into the cargo and machinery spaces, orfromone compartment to another. Special provision shall be made to preventany deep tank having bilge and ballast connexions beinginadvertentlyrun up from the sea when containing cargo, or pumped outthroughabilge pipe when containing water ballast.

(k)Provision shall be made to preventthecompartmentservedbyany bilge suction pipe beingfloodedintheeventofthepipebeing severed, or otherwise damaged by collision or groundinginanyother compartment. For this purpose, where the pipe is at anypartsituated nearer the side of the ship than one-fifththebreadthoftheship (measured at right angles to thecentrelineatthelevelofthe deepest subdivision load line), or in a duct keel, anon-returnvalve shall be fitted to the pipe in the compartment containing the open end.

(l)All the distribution boxes, cocks and valves inconnexionwiththe bilge pumping arrangements shall be in positions whichareaccessible at all times under ordinary circumstances. They shallbesoarranged that, in the event of flooding, one of the bilge pumps may be operative on anycompartment;inaddition,damagetoapumporitspipe connecting to the bilge main outboard of a line drawn atone-fifthof the breadth of the ship shall not put the bilge system outofaction. If there is only one system of pipescommontoallthepumps,the necessary cocks or valves for controlling the bilgesuctionsmustbe capable of being operatedfromabovethebulkheaddeck.Wherein addition to the main bilge pumping system anemergencybilgepumping system is provided, it shall be independent of the main systemandso arranged that a pump is capable of operating on anycompartmentunder flooding conditions; in that case only the cocks andvalvesnecessary for the operation of the emergency systemneedbecapableofbeing operated from above the bulkhead deck.

(m)All cocks and valves mentioned in paragraph (l)ofthisRegulation which can be operated from above the bulkheaddeckshallhavetheir controls at their place of operation clearly marked andprovidedwith means to indicate whether they are open or closed.

Regulation 19

Stability Information for Passenger Ships and Cargo Ships(

(a)Every passenger ship andcargoshipshallbeinclineduponits completion and the elements of itsstabilitydetermined.Themaster shall be supplied with such reliable informationasisnecessaryto enable him by rapid and simple processes to obtain accurate guidance as to the stability of the ship under varying conditions of service, and a

copy shall be furnished to the Administration.

(b)Where any alterations are made to a ship so as tomateriallyaffect the stability information supplied tothemaster,amendedstability information shall be provided. Ifnecessarytheshipshallbere-inclined.

(c)The Administration may allow the inclining test of an individual ship to be dispensed with provided basic stability data areavailablefrom the inclining test of a sister ship and it is shown to the satisfaction of the Administrationthatreliablestabilityinformationforthe exempted ship can be obtained from such basic data.

(d)The Administration may also allow the inclining test of an individual ship or class of ships, especially designed for the carriage of liquids or ore in bulk, to be dispensed with when referencetoexistingdata for similar ships clearly indicates that due to the ship'sproportions and arrangementsmorethansufficientmetacentricheightwillbe available in all probable loading conditions.

Regulation 20

Damage Control Plans

There shall be permanently exhibited, for the guidance of the officer in charge of the ship, plansshowingclearlyforeachdeckandholdthe boundaries of the watertight compartments, theopeningsthereinwiththe means of closure and position of any controls thereof, and thearrangements for the correction of anylistduetoflooding.Inaddition,booklets containing the aforementioned information shall bemadeavailabletothe officers of the ship.

Regulation 21

Marking, Periodical Operation and Inspection of Watertight Doors, etc.

(a)This Regulation applies to new and existing ships.

(b)Drills for the operating of watertightdoors,sidescuttles,valves and closing mechanisms of scuppers, ash-shoots and rubbish-shoots shall take place weekly. In ships in which the voyageexceedsoneweekin duration a complete drill shall be held before leaving port, and others thereafter at least once a week during the voyage.Inallshipsall watertight power doors and hinged doors, in main transversebulkheads, in use at sea, shall be operated daily.
(c)(i) Thewatertightdoorsandallmechanismsandindicators connected therewith, all valves the closing of whichisnecessary to make a compartment watertight, and all valves theoperationof which is necessary for damage controlcrossconnexionsshallbe periodically inspected at sea at least once a week.
(ii)Such valves, doors and mechanisms shall be suitablymarkedto ensure that they may be properly used to provide maximum safety.

Regulation 22

Entries in Log

(a)This Regulation applies to new and existing ships.

(b)Hinged doors,portableplates,sidescuttles,gangway,cargoand coalingportsandotheropenings,whicharerequiredbythese Regulations to be kept closed during navigation, shall be closed before the ship leaves port. The time of closing and the time ofopening(if permissible under these Regulations) shall be recorded in such log book as may be prescribed by the Administration.

(c)A record of all drills and inspections required by Regulation21of this Chapter shall be entered in the log book with anexplicitrecord of any defects which may be disclosed.

PART C-MACHINERY AND ELECTRICAL INSTALLATIONS(
(Part C applies to passenger ships and cargo ships)

Regulation 23

General

(a)Electrical installations in passenger ships shall be such that:
(i)services essential for safety will be maintainedundervarious emergency conditions; and
(ii)the safety of passengers, crew and ship from electricalhazards will be assured.

(b)Cargo ships shall comply with Regulations 26, 27, 28, 29, 30and32 of this Chapter.

Regulation 24

Main Source of Electrical Power in Passenger Ships

(a)Every passenger ship, the electrical power of whichconstitutesthe only means of maintaining the auxiliary services indispensable forthe propulsion and the safety of the ship, shall be provided with atleast two main generating sets. The power of these sets shall be such that it shall still be possible toensurethefunctioningoftheservices referred to in sub-paragraph (a) (i) of Regulation 23 ofthisChapter in the event of any one of these generating sets being stopped.

(b)In a passenger ship where there is only one main generatingstation, the main switchboard shall be located in the same main fire zone. Where there is more than one main generating station, itispermissibleto have only one main switchboard.

Regulation 25

Emergency Source of Electrical Power in Passenger Ships

(a)There shall be above the bulkheaddeckandoutsidethemachinery casings a self-contained emergencysourceofelectricalpower.Its location in relation to the main source or sources of electricalpower

shall be such as to ensure to the satisfactionoftheAdministration that a fire or other casualty to themachineryspaceasdefinedin paragraph (h) of Regulation 2 of this Chapter will notinterferewith the supply or distribution of emergency power. It shall not beforward of the collision bulkhead.

(b)The power available shall be sufficient to supply all thoseservices that are, in the opinionoftheAdministration,necessaryforthe safety of the passengers and the crew in an emergency, due regard being paid to such servicesasmayhavetobeoperatedsimultaneously. Special consideration shall be given toemergencylightingatevery boat station on deck and oversides, inallalleyways,stairwaysand exits, in the machinery spaces and in the control stationsasdefined in paragraph (r) of Regulation 3 ofChapterII-2,tothesprinkler pump, to navigation lights, and tothedaylightsignallinglampif operated from the main source of power. The power shall be adequate for a period of 36 hours,exceptthat,inthecaseofshipsengaged regularly on voyages of short duration, the Administration may accept a lesser supply if satisfied that the same standard ofsafetywouldbe attained.

(c)The emergency source of power may be either:
(i) ageneratordrivenbyasuitableprime-moverwithan independent fuel supply and withapprovedstartingarrangements; the fuel used shallhaveaflashpointofnotlessthan43(C (110(F); or
(ii)anaccumulator(storage)batterycapableofcarryingthe emergency load without recharging or excessive voltage drop.
(d)(i)Where the emergency source of power is a generator thereshall be provided a temporary source of emergency power consisting ofan accumulator battery of sufficient capacity:
(1)to supply emergency lighting continuously for half an hour;
(2)to close the watertight doors(ifelectricallyoperated)but not necessarily to close them all simultaneously;
(3)to operate the indicators (if electrically operated) whichshow whether power-operated watertight doors areopenorclosed; and
(4)to operate the sound signals (ifelectricallyoperated)which give warning that power-operated watertight doors are about to close.
The arrangementsshallbesuchthatthetemporarysourceof emergency power will come into operation automatically in the event of failure of the main electrical supply.
(ii)Where the emergency source of power is an accumulatorbattery, arrangements shall be made to ensure that emergencylightingwill automatically come into operation in the event offailureofthe main lighting supply.

(e)An indicator shall be mounted in the machinery space,preferablyon the main switchboard, to indicate when any accumulatorbatteryfitted in accordance with this Regulation is being discharged.
(f)(i)The emergency switchboard shall beinstalledasnearasis practicable to the emergency source of power.
(ii)Where theemergencysourceofpowerisagenerator,the emergency switchboard shall be located in thesamespaceasthe

emergency source of power, unless the operationoftheemergency switchboard would thereby be impaired.
(iii)Noaccumulatorbatteryfittedinaccordancewiththis Regulation shall be installed in the same spaceastheemergency switchboard.
(iv)The Administration may permit the emergency switchboardtobe supplied from the main switchboard in normal operation.

(g)Arrangements shall be such that the completeemergencyinstallation will function when the ship is inclined 221/2 degrees and/orwhenthe trim of the ship is 10 degrees.

(h)Provision shall be made for the periodictestingoftheemergency source of power and the temporary source of power, ifprovided,which shall include the testing of automatic arrangements.

Regulation 26

Emergency Source of Electrical Power in Cargo Ships

(a)Cargo ships of 5,000 Tons Gross Tonnage and upwards
(i)In cargo ships of 5,000 tons grosstonnageandupwardsthere shall be a self-contained emergency source of power, located to the satisfaction of the Administration above theuppermostcontinuous deck and outside the machinery casings, to ensureitsfunctioning in the event of fire or other casualty causing failure to themain electrical installation.
(ii)The power available shall besufficienttosupplyallthose services which are, in the opinion of the Administration, necessary for the safety of all on board in an emergency,dueregardbeing paid to such services as may have tobeoperatedsimultaneously. Special consideration shall be given to:
(1)emergency lighting at every boat station on deck andoversides, in all alleyways, stairways and exits, in themainmachinery space and main generating set space, on the navigatingbridge and in the chartroom;
(2)the general alarm; and
(3) navigationlightsifsolelyelectric,andthedaylight signalling lamp if operated by the main sourceofelectrical power.
The power shall be adequate for a period of 6 hours.
(iii) The emergency source of power may be either:
(1) anaccumulator(storage)batterycapableofcarryingthe emergency load without recharging or excessive voltage drop; or
(2) ageneratordrivenbyasuitableprime-moverwithan independent fuel supply and with starting arrangementstothe satisfaction of the Administration. The fuel used shall havea flashpoint of not less than 43(C (110(F).
(iv)Arrangementsshallbesuchthatthecompleteemergency installation will function when the ship is inclined 221/2degrees and/or when the trim of the ship is 10 degrees.
(v)Provisionshallbemadefortheperiodictestingofthe complete emergency installation.

(b)Cargo ships of less than 5,000 Tons Gross Tonnage

(i)In cargo ships of lessthan5,000tonsgrosstonnagethere shall be a self-contained emergency source of power located tothe satisfaction of the Administration, and capableofsupplyingthe illuminationatlaunchingstationsandstowagepositionsof survival craft prescribed in sub-paragraphs (a) (ii), (b) (ii)and (b) (iii) of Regulation 19 of Chapter III,andinadditionsuch other services as the Administration may require, due regardbeing paid to Regulation 38 of Chapter III.
(ii)The power available shall be adequate for a period ofatleast 3 hours.
(iii) These shipsshallalsobesubjecttosub-paragraphs (iii), (iv), and (v) of paragraph (a) of this Regulation.

Regulation 27

Precautions against Shock, Fire and other Hazards of Electrical Origin

(a)Passenger Ships and Cargo Ships
(i) (1)Allexposedmetalpartsofelectricalmachinesor equipment which are not intended to be "live" butareliable to become "live" underfaultconditions,shallbeearthed (grounded);andallelectricalapparatusshallbeso constructed and so installed that danger of injury in ordinary handling shall not exist.
(2)Metal frames of all portable electric lamps, toolsandsimilar apparatus, supplied as ship's equipment and rated in excess of a safety voltage to be prescribed by the Administrationshall be earthed (grounded) throughasuitableconductor,unless equivalent provisions are made such as by double insulation or by an isolating transformer. TheAdministrationmayrequire additional special precautions for electriclamps,toolsor similar apparatus for use in damp spaces.
(ii)Main and emergency switchboards shall be so arranged as togive easy access back and front, without danger to attendants. The sides and backs and, where necessary, the fronts of switchboards shall be suitably guarded. There shall be non-conductingmatsorgratings front and rear where necessary. Exposed current-carryingpartsat voltages to earth (ground) exceeding a voltage to bespecifiedby the Administration shall notbeinstalledonthefaceofany switchboard or control panel.
(iii) (1)Where the hullreturnsystemofdistributionisused, special precautions shall be taken to the satisfaction ofthe Administration.
(2)Hull return shall not be used in tankers.
(iv)(1)Allmetalsheathsandarmourofcablesshallbe electrically continuous and shall be earthed (grounded).
(2)Where the cables are neither sheathednorarmouredandthere might be a risk of fire in the event of anelectricalfault, precautions shall be required by the Administration.
(v)Lighting fittingsshallbearrangedtopreventtemperature rises that wouldbeinjurioustothewiring,andtoprevent surrounding material from becoming excessively hot.
(vi)Wiring shall be supported in such a manner as toavoidchafing or other injury.
(vii) Each separate circuit shall be protected against shortcircuit.

Each separate circuit shall alsobeprotectedagainstoverload, except in accordance with Regulation 30 of thisChapterorwhere theAdministrationgrantsanexemption.Thecurrent-carrying capacity of each circuit shall be permanentlyindicated,together with the rating or setting of the appropriateoverloadprotective device.

(viii)Accumulatorbatteriesshallbesuitablyhoused,and compartmentsusedprimarilyfortheiraccommodationshallbe properly constructed and efficiently ventilated.

(b)Passenger Ships only

(i)Distribution systems shall be so arranged that fire in anymain fire zone will not interfere with essential services inanyother main fire zone. This requirement will be met if main andemergency feeders passing through any zone are separated both verticallyand horizontally as widely as is practicable.

(ii)Electric cables shall beofaflameretardingtypetothe satisfaction of the Administration. The Administration mayrequire additional safeguards for electric cables in particularspacesof the ship with a view to the prevention of fire or explosion.

(iii) In spaces where inflammable mixtures are liable tocollect,no electrical equipment shall be installed unlessitisofatype which will not ignite the mixtureconcerned,suchasflameproof (explosion proof) equipment.

(iv)A lighting circuit in a bunker or hold shallbeprovidedwith an isolating switch outside the space.

(v)Joints in all conductors except forlowvoltagecommunication circuits shall be made only in junction or outlet boxes.Allsuch boxes or wiring devices shall be so constructed as topreventthe spread of fire from the box or device. Where splicingisemployed it shall only be by an approved method suchthatitretainsthe original mechanical and electrical properties of the cable.

(vi)Wiring systems for interior communications essential forsafety and for emergency alarm systems shall be arranged to avoid galleys, machinery spaces and other enclosed spaces having ahighriskof fire except in so far as it is necessary toprovidecommunication or to give alarm within those spaces. Inthecaseofshipsthe construction and small size of which do notpermitofcompliance withtheserequirements,measuressatisfactory to the Administration shall be taken to ensureefficientprotectionfor these wiring systems where theypassthroughgalleys,machinery spaces and other enclosed spaces having a high risk of fire.

(c)Cargo Ships only

Devices liable to arc shallnotbeinstalledinanycompartment assigned principally to accumulator batteries unlessthedevicesare flameproof (explosion proof).

Regulation 28

Means of Going Astern

(a)Passenger Ships and Cargo Ships

Ships shall have sufficient power for going astern tosecureproper control of the ship in all normal circumstances.

(b)Passenger Ships only
The ability of the machinery to reverse the directionofthrustof the propeller in sufficient time, under normal manoeuvringconditions, and so to bring the ship to rest from maximum ahead service speed shall be demonstrated at the initial survey.

Regulation 29

Steering Gear(

(a)Passenger Ships and Cargo Ships
(i)Ships shall beprovidedwithamainsteeringgearandan auxiliary steering gear to the satisfaction of the Administration.
(ii)The mainsteeringgearshallbeofadequatestrengthand sufficient to steer the ship at maximumservicespeed.Themain steering gear and rudder stock shall be so designed thattheyare not damaged at maximum astern speed.
(iii) The auxiliary steering gear shall be ofadequatestrengthand sufficient to steer the ship atnavigablespeedandcapableof being brought speedily into action in an emergency.
(iv)The exact position of the rudder, if poweroperated,shallbe indicated at the principal steering station.

(b)Passenger Ships only
(i)The main steering gear shall be capable ofputtingtherudder over from 35 degrees on one side to 35 degrees ontheotherside with the ship running ahead at maximum servicespeed.Therudder shall be capable of being put over from 35 degrees oneitherside to 30 degrees on the other side in 28 secondsatmaximumservice speed.
(ii)The auxiliary steering gear shall be operated bypowerinany case in which the Administration would require arudderstockof over 228.6 millimetres (9 inches) diameter in way of the tiller.
(iii) Where main steering gear power units andtheirconnexionsare fitted in duplicate to the satisfaction of the Administration,and each power unit enables the steering gear to meet therequirements of sub-paragraph (i) of this paragraph, no auxiliary steeringgear need be required.
(iv)Where the Administration would require arudderstockwitha diameter in wayofthetillerexceeding228.6millimetres(9 inches) there shall be providedanalternativesteeringstation located to thesatisfactionoftheAdministration.Theremote steeringcontrolsystemsfromtheprincipalandalternative steering stations shall be so arranged to the satisfactionofthe Administration that failure of either system wouldnotresultin inability to steer the ship by means of the other system.
(v)Means satisfactory to the Administration shallbeprovidedto enable orders to be transmitted from the bridge to thealternative steering station.

(c)Cargo Ships only
(i)The auxiliary steering gear shall be operated bypowerinany case in which the Administration would require arudderstockof over 355.6 millimetres (14 inches) diameter in way of the tiller.

(ii)Where power-operated steeringgearunitsandconnexionsare fitted in duplicate to the satisfaction of the Administration,and each unit complies withsub-paragraph (iii)ofparagraph (a)of this Regulation, noauxiliarysteeringgearneedberequired, provided that the duplicate units and connexions operating together comply with sub-paragraph (ii) of paragraph (a) of this Regulation.

Regulation 30

Electric and Electrohydraulic Steering Gear(

(a)Passenger Ships and Cargo Ships
Indicators for running indicationofthemotorsofelectricand electrohydraulicsteeringgearshallbeinstalledinasuitable location to the satisfaction of the Administration.

(b)All Passenger Ships (irrespective of tonnage) and Cargo Ships of 5,000 Tons Gross Tonnage and upwards
(i)Electric and electrohydraulic steering gear shall beservedby two circuits fed from the main switchboard. One of the circuits may pass through the emergency switchboard, if provided.Eachcircuit shall have adequate capacity for supplying all the motors which are normally connected toitandwhichoperatesimultaneously.If transfer arrangements are provided in thesteeringgearroomto permit either circuit to supply any motor or combination of motors, the capacity of each circuit shall be adequate for the mostsevere load condition. The circuits shall beseparatedthroughouttheir length as widely as is practicable.
(ii)Short circuitprotectiononlyshallbeprovidedforthese circuits and motors.

(c)Cargo Ships of less than 5,000 Tons Gross Tonnage
(i)Cargo ships in which electrical poweristhesolesourceof power for both main and auxiliary steering gear shallcomplywith sub-paragraphs (i) and (ii) of paragraph (b)ofthisRegulation, except that if the auxiliary steering gear is poweredbyamotor primarily intended for otherservices,paragraph (b)(ii)maybe waived, provided that theAdministrationissatisfiedwiththe protection arrangements.
(ii)Short circuit protection only shall be provided formotorsand power circuits ofelectricallyorelectrohydraulicallyoperated main steering gear.

Regulation 31

Location of Emergency Installations in Passenger Ships

Theemergencysourceofelectricalpower,emergencyfirepumps, emergencybilgepumps,batteriesofcarbondioxidebottlesforfire extinguishingpurposesandotheremergencyinstallationswhichare essential for the safety of the ship shall not be installed inapassenger ship forward of the collision bulkhead.

Regulation 32

Communication between Bridge and Engine Room

Ships shall be fitted with two means of communicatingordersfromthe bridge to the engine room. One means shall be an engine room telegraph.

CHAPTER II-2

CONSTRUCTION-FIRE PROTECTION, FIRE DETECTION AND FIRE EXTINCTION

PART A-GENERAL+

Regulation 1

Application

(a)For the purpose of this Chapter:
(i)A new passenger ship is a passenger ship the keelofwhichis laid or which is at a similar stage of construction on or after the date of coming into force of the presentConvention,oracargo ship which is converted to a passenger ship on or after thatdate, all other passenger ships being considered as existing ships.
(ii)A new cargo ship is a cargo ship the keel of whichislaidor which is at a similar stage of construction on or after the date of coming into force of the present Convention.
(iii) A ship which undergoes repairs, alterations,modificationsand outfitting related thereto shall continue to comply withatleast the requirements previously applicable totheship.Anexisting ship in such a case shall not as a rule comply to alesserextent with the requirements for a new ship than it didbefore.Repairs, alterations and modifications of a major characterandoutfitting related thereto should meet the requirements for a new shipinso far as the Administration deems reasonable and practicable.

(b)Unless expressly provided otherwise:
(i)Regulations 4 to 16 of Part AofthisChapterapplytonew ships.
(ii)Part B of this Chapter applies to new passengershipscarrying more than 36 passengers.
(iii) Part C of this Chapter applies to new passengershipscarrying not more than 36 passengers.
(iv)Part D of this Chapter applies to new cargo ships.
(v)Part E of this Chapter applies to new tankers.
(c)(i)Part F of this Chapterappliestoexistingpassengerships carrying more than 36 passengers.
(ii)Existing passenger ships carrying not morethan36passengers and existing cargo ships shall comply with the following:
(1)for ships the keels of whichwerelaidorwhichwereata similar stage of construction on or after the dateofcoming into force of the International Convention for theSafetyof Life at Sea, 1960, the Administration shallensurethatthe requirements which wereappliedunderChapterIIofthat Convention tonewshipsasdefinedinthatChapterare complied with;
(2)for ships the keels of whichwerelaidorwhichwereata similar stage of construction on or after the dateofcoming

into force of the International Convention for theSafetyof Life at Sea, 1948, but before the date of coming into force of the International Convention for the Safety ofLifeatSea, 1960, the Administration shall ensurethattherequirements which were applied under Chapter II of the 1948 Conventionto new ships as defined in that Chapter are complied with;

(3)for ships the keels of whichwerelaidorwhichwereata similar stage of construction before the date ofcominginto force of the International Convention for the SafetyofLife atSea,1948,theAdministrationshallensurethatthe requirements which wereappliedunderChapterIIofthat Convention to existing ships as defined inthatChapterare complied with.

(d)For any existing shipasdefinedinthepresentConventionthe Administration, inadditiontoapplyingtherequirementsofsub-paragraph (c) (i)ofthisRegulation,shalldecidewhichofthe requirements of this Chapter not contained in Chapter IIofthe1948 and 1960 Conventions shall be applied.

(e)The Administration may, if it considers that the sheltered nature and conditions of the voyage are such as to render the applicationofany specific requirements ofthisChapterunreasonableorunnecessary, exempt from those requirements individual shipsorclassesofships belonging to its country which, in the course of their voyage,donot proceed more than 20 miles from the nearest land.

(f)In the case of passenger ships which are employed inspecialtrades for the carriage of large numbers of special trade passengers, suchas thepilgrimtrade,theAdministration,ifsatisfiedthatitis impracticable to enforcecompliancewiththerequirementsofthis Chapter, may exempt such ships, when they belong to itscountry,from those requirements, provided that they comply fully with the provisions of:

(i) theRulesannexedtotheSpecialTradePassengerShips Agreement, 1971, and

(ii)the Rules annexed to theProtocolonSpaceRequirementsfor Special Trade Passenger Ships, 1973, when it comes into force.

Regulation 2

Basic Principles

The purpose of this Chapter is to require the fullest practicable degree of fire protection,firedetectionandfireextinctioninships.The following basic principles underlie the Regulations in this Chapter andare embodied in the Regulations as appropriate, having regardtothetypeof ships and the potential fire hazard involved:

(a)division of ship into main vertical zones by thermalandstructural boundaries;

(b)separation of accommodation spaces from the remainder of the shipby thermal and structural boundaries;

(c)restricted use of combustible materials;

(d)detection of any fire in the zone of origin;

(e)containment and extinction of any fire in the space of origin;

(f)protection of means of escape or access for fire fighting;
(g)ready availability of fire-extinguishing appliances;
(h)minimization of possibility of ignition of inflammable(cargo vapour.

Regulation 3

Definitions

For the purpose of this Chapter, unless expressly provided otherwise:
(a) "Non-combustible material" means a material which neitherburnsnor gives off inflammable vapours in sufficient quantity for self-ignition when heated to approximately 750(C (1,382(F) this being determinedto thesatisfactionoftheAdministrationbyanestablishedtest procedure.+ Any other material is a combustible material.

(b) "A Standard Fire Test" is one inwhichspecimensoftherelevant bulkheads or decks are exposedinatestfurnacetotemperatures corresponding approximately to thestandardtime-temperaturecurve. The specimen shall have an exposedsurfaceofnotlessthen4.65 square metres (50 square feet) and height (or length of deck) of2.44 metres (8feet)resemblingascloselyaspossibletheintended construction and including where appropriate at least onejoint.The standard time-temperature curve is defined byasmoothcurvedrawn through the following points:

at the end of	5	-538(C	(1,000(F
the first	minutes		)
""""	10"	-704(C	(1,300(F
""			)
""""	30"	-843(C	(1,550(F
""			)
""""	60"	-927(C	(1,700(F
""			)

(c) " "A" Class Divisions" are those divisions formedbybulkheadsand decks which comply with the following:
(i) theyshallbeconstructedofsteelorotherequivalent material;
(ii)they shall be suitably stiffened;
(iii) they shall be so constructed as to be capable of preventingthe passage of smoke and flame to the end of theone-hourstandard fire test;
(iv)they shall be insulated with approved non-combustiblematerials such that the average temperature of the unexposed side will not rise more than 139(C (250(F) above the original temperature, nor will the temperature, at any onepoint,includinganyjoint, rise more than 180(C (325(F)abovetheoriginaltemperature, within the time listed below:

Class "A-60"	60 minutes
Class "A-30"	30 minutes
Class "A-15"	15 minutes
Class "A-0"	0 minutes

(v)the Administration may require a test ofaprototypebulkhead or deck to ensure thatitmeetstheaboverequirementsfor integrity and temperature rise.#

(d) " "B" Class Divisions"arethosedivisionsformedbybulkheads, decks, ceilings or linings which comply with the following:
(i)they shall be so constructed as to be capable of preventingthe passage of flame to the end of the first one-halfhourofthe standard fire test;
(ii)they shall haveaninsulationvaluesuchthattheaverage temperature of the unexposed side will not rise more than139(C (250(F) above the original temperature, nor will the temperature at any one point, including anyjoint,risemorethan225(C (405(F) above the original temperature, within thetimelisted below:

|Class "B-15" |15 minutes |
|Class "B-0"|0 minutes|

(iii) they shall be constructed of approved non-combustiblematerials and all materials entering into the construction and erection of "B" Class Divisions shall be non-combustible,exceptwherein accordance with Parts CandDofthisChaptertheuseof combustible material is not precluded, in whichcaseitshall comply with the temperature rise limitationspecifiedinsub-paragraph (ii) of this paragraph up to the end of the first one-half hour of the standard fire test;
(iv)the Administration may require a test ofaprototypedivision to ensure that it meets the above requirements for integrity and temperature rise.(

(e) ""C"ClassDivisions"shallbeconstructedofapprovednon-combustible materials. They need meet no requirements relative tothe passage of smoke and flame nor the limiting of temperature rise.

(f) "Continuous "B" ClassCeilingsorLinings"arethose"B"Class ceilings or linings which terminateonlyatan"A"or"B"Class division.

(g) "Steel or Other Equivalent Material". Where the words "steel or other equivalent material" occur, "equivalent material" meansanymaterial which, by itself or due to insulationprovided,hasstructuraland integrity properties equivalent to steel at the end of theapplicable fire exposure to the standard fire test(e.g.aluminiumalloywith appropriate insulation).

(h) "Low FlameSpread"meansthatthesurfacethusdescribedwill adequately restrict the spread of flame, this being determined tothe satisfaction of the Administration by an established test procedure.

(i) "Main VerticalZones"arethosesectionsintowhichthehull, superstructure, and deckhouses are divided by "A" Class divisions, the mean length of which on any one deck does notingeneralexceed40

metres (131 feet).

(j) "Accommodation Spaces" are those used for publicspaces,corridors, lavatories, cabins, offices, crewquarters,barbershops,isolated pantries and lockers and similar spaces.

(k) "Public Spaces" are those portions oftheaccommodationwhichare used for halls, dining rooms, lounges and similar permanently enclosed spaces.

(l) "Service Spaces" are those used for galleys,mainpantries,stores (exceptisolatedpantriesandlockers),mailandspecierooms, workshops other than thoseformingpartofmachineryspaces,and similar spaces and trunks to such spaces.

(m) "Cargo Spaces" are all spaces used forcargo(includingcargooil tanks) and trunks to such spaces.

(n) "Special Category Spaces" are those enclosed spacesaboveorbelow the bulkhead deck intended for the carriageofmotorvehicleswith fuel in their tanks for their own propulsion, into and from which such vehicles can be driven and to which passengers have access.

(o) "Machinery Spaces of Category A" are all spaces which contain:
(i) internalcombustiontypemachineryusedeitherformain propulsion purposes, or for other purposes where suchmachinery has in the aggregate a total power output of not lessthan373 kW, or
(ii)any oil-fired boiler oroilfuelunit;andtrunkstosuch spaces.

(p) "Machinery Spaces" are all machinery spaces ofCategoryAandall other spaces containing propelling machinery, boilers, oil fuel units, steam and internal combustion engines, generators and major electrical machinery,oilfillingstations,refrigerating,stabilizing, ventilation and air conditioning machinery, andsimilarspaces;and trunks to such spaces.

(q) "Oil Fuel Unit" means the equipment used for the preparationofoil fuel for delivery to an oil-fired boiler, or equipmentusedforthe preparation for delivery ofheatedoiltoaninternalcombustion engine, and includes anyoilpressurepumps,filtersandheaters dealing with oil at a pressure more than 1.8kilogrammespersquare centimetre (25 pounds per square inch) gauge.

(r) "Control Stations" are those spaces in which the ship's radio or main navigating equipment or the emergency source of powerislocatedor where the fire recording or fire control equipment is centralized.

(s) "Rooms containing Furniture and Furnishings of Restricted FireRisk" are, for the purpose of Regulation 20 ofthisChapter,thoserooms containing furniture and furnishings of restricted fire risk(whether cabins, public spaces, offices or othertypesofaccommodation)in which:
(i)all case furniture such as desks,wardrobes,dressingtables,

bureaux, dressers, isconstructedentirelyofapprovednon-combustible materials, exceptthatacombustibleveneernot exceeding 2 millimetres (1/12 inch) may be used ontheworking surface of such articles;
(ii)all free-standing furniture such as chairs,sofas,tables,is constructed with frames of non-combustible materials;
(iii) all draperies, curtains and othersuspendedtextilematerials have, to the satisfaction of theAdministration,qualitiesof resistance to the propagation of flame not inferior to thoseof wool weighing 0.8 kilogrammes per square metre(24ouncesper square yard);
(iv)allfloorcoveringshave,tothesatisfactionofthe Administration, qualities of resistance tothepropagationof flame not inferior to those of anequivalentwoollenmaterial used for the same purpose; and
(v)all exposed surfaces of bulkheads,liningsandceilingshave low flame-spread characteristics.

(t) "Bulkhead deck" is the uppermost deckuptowhichthetransverse watertight bulkheads are carried.

(u)"Deadweight"isthedifferenceinmetrictonsbetweenthe displacement of a ship in water of a specific gravity of 1.025 atthe load water line corresponding to the assigned summer freeboard and the lightweight of the ship.

(v) "Lightweight" is the displacement of a ship inmetrictonswithout cargo, fuel, lubricating oil, ballast water, fresh water and feedwater in tanks, consumable stores, together with passengers,andcrewand their effects.

(w)"Combinationcarrier"isatankerdesignedtocarryoilor alternatively solid cargoes in bulk.

Regulation 4

Fire Control Plans

There shall be permanently exhibited in all new andexistingshipsfor the guidance oftheship'sofficersgeneralarrangementplansshowing clearly for each deckthecontrolstations,thevariousfiresections enclosed by"A"Classdivisions,thesectionsenclosedby"B"Class divisions (if any), together with particulars of the fire alarms,detecting systems,thesprinklerinstallation(ifany),thefire-extinguishing appliances, means of access to different compartments, decks, etc.andthe ventilating system including particulars of the fan controlpositions,the position of dampers andidentificationnumbersoftheventilatingfans servingeachsection.Alternatively,atthediscretionofthe Administration, the aforementioned details may be set out inabooklet,a copy of which shall be supplied to each officer, and one copy atalltimes shall be available on board in an accessible position.Plansandbooklets shall be kept up to date, any alterations being recorded thereon as soonas practicable. Descriptioninsuchplansandbookletsshallbeinthe national language.IfthelanguageisneitherEnglishnorFrench,a translation into one of those languagesshallbeincluded.Inaddition,

instructions concerning the maintenance and operation of alltheequipment and installations on board for the fighting and containmentoffireshall be kept under one cover, readily available in an accessible position.

Regulation 5

Fire Pumps, Fire Mains, Hydrants and Hoses

(a)Total Capacity of Fire Pumps

(i)In a passenger ship, the required fire pumpsshallbecapable of delivering for fire-fighting purposes a quantityofwater,at the appropriate pressure prescribed below, not less than two-thirds of the quantity required to be dealt with by the bilgepumpswhen employed for bilge pumping.

(ii)In a cargoship,therequiredfirepumps,otherthanthe emergency pump (if any), shall be capable of deliveringforfire-fighting purposes a quantity of water, at the appropriatepressure prescribed, not less thanfour-thirdsofthequantityrequired under Regulation 18 of Chapter II-1 to be dealt with by each of the independent bilge pumps in a passenger ship of the samedimensions when employed on bilge pumping, provided that in no cargo ship need the total required capacity of thefirepumpsexceed180cubic metres per hour.

(b)Fire Pumps

(i) Thefirepumpsshallbeindependentlydriven.Sanitary, ballast, bilge or general service pumps maybeacceptedasfire pumps, provided that they are not normally used for pumping oil and that if they are subject to occasional dutyforthetransferor pumping of fuel oil, suitable change-over arrangements are fitted.

(ii)(1)In passenger ships carrying more than 36passengers,each of the required fire pumps shall have a capacity not less than 80 per cent of the totalrequiredcapacitydividedbythe minimum number of required fire pumps and each such pump shall in any eventbecapableofdeliveringatleastthetwo required jets of water. These fire pumps shall becapableof supplying the fire main system under the required conditions. Where more pumps than theminimumofrequiredpumpsare installed the capacity of such additional pumpsshallbeto the satisfaction of the Administration.

(2)In all other types of ships, each oftherequiredfirepumps (other than any emergency pump required byRegulation52of this Chapter) shall have a capacity not less than 80 percent of the totalrequiredcapacitydividedbythenumberof required fire pumps, and shall inanyeventbecapableof supplying the fire main system under the required conditions. Where more pumps than required are installed theircapacity shall be to the satisfaction of the Administration.

(iii) Relief valves shall be provided inconjunctionwithallfire pumps if the pumps are capable of developing apressureexceeding the design pressure of the water service pipes, hydrants and hoses. These valvesshallbesoplacedandadjustedastoprevent excessive pressure in any part of the fire main system.

(c)Pressure in the Fire Main

(i)The diameter of the fire main and water service pipesshallbe sufficient for the effective distribution of themaximumrequired discharge from two fire pumps operating simultaneously, except that in the case of cargo ships the diameter need only be sufficient for the discharge of 140 cubic metres per hour.
(ii)With the two pumpssimultaneouslydeliveringthroughnozzles specified in paragraph (g) of this Regulation the quantity of water specified insub-paragraph (i)ofthisparagraph,throughany adjacenthydrants,thefollowingminimumpressuresshallbe maintained at all hydrants:

Passenger ships:	
4,000 tons gross tonnage and upwards	3.2 kilogrammes per square centimetre (45 pounds per square inch)
1,000 tons gross tonnage but under 4,000 tons gross tonnage	2.8 kilogrammes per square centimetre (40 pounds per square inch)
Under 1,000 tons gross tonnage	To the satisfaction of the Administration
Cargo ships:	
6,000 tons gross tonnage and upwards	2.8 kilogrammes per square centimetre (40 pounds per square inch)
1,000 tons gross tonnage but under 6,000 tons gross tonnage	2.6 kilogrammes per square centimetre (37 pounds per square inch)
Under 1,000 tons gross tonnage	To the satisfaction of the Administration

(d)Number and Position of Hydrants
The number and position of the hydrants shall be such thatatleast two jets of water not emanating from the samehydrant,oneofwhich shall be from a single length of hose, may reach any part oftheship normally accessible to the passengers or crew while the shipisbeing navigated.

(e)Pipes and Hydrants
(i)Materials readily rendered ineffectivebyheatshallnotbe used for fire mains and hydrants unless adequatelyprotected.The pipes and hydrants shall be so placed that the firehosesmaybe easily coupled to them. In ships where deck cargo maybecarried, the positions of the hydrants shall be such thattheyarealways readily accessible and thepipesshallbearrangedasfaras practicable to avoid risk of damage by such cargo. Unless thereis provided one hose and nozzle for each hydrant intheship,there shall be complete interchangeability of hose couplings and nozzles.
(ii)A cock or valve shall be fitted to serve each fire hose sothat any fire hose may be removed while the fire pumps are at work.

(f)Fire Hoses
Fire hoses shall be of material approved bytheAdministrationand sufficient in length to project a jet of water to any of the spacesin

which they may be required to be used. Their maximum length shall be to the satisfaction of the Administration. Eachhoseshallbeprovided with a nozzle and the necessarycouplings.Hosesspecifiedinthis Chapter as "fire hoses" shall together with any necessary fittingsand tools be kept ready for use in conspicuouspositionsnearthewater service hydrants or connexions. Additionally in interiorlocationsin passenger ships carrying more than 36 passengers, fire hosesshallbe connected to the hydrants at all times.

(g)Nozzles
(i)For the purposes of this Chapter, standardnozzlesizesshall be 12 millimetres (1/2 inch), 16millimetres(5/8inch)and19 millimetres (3/4 inch) orasneartheretoaspossible.Larger diameternozzlesmaybepermittedatthediscretionofthe Administration.
(ii)For accommodation and servicespaces,anozzlesizegreater than 12 millimetres (1/2 inch) need not be used.
(iii) For machinery spaces and exteriorlocations,thenozzlesize shall be such as to obtain the maximum discharge possible fromtwo jets at the pressure mentioned in paragraph (c) of thisRegulation from the smallest pump, provided that a nozzle size greater than 19 millimetres (3/4 inch) need not be used.
(iv)For machinery spaces or in similarspaceswheretheriskof spillage of oil exists, the nozzles shall be suitable forspraying water on oil or alternatively shall be of a dual purpose type.

(h)International Shore Connexion
Standard dimensions of flanges for the international shoreconnexion required in this Chapter to beinstalledintheshipshallbein accordance with the following table:

Description	Dimension
Outside diameter	178 millimetres (7 inches)
Inner diameter	64 millimetres (21/2 inches)
Bolt circle	132 millimetres (51/4 inches)
diameter	
Slots in flange	4 holes 19 millimetres (3/4 inch)
	in diameter equidistantly placed
	on a bolt circle of the above
	diameter, slotted to the flange
	periphery
Flange thickness	14.5 millimetres (9/16 inch)
	minimum
Bolts and nuts	4, each of 16 millimetres (5/8
	inch) diameter, 50 millimetres (2
	inches) in length

The connexion shallbeconstructedofmaterialsuitablefor10.5 kilogrammes per square centimetre (150 pounds per square inch) service. The flange shall have a flat face on one side and the other shallhave permanently attached theretoacouplingthatwillfittheship's hydrant and hose. The connexion shall be kept aboard the shiptogether with a gasket of any material suitable for 10.5 kilogrammes persquare centimetre (150 pounds per square inch) service, together with four16

millimetre (5/8 inch) bolts, 50 millimetres (2 inches)inlengthand eight washers.

Regulation 6

Miscellaneous Items

(a)Electric radiators, if used,shallbefixedinpositionandso constructed as to reduce fire risks to aminimum.Nosuchradiators shall be fitted with an element so exposed that clothing, curtains,or other similar materials can be scorched or set on fire by heat from the element.

(b)Cellulose-nitrate based films shall notbeusedforcinematograph installations.

Regulation 7

Fire Extinguishers

(a)All fire extinguishers shall be of approved types and designs.
(i)The capacity of required portable fluid extinguishersshallbe not more than 13.5 litres (3 gallons) and not less than 9 litres (2 gallons). Otherextinguishersshallnotbeinexcessofthe equivalentportabilityofthe13.5litre(3gallons)fluid extinguisher and shall notbelessthanthefire-extinguishing equivalent of a 9 litre (2 gallons) fluid extinguisher.
(ii)The Administrationshalldeterminetheequivalentsoffire extinguishers.

(b)Spare charges shall be provided in accordance with requirements to be specified by the Administration.

(c)Fire extinguishers containing an extinguishing medium which,inthe opinion of the Administration,eitherbyitselforunderexpected conditions of use gives offtoxicgasesinsuchquantitiesasto endanger persons shall not be permitted.

(d)A portable froth applicator unit shall consist of an inductor type of airfroth nozzle capable of being connected to the fire main by the fire hose, together with a portable tank containing at least 20 litres (41/2 gallons) of froth-making liquid and one spare tank. The nozzle shall be capable of producing effective froth suitable for extinguishing anoil fire, at the rate of at least 1.5 cubicmetres(53cubicfeet)per minute.

(e)Fire extinguishers shall be periodically examined and subject to such tests as the Administration may require.

(f)One of the portable fire extinguishers intended for use in anyspace shall be stowed near the entrance to that space.

Regulation 8

Fixed Gas Fire-Extinguishing Systems

(a)The use of a fire-extinguishing medium which, in the opinionofthe Administration, either by itself or under expectedconditionsofuse gives off toxic gases in such quantities as to endangerpersonsshall not be permitted.

(b)Whereprovisionismadefortheinjectionofgasforfire-extinguishing purposes, the necessary pipes for conveying the gas shall be provided with control valves orcockssomarkedastoindicate clearly the compartments to which the pipes are led. Suitable provision shall be made to preventinadvertentadmissionofthegastoany compartment. Where cargo spaces fitted withsuchasystemforfire protection are used as passenger spacesthegasconnexionshallbe blanked during such use.

(c)The piping shall be arranged so as to provide effectivedistribution of fire-extinguishing gas.

(d)(i)When carbon dioxide is usedastheextinguishingmediumin cargo spaces, the quantity of gas available shall be sufficientto give a minimum volume of free gas equal to 30 per cent of the gross volume of the largestcargocompartmentintheshipwhichis capable of being sealed.

(ii)When carbon dioxide isusedasanextinguishingmediumfor machinery spaces of Category A the quantity of gas carried shall be sufficient to give a minimum quantity offreegasequaltothe larger of the following quantities, either:

(1)40 per cent of thegrossvolumeofthelargestspace,the volume to include the casing up tothelevelatwhichthe horizontal area of the casing is 40 per cent orlessofthe horizontal area of the space concernedtakenmidwaybetween the tank top and the lowest part of the casing; or

(2)35 per cent of the entire volume of the largest spaceincluding the casing;

provided that the above-mentioned percentages maybereducedto35 per cent and 30 per cent respectively for cargo ships of lessthan 2,000 tons grosstonnage;providedalsothatiftwoormore machinery spaces of Category A are not entirely separate they shall be considered as forming one compartment.

(iii) Where the volume of free air contained in air receiversinany machinery space of Category A is such that,ifreleasedinsuch space in the event of fire, such release of air withinthatspace wouldseriouslyaffecttheefficiencyofthefixedfire-extinguishing installation, the Administrationshallrequirethe provision of an additional quantity of carbon dioxide.

(iv)When carbon dioxide is used as an extinguishing medium bothfor cargo spaces and for machinery spaces of Category A the quantity of gas need not be more thanthemaximumrequiredeitherforthe largest cargo compartment or machinery space.

(v)For the purpose of this paragraph the volume ofcarbondioxide shall be calculated at 0.56 cubic metres to the kilogramme (9 cubic feet to the pound).

(vi)When carbon dioxide is usedastheextinguishingmediumfor machinery spaces of Category A the fixedpipingsystemshallbe such that 85 per cent of the gas can be discharged intothespace within 2 minutes.

(vii) Carbon dioxide bottle storage rooms shall be situated at asafe and readily accessible position and shall be effectively ventilated to the satisfaction of the Administration.Anyentrancetosuch storage rooms shall preferably be from the open deck,andinany case shall be independent oftheprotectedspace.Accessdoors shall be gastight and bulkheads and decks which form the boundaries of such rooms shall be gastight and adequately insulated.

(e)(i)Where gas other than carbon dioxide or steamaspermittedby paragraph (f) of this Regulation is produced ontheshipandis used as an extinguishing medium, it shall be a gaseousproductof fuel combustion in which the oxygen content,thecarbonmonoxide content, the corrosive elements and any solid combustibleelements have been reduced to a permissible minimum.

(ii)Where such gas is used as the extinguishing mediuminafixed fire-extinguishing system for the protection of machinery spaces of Category A it shall afford protection equivalent tothatprovided by a fixed carbon dioxide system.

(iii) Where such gas is used as the extinguishing mediuminafixed fire-extinguishing system for theprotectionofcargospacesa sufficient quantity of such gas shall be available to supply hourly a volume of free gas at least equal to 25 percentofthegross volume of the largest compartmentprotectedinthiswayfora period of 72 hours.

(f)In general, the Administration shall not permit the use of steam as a fire-extinguishing medium in fixed fire-extinguishingsystemsofnew ships. Where the use of steam is permittedbytheAdministrationit shall be used only in restricted areas as an addition totherequired fire-extinguishing medium and withtheprovisothattheboileror boilers available for supplying steam shall have an evaporationofat least 1 kilogramme of steam per hour foreach0.75cubicmetres(1 pound of steam per hour per 12 cubic feet) of the gross volumeofthe largest space so protected. In addition to complying with the foregoing requirements the systems in all respects shall be as determined by, and to the satisfaction of the Administration.

(g)Means shall be provided for automatically giving audiblewarningof the release of fire-extinguishing gas into any space to which personnel normally have access. The alarm shall operateforasuitableperiod before the gas is released.

(h)The means of control of any such fixed gas fire-extinguishingsystem shall be readily accessible and simple to operate and shall begrouped together in as few locations as possible at positions not likely tobe cut off by a fire in the protected space.

Regulation 9

Fixed Froth Fire-Extinguishing Systems in Machinery Spaces

(a)Any requiredfixedfrothfire-extinguishingsysteminmachinery spaces shall be capable of discharging through fixed dischargeoutlets in not more than five minutes, a quantity of froth sufficient tocover to a depth of 150 millimetres (6 inches) the largest singleareaover which oil fuel is liable to spread. Thesystemshallbecapableof

generating froth suitable for extinguishing oil fires. Meansshallbe provided for effective distribution of the froththroughapermanent system of piping and control valvesorcockstosuitabledischarge outlets, and for the froth to be effectively directed by fixed sprayers on other main fire hazards in the protected space. The expansionratio of the froth shall not exceed 12 to 1.

(b)The means of control of any such systems shall be readilyaccessible and simple to operate and shall be grouped together in as few locations as possible at positions not likely to be cut offbyafireinthe protected space.

Regulation 10

Fixed High Expansion Froth Fire-Extinguishing Systems in Machinery Spaces

(a)(i)Any required fixed high expansionfrothsysteminmachinery spaces shallbecapableofrapidlydischargingthroughfixed discharge outlets aquantityoffrothsufficienttofillthe greatest space to be protected at a rate of at least 1metre(3.3 feet) in depth per minute. Thequantityoffroth-formingliquid available shall be sufficient to produce a volume of froth equal to five times the volume of the largest spacetobeprotected.The expansion ratio of the froth shall not exceed 1,000 to 1.
(ii)TheAdministrationmaypermitalternativearrangementsand discharge rates providedthatitissatisfiedthatequivalent protection is achieved.

(b)Supply ducts for delivering froth, air intakes to the froth generator and the number of froth-producing units shall intheopinionofthe Administration be such as will provide effective frothproductionand distribution.

(c)The arrangement of the froth generator delivery ducting shall be such that a fire in the protected space will not affect the froth-generating equipment.

(d)The froth generator,itssourcesofpowersupply,froth-forming liquid and means of controlling the system shall be readilyaccessible and simple to operate and shall begroupedinasfewlocationsas possible at positions not likely to be cut off by fire in the protected space.

Regulation 11

Fixed Pressure Water-Spraying Fire-Extinguishing Systems in Machinery Spaces

(a)Any required fixed pressure water-spraying fire-extinguishingsystem in machinery spaces shall beprovidedwithsprayingnozzlesofan approved type.

(b)Thenumberandarrangementofthenozzlesshallbetothe satisfaction oftheAdministrationandbesuchastoensurean

effective average distribution of water of at least 5 litres per square metre (0.1 gallon per square foot) perminuteinthespacestobe protected. Where increased application rates are considerednecessary, these shall be to the satisfaction of the Administration. Nozzles shall be fitted above bilges, tank tops and other areas over whichoilfuel is liable to spread and also above other specific fire hazardsinthe machinery spaces.

(c)The system may be divided into sections, the distributionvalvesof which shall be operated from easily accessiblepositionsoutsidethe spaces to be protected and which will not bereadilycutoffbyan outbreak of fire.

(d)The system shall be kept charged at the necessarypressureandthe pump supplying the water for the system shall be put automatically into action by a pressure drop in the system.

(e)Thepumpshallbecapableofsimultaneouslysupplyingatthe necessary pressure all sections of the system in any one compartment to be protected. The pump and its controls shall be installed outsidethe space or spaces to be protected. It shall not be possible for a fire in the space or spaces protected by the water-spraying system toputthe system out of action.

(f)The pump maybedrivenbyindependentinternalcombustiontype machinery but if it is dependent upon powerbeingsuppliedfromthe emergencygeneratorfittedincompliancewiththeprovisionsof Regulation 25 or Regulation 26 as appropriate of ChapterII-1ofthe presentConventionthatgeneratorshallbearrangedtostart automatically in case of main power failure so that power for thepump required by paragraph (e) of this Regulation is immediatelyavailable. When thepumpisdrivenbyindependentinternalcombustiontype machinery it shall be so situated that a fire intheprotectedspace will not affect the air supply to the machinery.

(g)Precautions shall be takentopreventthenozzlesfrombecoming clogged by impurities in the water orcorrosionofpiping,nozzles, valves and pump.

Regulation 12

Automatic Sprinkler and Fire Alarm and Fire Detection Systems

(a)(i)Any requiredautomaticsprinklerandfirealarmandfire detection system shall be capable ofimmediateoperationatall times and no action by the crew shall be necessarytosetitin operation. It shall be of thewetpipetypebutsmallexposed sections may be of the dry pipe type where in theopinionofthe Administration this is a necessary precaution.Anypartsofthe system which may be subjected to freezing temperaturesinservice shall be suitably protected againstfreezing.Itshallbekept charged at the necessary pressure and shall haveprovisionfora continuous supply of water as required in this Regulation.
(ii)Each section of sprinklers shallincludemeansforgivinga visual and audiblealarmsignalautomaticallyatoneormore

indicating units whenever any sprinkler comes into operation.Such units shall give an indication of any fire and its location inany space servedbythesystemandshallbecentralizedonthe navigating bridge or in the main fire control station, whichshall be so manned or equipped as toensurethatanyalarmfromthe system is immediately received by a responsible member of the crew. Such alarm systems shall be constructed so as toindicateifany fault occurs in the system.

(b)(i)Sprinklers shall be grouped intoseparatesections,eachof which shall contain not more than 200 sprinklers.Anysectionof sprinklers shall not serve more than two decksandshallnotbe situated in more thanonemainverticalzone,exceptthatan Administration, if it is satisfied that the protection of theship against fire will not thereby be reduced, may permit such a section of sprinklers to serve more than two decks ortobesituatedin more than one main vertical zone.

(ii)Each section of sprinklers shall be capableofbeingisolated by one stop valve only. The stop valve ineachsectionshallbe readilyaccessibleanditslocationshallbeclearlyand permanently indicated. Meansshallbeprovidedtopreventthe operation of the stop valves by any unauthorized person.

(iii) A gauge indicating the pressure in the system shall beprovided at each section stop valve and at a central station.

(iv)Thesprinklersshallberesistanttocorrosionbymarine atmospheres. In accommodation andservicespacesthesprinklers shall come into operation withinthetemperaturerangeof68(C (155(F) and 79(C (175(F), except that in locations suchasdrying rooms, where highambienttemperaturesmightbeexpected,the operating temperature may be increased by not more than 30(C (54(F) above the maximum deck head temperature.

(v)A list or planshallbedisplayedateachindicatingunit showing the spaces covered and the location of the zone inrespect of each section. Suitable instructions for testing andmaintenance shall be available.

(c)Sprinklers shall be placed in an overhead position andspacedina suitable pattern to maintain an average application rateofnotless than 5 litres per square metre (0.1 gallon per square foot) perminute over the nominal area covered bythesprinklers.Alternatively,the Administration may permit the use of sprinklersprovidingsuchother amountofwatersuitablydistributedashasbeenshowntothe satisfaction of the Administration to be not less effective.

(d)(i)A pressure tank having a volume equal to at least twice that of the charge ofwaterspecifiedinthissub-paragraphshallbe provided. The tank shall contain a standing charge of freshwater, equivalent to the amount of water which would be discharged inone minute by the pump referred to in sub-paragraph (e)(ii)ofthis Regulation, and the arrangements shall provide for maintaining such air pressure in the tank to ensure that where thestandingcharge of fresh water in the tank has been used the pressure willbenot less than the working pressure of the sprinkler, plus thepressure due to a head of water measured from the bottom of the tank tothe highest sprinkler in the system. Suitable means of replenishing the air under pressure and of replenishing the freshwaterchargein the tank shall be provided. A glassgaugeshallbeprovidedto

indicate the correct level of the water in the tank.
(ii)Means shall be provided to preventthepassageofseawater into the tank.
(e)(i)An independent power pump shallbeprovidedsolelyforthe purpose of continuing automatically the discharge of water from the sprinklers. The pump shall be brought into action automaticallyby the pressure drop in the system beforethestandingfreshwater charge in the pressure tank is completely exhausted.
(ii)The pump and the piping system shall be capableofmaintaining the necessary pressure at the level ofthehighestsprinklerto ensure a continuous output of water sufficient for the simultaneous coverage of a minimum area of 280 square metres (3,000 square feet) attheapplicationratespecifiedinparagraph (c)ofthis Regulation.
(iii) The pump shall have fitted on the deliverysideatestvalve with a short open-ended discharge pipe. The effective areathrough the valve and pipe shall be adequate to permit the releaseofthe required pump output while maintaining the pressure inthesystem specified in sub-paragraph (d) (i) of this Regulation.
(iv)The sea inlet to the pump shallwhereverpossiblebeinthe space containing the pump and shall be so arrangedthatwhenthe ship is afloat it will not be necessary to shut off thesupplyof sea water to the pump for any purpose other than the inspectionor repair of the pump.

(f)Thesprinklerpumpandtankshallbesituatedinaposition reasonably remote from any machinery space of Category A and shallnot be situated in any space required tobeprotectedbythesprinkler system.

(g)There shall be not less than two sources of power supply for thesea water pump and automatic alarm and detection system. Where thesources of power for the pump are electrical, these shall be amaingenerator and an emergency source of power. One supplyforthepumpshallbe taken from the main switchboard, and one from the emergency switchboard by separate feeders reserved solely for that purpose.

The feeders shall be arrangedsoastoavoidgalleys,machinery spaces and other enclosed spaces of high fire risk except in so faras it is necessary to reach the appropriate switchboards, and shall be run to an automatic change-over switch situated nearthesprinklerpump. This switch shall permit the supply of power from the mainswitchboard so long as a supply is available therefrom, andbesodesignedthat upon failure of that supply it will automatically changeovertothe supply fromtheemergencyswitchboard.Theswitchesonthemain switchboard and the emergency switchboard shall be clearly labelled and normally kept closed. No other switch shall be permitted in the feeders concerned. One of thesourcesofpowersupplyforthealarmand detection system shall be an emergency source. Where one of the sources of power for the pump is an internal combustion-type engineitshall, in addition to complying with the provisions of paragraph (f)ofthis Regulation, be so situated that a fire in any protected space willnot affect the air supply to the machinery.

(h)The sprinkler system shall have a connexion from the ship's fire main

by way of a lockable screw-down non-return valve at the connexion which will prevent a backflow from the sprinkler system to the fire main.

(i)(i)A test valve shall be provided for testing the automaticalarm for each section of sprinklers by a discharge ofwaterequivalent to the operation of one sprinkler. The test valve for eachsection shall be situated near the stop valve for that section.

(ii)Means shall be provided for testing the automaticoperationof this pump, on reduction of pressure in the system.

(iii) Switches shall be provided at one oftheindicatingpositions referred to in sub-paragraph (a) (ii) of this Regulation which will enable the alarm and the indicators for each section ofsprinklers to be tested.

(j)Sparesprinklerheadsshallbeprovidedforeachsectionof sprinklers to the satisfaction of the Administration.

Regulation 13

Automatic Fire Alarm and Fire Detection Systems

Requirements for passenger ships carrying more than 36 passengers

(a)(i)Any required automatic fire alarmandfiredetectionsystem shall be capable of immediate operation at all times and noaction of the crew shall be necessary to set it in operation.

(ii)Each section of detectors shallincludemeansforgivinga visual and audiblealarmsignalautomaticallyatoneormore indicating units whenever any detector comes intooperation.Such units shall give an indication of any fire and its location inany space servedbythesystemandshallbecentralizedonthe navigating bridge or in the main fire control stationwhichshall be so manned or equipped as toensurethatanyalarmfromthe system is immediately received by a responsible member of the crew. Such alarm system shall be constructed so astoindicateifany fault occurs in the system.

(b)Detectors shall be grouped into separate sections eachcoveringnot more than 50 rooms served by such a system and containing not more than 100 detectors. A section of detectors shall not servespacesonboth the port and starboard sides of the ship nor on more than one deckand neither shall it be situated in more than one main vertical zone except that the Administration, if it is satisfied that the protection ofthe ship against fire will nottherebybereduced,maypermitsucha section of detectors to serve both the port and starboard sides ofthe ship and more than one deck.

(c)The system shall be operated by an abnormal airtemperature,byan abnormal concentration of smokeorbyotherfactorsindicativeof incipient fire in any one of the spaces to be protected. Systemswhich are sensitive to air temperature shall not operate atlessthan57(C (135(F) and shall operateatatemperaturenotgreaterthan74(C (165(F) when the temperature increase to those levels is not morethan 1(C (1.8(F) per minute. At the discretionoftheAdministrationthe permissible temperature of operation may be increasedto30(C(54(F) above the maximum deckhead temperatureindryingroomsandsimilar places of anormallyhighambienttemperature.Systemswhichare

sensitive to smoke concentration shall operate on the reduction ofthe intensity of a transmitted light beam by an amount to be determinedby the Administration. Other equally effective methods of operation may be accepted at the discretion of the Administration. The detectionsystem shall not be used for any purpose other than fire detection.

(d)The detectors may be arranged to operate the alarm by the openingor closing of contacts or by otherappropriatemethods.Theyshallbe fitted in an overhead position and shall be suitably protectedagainst impact and physical damage. They shall be suitable for use in amarine atmosphere. They shall be placed in an open position clear of beams and other objects likely to obstruct the flow of hot gases or smoke tothe sensitive element. Detectors operated by the closing of contactsshall be of the sealed contact type and thecircuitshallbecontinuously monitored to indicate fault conditions.

(e)At leastonedetectorshallbeinstalledineachspacewhere detection facilities are required and there shall be not less thanone detector for each 37 square metres (400 square feet) of deckarea.In large spaces the detectors shall be arranged in aregularpatternso that no detector is more than 9 metres (30 feet) from anotherdetector or more than 4.5 metres (15 feet) from a bulkhead.

(f)There shall be not less than two sourcesofpowersupplyforthe electrical equipment used in the operation of the fire alarmandfire detection system, one of which shall be an emergency source. The supply shall be provided by separate feeders reserved solely for that purpose. Such feeders shall run to a change-over switch situated in thecontrol station for the fire detection system. The wiring systemshallbeso arranged to avoid galleys, machinery spaces and otherenclosedspaces having a high fire risk except in so far as it is necessary toprovide forfiredetectioninsuchspacesortoreachtheappropriate switchboard.
(g)(i)A list or plan shall be displayed adjacent toeachindicating unit showing the spaces covered and the locationofthezonein respect of each section.Suitableinstructionsfortestingand maintenance shall be available.
(ii)Provision shall be made for testing thecorrectoperationof the detectors and theindicatingunitsbysupplyingmeansfor applying hot air or smoke at detector positions.

(h)Spare detector heads shall be provided for each section ofdetectors to the satisfaction of the Administration.

Requirements for all other types of ships

(i)All required fire detection systems shall be capable of automatically indicating the presence or indication of fire andalsoitslocation. Indicators shall be centralized either on the navigating bridgeorin other control stations which are provided with adirectcommunication with the bridge. The administration may permittheindicatorstobe distributed among several stations.

(j)In passenger ships electrical equipmentusedintheoperationof required fire detection systems shallhavetwoseparatesourcesof

power, one of which shall be an emergency source.

(k)The alarm system shall operate both audible andvisiblesignalsat the main stations referred toinparagraph (i)ofthisRegulation. Detection systems for cargo spaces need not have audible alarms.

Regulation 14

Fireman's Outfit

A fireman's outfit shall consist of:

(a)Personal equipment comprising:
(i)Protective clothing of material to protect theskinfromthe heat radiating from the fire and from burns and scalding bysteam. The outer surface shall be water-resistant.
(ii)Boots and gloves of rubber or other electrically non-conducting material.
(iii) A rigid helmet providing effective protection against impact.
(iv)An electric safety lamp (hand lantern) of an approved type with a minimum burning period of three hours.
(v)An axe to the satisfaction of the Administration.

(b)A breathing apparatus of an approved type which may be either:
(i)A smoke helmet or smoke mask which shallbeprovidedwitha suitable air pump and a length of air hose sufficient to reach from the open deck, well clear of hatch or doorway, to any partofthe holds or machinery spaces. If, in order to complywiththissub-paragraph, an air hose exceeding 36 metres(120feet)inlength would be necessary, a self-contained breathing apparatusshallbe substitutedorprovidedinadditionasdeterminedbythe Administration, or
(ii)a self-contained breathing apparatus which shall be capableof functioningforaperiodoftimetobedeterminedbythe Administration.

For each breathing apparatus a fireproof lifeline ofsufficientlength and strength shall be provided capable ofbeingattachedbymeansofa snaphook to the harness of the apparatus or to a separate belt inorderto prevent the breathing apparatusbecomingdetachedwhenthelifelineis operated.

Regulation 15

Ready Availability of Fire-Extinguishing Appliances

In all new and existing ships, fire-extinguishingappliancesshallbe kept in good order and available for immediate use at all timesduringthe voyage.

Regulation 16

Acceptance of Substitutes

WhereinthisChapteranyspecialtypeofappliance,apparatus,

extinguishing medium or arrangement is specified inanynewandexisting ships, any other type ofapplianceetc.,maybeallowed,providedthe Administration is satisfied that it is not less effective.

PART B-FIRE SAFETY MEASURES FOR PASSENGER SHIPS CARRYING MORE THAN 36 PASSENGERS

Regulation 17

Structure

The hull, superstructure, structuralbulkheads,decksanddeckhouses shall be constructed of steel or other equivalent material. For thepurpose of applying the definition of steel or other equivalentmaterialasgiven in Regulation 3 (g) of this Chapter the "applicable fire exposure" shallbe according to the integrity and insulation standards given in thetablesof Regulation 20 of this Chapter. An example where divisions such asdecksor sides and ends of deckhouses are permitted tohave"B-O"fireintegrity, the "applicable fire exposure" shall be one half-hour.

Provided that in cases where any part of the structure isofaluminium alloy, the following requirements shall apply:

(a)The insulation of aluminium alloy componentsof"A"or"B"Class divisions, except structure which in the opinion of theAdministration isnon-load-bearing,shallbesuchthatthetemperatureofthe structural core does not rise more than 200(C (360(F) above the ambient temperature at any time during theapplicablefireexposuretothe standard fire test.

(b)Special attention shall be given to the insulation of aluminium alloy components of columns, stanchions and other structural members required to support lifeboat and liferaftstowage,launchingandembarkation areas, and "A" and "B" Class divisions to ensure:
(i)that for such members supporting lifeboatandliferaftareas and "A" Class divisions the temperature riselimitationspecified in paragraph (a) of this Regulation shall apply at the endofone hour; and
(ii)that for such members required to support "B" Classdivisions, the temperature rise limitation specified in paragraph (a) ofthis Regulation shall apply at the end of one half-hour.

(c)Crowns and casings of machinery spaces ofCategoryAshallbeof steel construction adequately insulated and openings therein,ifany, shall be suitably arranged and protected to prevent the spread of fire.

Regulation 18

Main Vertical Zones and Horizontal Zones

(a)The hull, superstructure and deckhouses shall be subdivided intomain vertical zones by "A" Class divisions. Steps and recesses shall bekept to a minimum, but where they are necessary, they shall also be "A" Class divisions. These divisions shall have insulationvaluesinaccordance with the applicable tables in Regulation 20 of this Chapter.

(b)As far as practicable, the bulkheads formingtheboundariesofthe main vertical zones above thebulkheaddeckshallbeinlinewith watertight subdivision bulkheads situated immediately below the bulkhead deck.

(c)Such bulkheads shall extend from deck to deckandtotheshellor other boundaries.

(d)Where a main vertical zoneissubdividedbyhorizontal"A"Class divisionsintohorizontalzonesforthepurposeofprovidingan appropriate barrier between sprinklered and non-sprinklered zones of the ship the divisions shall extendbetweenadjacentmainverticalzone bulkheads and to the shell or exterior boundaries of the ship andshall be insulated in accordance with the fire insulation and integrity values given in Table 3 of Regulation 20 of this Chapter.

(e)Onshipsdesignedforspecialpurposes,suchasautomobileor railroadcarferries,wheretheprovisionofmainverticalzone bulkheads would defeat the purposeforwhichtheshipisintended, equivalentmeansforcontrollingandlimitingafireshallbe substituted and specifically approved by the Administration. Provided that in a ship with special category spaces, anysuchspace shall comply with the applicable provisions ofRegulation30ofthis Chapter, and in so far as such compliancewouldbeinconsistentwith compliance with other requirements of this PartofthisChapter,the requirements of Regulation 30 shall prevail.

Regulation 19

Bulkheads within a Main Vertical Zone

(a)All bulkheads which are not required to be "A" Classdivisionsshall be at least "B" Class or "C" Class divisions as prescribed in the tables in Regulation 20 of this Chapter. All such divisions may befacedwith combustible materials in accordance with the provisions of Regulation 27 of this Chapter.

(b)All corridor bulkheads where not required to be"A"Classshallbe "B" Class divisions which shall extend from deck to deck except:
(i)when continuous "B" Class ceilings and/or linings are fittedon both sides of the bulkhead, the portion of the bulkhead behindthe continuousceilingorliningshallbeofmaterialwhichin thickness and composition is acceptable in the construction of"B" Class divisions but which shallberequiredtomeet"B"Class integrity standards only in so far as is reasonable and practicable in the opinion of the Administration;
(ii)in the case ofashipprotectedbyanautomaticsprinkler system complying with theprovisionsofRegulation12ofthis Chapter,thecorridorbulkheadsof"B"Classmaterialsmay terminate at a ceiling in the corridor provided such aceilingis of material which in thickness and composition is acceptable in the constructionof"B"Classdivisions.Notwithstandingthe requirements of Regulation 20 of this Chapter, suchbulkheadsand ceilings shall be required to meet "B"Classintegritystandards

only in so far as is reasonable and practicable in theopinionof the Administration. All doors and frames in such bulkheads shall be of incombustible materials and shall be constructed and erectedso as to provide substantial fire resistance tothesatisfactionof the Administration.

(c)All bulkheads required to be"B"Classdivisions,exceptcorridor bulkheads, shall extend from deck to deck andtotheshellorother boundaries unless continuous"B"Classceilingsand/orliningsare fitted on both sides of the bulkhead inwhichcasethebulkheadmay terminate at the continuous ceiling or lining.

Regulation 20

Fire Integrity of Bulkheads and Decks

(a)In additiontocomplyingwiththespecificprovisionsforfire integrity of bulkheads and decks mentioned elsewhere in theRegulations of this Part, the minimum fire integrityofallbulkheadsanddecks shall be as prescribed in Tables 1 to 4 in this Regulation.Where,due to any particular structural arrangements intheship,difficultyis experienced in determining from the tables theminimumfireintegrity valueofanydivisions,suchvaluesshallbedeterminedtothe satisfaction of the Administration.

(b)The following requirement shall govern application of the tables:
(i)Table 1 shall apply to bulkheads boundingmainverticalzones or horizontal zones.
Table 2 shall apply to bulkheads notboundingeithermainvertical zones or horizontal zones.
Table 3 shall apply to decks forming steps in main verticalzonesor bounding horizontal zones.
Table 4 shall apply to decks not forming steps in main verticalzones nor bounding horizontal zones.
(ii)For the purpose of determining theappropriatefireintegrity standards to be applied to boundaries between adjacent spaces, such spaces are classified according to theirfireriskasshownin Categories (1) to (14) below. Where the contents and use of a space are such that there is a doubt as toitsclassificationforthe purpose of this Regulation, it shall be treated as aspacewithin therelevantcategoryhavingthemoststringentboundary requirements. The title of each category is intended to betypical rather than restrictive. The number in parenthesesprecedingeach category refers to the applicablecolumnorrownumberinthe tables.
(1)Control Stations
Spaces containing emergency sources of power and lighting.
Wheelhouse and chartroom.
Spaces containing the ship's radio equipment.
Fire control and recording stations.
Control room for propelling machinerywhenlocatedoutside the propelling machinery space.
Spaces containing centralized fire alarm equipment.
Spaces containing centralized emergency public address system stations and equipment.

(2)Stairways
Interior stairways, lifts and escalators(otherthanthose wholly contained within the machinery spaces) for passengers and crew and enclosures thereto.
In this connexion, a stairway which is enclosed atonlyone level shall be regarded as part of the space fromwhichit is not separated by a fire door.
(3)Corridors
Passenger and crew corridors.
(4)Lifeboat and Liferaft Handling and Embarkation Stations
Open deck spaces and enclosed promenades forming lifeboat and liferaft embarkation and lowering stations.
(5)Open Deck Spaces
Open deck spaces and enclosed promenadesclearoflifeboat and liferaft embarkation and lowering stations.
Air space (the space outside superstructures and deckhouses).
(6)Accommodation Spaces of Minor Fire Risk
Cabins containing furnitureandfurnishingsofrestricted fire risk.
Publicspacescontainingfurnitureandfurnishingsof restricted fire risk.
Publicspacescontainingfurnitureandfurnishingsof restricted fire risk and having a deck area of less than50 square metres (540 square feet).
Offices and dispensaries containing furniture and furnishings of restricted fire risk.
(7)Accommodation Spaces of Moderate Fire Risk
Same as (6) above but containing furniture and furnishings of other than restricted fire risk.
Publicspacescontainingfurnitureandfurnishingsof restricted fire risk and having a deckareaof50square metres (540 square feet) and greater.
Isolatedlockersandsmallstore-roomsinaccommodation spaces.
Sale shops.
Motion picture projection and film stowage rooms.
Diet kitchens (containing no open flame).
Cleaning gear lockers (in which inflammable liquidsarenot stowed).
Laboratories (in which inflammable liquids are not stowed).
Pharmacies.
Small drying rooms (having a deck area of 4 square metres (43 square feet) or less).
Specie rooms.
(8)Accommodation Spaces of Greater Fire Risk
Public spaces containing furniture and furnishingsofother than restricted fire risk andhavingadeckareaof50 square metres (540 square feet) and greater.
Barber shops and beauty parlours.
(9)Sanitary and Similar Spaces
Communal sanitary facilities, showers, baths, waterclosets, etc.
Small laundry rooms.
Indoor swimming pool area.
Operating rooms.

Isolated serving pantries in accommodation spaces.
Private sanitary facilities shall be considered a portionof the space in which they are located.
(10)Tanks, Voids and Auxiliary Machinery Spaces having little orno Fire Risk
Water tanks forming part of the ship's structure.
Voids and cofferdams.
Auxiliary machinery spaces whichdonotcontainmachinery having a pressure lubrication system andwherestorageof combustibles is prohibited, such as:
ventilation and air-conditioning rooms; windlass room;steeringgear room; stabilizerequipmentroom;electricalpropulsion motor room;roomscontainingsectionswitchboardsand purelyelectricalequipmentotherthanoil-filled electrical transformers (above 10 kVA); shaftalleysand pipe tunnels; spaces for pumps and refrigeration machinery (not handling or using inflammable liquids).
Closed trunks serving the spaces listed above.
Other closed trunks such as pipe and cable trunks.
(11)AuxiliaryMachinerySpaces,CargoSpaces,SpecialCategory Spaces, Cargo and other Oil Tanks and other Similar Spacesof Moderate Fire Risk
Cargo oil tanks.
Cargo holds, trunkways and hatchways.
Refrigerated chambers.
Oil fuel tanks (where installed in a separate spacewithno machinery).
Shaftalleysandpipetunnelsallowingstorageof combustibles.
Auxiliary machinery spaces as in Category (10) whichcontain machinery having apressurelubricationsystemorwhere storage of combustibles is permitted.
Oil fuel filling stations.
Spaces containing oil-filled electricaltransformers(above 10 k VA).
Spaces containingturbineandreciprocatingsteamengine driven auxiliary generators andsmallinternalcombustion engines of power outputupto112kWdrivingemergency generators, sprinkler, drencher or fire pumps, bilgepumps, etc.
Special category spaces (Tables 1 and 3 only apply).
Closed trunks serving the spaces listed above.
(12)Machinery Spaces and Main Galleys
Mainpropellingmachineryrooms(otherthanelectric propulsion motor rooms) and boiler rooms.
Auxiliary machinery spaces otherthanthoseinCategories (10) and (11) which contain internal combustion machinery or other oil-burning, heating or pumping units.
Main galleys and annexes.
Trunks and casings to the spaces listed above.
(13)Store-rooms, Workshops, Pantries, etc.
Main pantries not annexed to galleys.
Main laundry.
Large drying rooms (having a deck area of more than 4square metres (43 square feet)).

Miscellaneous stores.
Mail and baggage rooms.
Garbage rooms.
Workshops (not part of machinery spaces, galleys, etc.).
(14)Other Spaces in which Inflammable Liquids are stowed
Lamp rooms.
Paint rooms.
Store-rooms containing inflammable liquids(includingdyes, medicines, etc.).
Laboratories (in which inflammable liquids are stowed).
(iii) Where a single value isshownforthefireintegrityofa boundary between two spaces, that value shall apply in all cases.
(iv)In determining theapplicablefireintegritystandardofa boundarybetweentwospaceswithinamainverticalzoneor horizontal zone which is not protected byanautomaticsprinkler system complying with theprovisionsofRegulation12ofthis Chapter or between such zones neither of which is so protected, the higher of the two values given in the tables shall apply.
(v)In determining theapplicablefireintegritystandardofa boundarybetweentwospaceswithinamainverticalzoneor horizontal zone which is protected by an automatic sprinkler system complying with the provisions of Regulation 12 of thisChapteror between such zones both of which are so protected,thelesserof the two values given in the tables shall apply. In instanceswhere asprinkleredzoneandanon-sprinkleredzonemeetwithin accommodation and service spaces, thehigherofthetwovalues given in the tables shall apply to the division between the zones.
(vi)Where adjacent spaces are in thesamenumericalcategoryand the superscript "1" appears inthetables,abulkheadordeck between such spaces need not be fitted if deemed unnecessary by the Administration. For example, in Category (12) a bulkheadneednot be required between a galley and its annexed pantries providedthe pantry bulkheads and decks maintain theintegrityofthegalley boundaries. A bulkhead is, however, required between a galley and a machinery space even though both spaces are in Category (12).
(vii) Where the superscript "2" appearsinthetables,thelesser insulation value may be permitted onlyifatleastoneofthe adjoining spaces is protectedbyanautomaticsprinklersystem complying with the provisions of Regulation 12 of this Chapter.
(viii)Notwithstanding the provisions ofRegulation19ofthis Chapter,therearenospecialrequirementsformaterialor integrity of boundaries where only a dash appears in the tables.
(ix)The Administration shall determine in respectofCategory(5) spaces whether the insulation values in Table 1 or 2 shall apply to ends of deckhouses and superstructures, and whether theinsulation values in Table 3 or 4 shall apply to weatherdecks.Innocase shall the requirements of Category (5) of Tables 1 to 4 necessitate enclosure of spaces which in the opinion of the Administration need not be enclosed.

(c)Continuous "B" Class ceilings orlinings,inassociationwiththe relevant decks or bulkheads, may be accepted as contributingwhollyor in part, to the required insulation and integrity of a division.

(d)In approving structural fire protectiondetails,theAdministration

shall have regard to the risk of heat transmission at intersectionsand terminal points of required thermal barriers.

TABLE 1.-BULKHEADS BOUNDING MAIN VERTICAL ZONES OR HORIZONTAL ZONES

Spaces	(1)
in the case of lifeboats of 4.9 metres (16 feet) in length	0.396 (or where the capacity is measured in cubic feet 14); and
in the case of lifeboats of 4.9 metres (16 feet) in length or over but under 7.3 metres (24 feet)	a number between 0.396 and 0.283 (or where the capacity is measured in cubic feet between 14 and 10), to be obtained by interpolation;

provided that the number shallinnocaseexceedthenumberofadult persons wearinglife-jacketswhichcanbeseatedwithoutinanyway interfering with the use ofoarsortheoperationofotherpropulsion equipment.

Regulation 8

Number of Motor Lifeboats to be carried

(a)In every passenger ship there shall be carried oneachsideofthe ship at least one motor lifeboatcomplyingwiththerequirementsof Regulation 9 of this Chapter.
Provided that in passenger ships in which the total number ofpersons which the ship is certified to carry, together with the crew,doesnot exceed 30, only one such motor lifeboat shall be required.
(b)In every cargo ship of 1,600 tons gross tonnageandupwards,except tankers, ships employed as whale factory ships, ships employedasfish processing or canning factory ships, and ships engaged inthecarriage of persons in the whaling, fish processing or canning industries,there shall becarriedatleastonemotorlifeboatcomplyingwiththe requirements of Regulation 9 of this Chapter.
(c)In every tanker of 1,600 tons grosstonnageandupwards,inevery ship employed as a whale factory ship, in every ship employed as afish processing or canning factory ship and ineveryshipengagedinthe carriage of persons employed in the whaling, fish processing orcanning industries, there shall be carried oneachsideatleastonemotor lifeboat complyingwiththerequirementsofRegulation9ofthis Chapter.

Regulation 9

Specification of Motor Lifeboats

(a)A motor lifeboat shall comply with the following conditions:
(i)It shall be fitted with a compression ignition engineandkept so as to be at all times ready for use;itshallbecapableof being readily started in all conditions;sufficientfuelfor24 hourscontinuousoperationatthespeedspecifiedinsub-paragraph (iii) of this paragraph shall be provided.

(ii)The engine and its accessories shallbesuitablyenclosedto ensure operation under adverse weather conditions, andtheengine casing shall be fire-resisting. Provision shall be madeforgoing astern.
(iii) The speed ahead insmoothwaterwhenloadedwithitsfull complement of persons and equipment shall be:
(1)In the case of motor lifeboats required by Regulation 8 ofthis Chapter to becarriedinpassengerships,tankers,ships employed aswhalefactoryships,shipsemployedasfish processing or canning factory ships and ships engagedinthe carriage of persons employed in the whaling,fishprocessing or canning industries, at least six knots.
(2)In the case of any other motor lifeboat, at least four knots.
(b)The volume of the internal buoyancy appliancesofamotorlifeboat shall be increased above that required by Regulation 5 ofthisChapter by the amount, if any, by which thevolumeoftheinternalbuoyancy appliances required to support the engine and its accessories,and,if fitted, thesearchlightandradio-telegraphinstallationandtheir accessories, exceeds the volumeoftheinternalbuoyancyappliances required, at the rate of0.0283cubicmetres(onecubicfoot)per person, to support theadditionalpersonswhichthelifeboatcould accommodate if the motoranditsaccessories,and,iffitted,the searchlight and radio-telegraph installation and their accessories, were removed.

Regulation 10

Specification of Mechanically Propelled Lifeboats other than Motor Lifeboats

A mechanically propelled lifeboat, other thanamotorlifeboat,shall comply with the following conditions:
(a) The propelling gear shall be ofanapprovedtypeandshallhave sufficient power to enable the lifeboat to be readily cleared from the ship's side when launched and to be able to hold course underadverse weather conditions. If the gearismanuallyoperateditshallbe capable of being worked by persons untrained in its use andshallbe capable of being operated when the lifeboat is flooded.
(b) A device shall be fitted by means of which the helmsman can cause the lifeboat to go astern at any timewhenthepropellinggearisin operation.
(c) The volume of theinternalbuoyancyofamechanicallypropelled lifeboat other than a motor lifeboat, shall be increased to compensate for the weight of the propelling gear.

Regulation 11

Equipment of Lifeboats

(a)The normal equipment of every lifeboat shall consist of:
(i)a single banked complement of buoyant oars,twosparebuoyant oars, and a buoyant steering oar; one set and a half of tholepins or crutches, attached to the lifeboat by lanyard or chain;aboat hook;
(ii)two plugs for eachplughole(plugsarenotrequiredwhen

proper automatic valves are fitted) attachedtothelifeboatby lanyards or chains; a baler, and two buckets of approved material;
(iii) a rudder attached to the lifeboat and a tiller;
(iv)two hatchets, one at each end of the lifeboat;
(v)a lamp, with oil sufficient for 12 hours; two boxes ofsuitable matches in a watertight container;
(vi)a mast or masts, with galvanized wire stays together withsails (coloured orange);
(vii) an efficient compass in binnacle,tobeluminisedorfitted with suitable means of illumination;
(viii)a lifeline becketed round the outside of the lifeboat;
(ix)a sea-anchor of approved size;
(x)two painters of sufficient length. One shall be securedtothe forward end of the lifeboat with strop and toggle so that it can be released, and the other shall be firmly secured to the stem ofthe lifeboat and be ready for use;
(xi)a vessel containing 41/2 litres (1 gallon)ofvegetable,fish or animal oil. The vessel shall be so constructed that the oilcan be easily distributed on the water, and so arranged that it canbe attached to the sea-anchor;
(xii) a foodration,determinedbytheAdministration,foreach person the lifeboat is certified to carry. These rationsshallbe kept in airtight receptacles which are to be stowed in a watertight container;
(xiii)watertight receptacles containing 3litres(6pints)of fresh water for each person the lifeboat is certified to carry,or watertight receptacles containing 2 litres (4 pints) of fresh water for each person togetherwithanapprovedde-saltingapparatus capable of providing 1litre(2pints)ofdrinkingwaterper person; a rustproof dipperwithlanyard;arustproofgraduated drinking vessel;
(xiv) four parachute signals of approvedtypecapableofgivinga bright red light at a high altitude; six hand flares of an approved type giving a bright red light;
(xv)two buoyant smoke signals ofanapprovedtype(forday-time use) capable of giving off a volume of orange-coloured smoke;
(xvi) approved means to enable persons to cling to the boat shouldit be upturned, in the form of bilge keelsorkeelrails,together with grab lines secured from gunwale to gunwale under the keel,or other approved arrangements;
(xvii)an approved first-aid outfit in a watertight case;
(xviii) a waterproof electric torch suitable for signalling inthe Morse Code together with one spare set of batteries andonespare bulb in a waterproof container;
(xix) a daylight-signalling mirror of an approved type;
(xx)a jack-knife fitted with a tin-opener tobekeptattachedto the boat with a lanyard;
(xxi) two light buoyant heaving lines;
(xxii)a manual pump of an approved type;
(xxiii) a suitable locker for stowage of small items of equipment;
(xxiv)one whistle or equivalent sound signal;
(xxv) one set of fishing tackle;
(xxvi)one approved cover of a highly visiblecolourcapableof protecting the occupants against injury by exposure; and
(xxvii) one copy of the illustrated tableoflife-savingsignals

referred to in Regulation 16 of Chapter V.
(b)In the case of ships engaged on voyages of such duration thatinthe opinionoftheAdministrationtheitemsspecifiedinsub-paragraphs (vi), (xii), (xix), (xx) and (xxv) of paragraph (a)ofthis Regulation are unnecessary, the Administrationmayallowthemtobe dispensed with.
(c)Notwithstanding the provisions of paragraph (a)ofthisRegulation, motor lifeboats or other approved mechanically propelled lifeboatsneed not carry a mast or sails or more than half the complement of oars,but they shall carry two boat hooks.
(d)All lifeboats shall be fitted with suitable meanstoenablepersons in the water to climb into the lifeboat.
(e) Everymotorlifeboatshallcarryportablefire-extinguishing equipment of an approved type capableofdischargingfrothorother suitable substance for extinguishing oil fires.

Regulation 12

Security of Lifeboat Equipment

All items of life boat equipment, with the exceptionoftheboathook which shall be keptfreeforfendingoffpurposes,shallbesuitably secured within the lifeboat. The lashing shall becarriedoutinsucha manner as to ensurethesecurityoftheequipmentandsoasnotto interfere with the lifting hooks or to prevent ready embarkation. Allitems of lifeboat equipment shall be as small and light in weight as possibleand shall be packed in suitable and compact form.

Regulation 13

Portable Radio Apparatus for Survival Craft

(a)An approved portable radioapparatusforsurvivalcraftcomplying with the requirements set out in Regulation 14 of ChapterIVshallbe carried in all ships except those on which there is carried on each side of the ship a motor lifeboat fitted with aradiotelegraphinstallation complying with the provisions of Regulation 14 of thisChapterandof Regulation 13 of Chapter IV. All this equipment shall bekepttogether in the chartroom or other suitable place ready to bemovedtooneor other of the lifeboats in the event of an emergency. However, in tankers of 3,000 tons gross tonnage and upwards in whichlifeboatsarefitted amidships and aft this equipment shall be kept in asuitableplacein the vicinity of those lifeboats which are furthest away from theship's main transmitter.
(b)In the case of ships engaged on voyages of such duration thatinthe opinion of the Administrationportableradioapparatusforsurvival craft is unnecessary, the Administration may allow such equipment tobe dispensed with.

Regulation 14

Radio Apparatus and Searchlights in Motor Lifeboats

(a)(i)Where the total number of personsonboardapassengership engaged on international voyages which are not shortinternational

voyages, a ship employed as a whale factory ship, ashipemployed as a fish processing or canning factory ship or a shipengagedin the carriage of persons employed in the whaling, fish processing or canning industries, ismorethan199butlessthan1,500,a radiotelegraph apparatus complying with the requirements set out in this Regulation and in Regulation 13 of Chapter IV shall befitted in at least one of the motor lifeboats required under Regulation8 of this Chapter to be carried in that ship.
(ii)Where the total number of persons on board such a ship is1,500 or more, such a radiotelegraph apparatus shall be fittedinevery motor lifeboat required under Regulation 8 of thisChaptertobe carried in that ship.
(b)The radio apparatus shall be installed inacabinlargeenoughto accommodate both the equipment and the person using it.
(c)The arrangements shall be such that theefficientoperationofthe transmitter and receiver shall not beinterferedwithbytheengine while it is running, whether a battery is on charge or not.
(d)The radio battery shall not be used tosupplypowertoanyengine starting motor or ignition system.
(e) Themotorlifeboatengineshallbefittedwithadynamofor recharging the radio battery, and for other services.
(f)A searchlight shall be fitted in each motor lifeboatrequiredtobe carried under paragraph (a) of Regulation 8 of this Chapter in passenger ships and under paragraph (c) of that Regulation inshipsemployedas whale factory ships, fish processing or canning factory ships andships engaged in thecarriageofpersonsemployedinthewhaling,fish processing or canning industries.
(g)The searchlight shallincludealampofatleast80watts,an efficient reflector and a source ofpowerwhichwillgiveeffective illumination of a light-coloured objecthavingawidthofabout18 metres (60 feet) at a distance of 180 metres (200yards)foratotal period of six hours and shall be capable of working for atleastthree hours continuously.

Regulation 15

Requirements for Inflatable Liferafts

(a)Every inflatable liferaft shall be soconstructedthat,whenfully inflated and floating with the cover uppermost, it shall be stable ina seaway.
(b)The liferaft shall be so constructed that if it isdroppedintothe water from a height of 18 metres (60 feet) neither the liferaft norits equipment will be damaged. If the raft is to be stowed on the ship ata height above the water of more than 18 metres (60 feet), it shall beof a type which has been satisfactorily drop-tested from a height atleast equal to the height at which it is to be stowed.
(c)The construction of the liferaft shall includeacoverwhichshall automatically be set in place when the liferaft is inflated. Thiscover shall becapableofprotectingtheoccupantsagainstinjuryfrom exposure, and means shall be provided for collecting rain.Thetopof the cover shall be fitted with a lamp which derives its luminosityfrom a sea-activated cell and a similar lamp shall also be fitted insidethe liferaft. The cover of the liferaft shall be of a highly visible colour.
(d)The liferaft shall be fitted with a painterandshallhavealine

securely becketed round the outside. A lifelineshallalsobefitted around the inside of the liferaft.
(e)The liferaft shall be capable of being readily righted byoneperson if it inflates in an inverted position.
(f)The liferaft shall be fitted at each opening with efficientmeansto enable persons in the water to climb on board.
(g)The liferaft shall be contained in avaliseorothercontainerso constructed as to be capable of withstanding hard wear underconditions met with at sea. The liferaft in its valise or other container shallbe inherently buoyant.
(h)The buoyancy of the liferaft shall be so arranged as toensurebya division into an even number of separatecompartments,halfofwhich shall be capable of supporting out of the water thenumberofpersons which the liferaft is permitted to accommodate, or by some other equally efficient means, that there is a reasonable margin ofbuoyancyifthe raft is damaged or partially fails to inflate.
(i)The total weight of the liferaft, its valise orothercontainerand its equipment shall not exceed 180 kilogrammes (400 lbs.).
(j)The number of persons which an inflatable liferaft shall bepermitted to accommodate shall be equal to:
(i)the greatestwholenumberobtainedbydividingby96the volume, measuredincubicdecimetres(orby3.4thevolume, measured in cubic feet) of the main buoyancy tubes (which forthis purpose shall include neither the arches nor the thwart orthwarts if fitted) when inflated; or
(ii)the greatest whole number obtainedbydividingby3,720the area measured in square centimetres (or by 4 the area, measuredin square feet) of the floor (which for this purpose mayincludethe thwartorthwartsiffitted)oftheliferaftwheninflated
whichever number shall be the less.
(k)The floor of the liferaft shall be waterproof and shall be capableof being sufficiently insulated against cold.
(l)The liferaft shall be inflated by a gas which is not injurious tothe occupants and the inflation shall take place automatically either on the pulling of a line or by some other equally simple and efficientmethod. Means shall be provided whereby the topping-up pump or bellowsrequired by Regulation 17 of this Chapter may be used to maintain pressure.
(m)The liferaft shall beofapprovedmaterialandconstruction,and shall be so constructed as to be capable of withstanding exposure for 30 days afloat in all sea conditions.
(n) Noliferaftshallbeapprovedwhichhasacarryingcapacity calculated in accordance with paragraph (j) of this Regulationofless than six persons. The maximum number of persons calculated in accordance with that paragraph for which an inflatableliferaftmaybeapproved shall be at the discretion of the Administration, but shall innocase exceed 25.
(o)The liferaft shall be capable of operatingthroughoutatemperature range of 66(C to minus 30(C (150(F to minus 22(F).
(p)(i)The liferaft shall be so stowed as to bereadilyavailablein case of emergency. It shall be stowed in such a manner as to permit it to float free from its stowage, inflate and break free fromthe vessel in the event of sinking.
(ii)If used, lashings shall befittedwithanautomaticrelease system of ahydrostaticorequivalentnatureapprovedbythe Administration.

(iii) The liferaft required by paragraph (c) of Regulation 35 ofthis Chapter may be securely fastened.
(q)The liferaft shall be fittedwitharrangementsenablingittobe readily towed.

Regulation 16

Requirements for Rigid Liferafts

(a)Every rigid liferaft shall be so constructed thatifitisdropped into the water from its stowed position neithertheliferaftnorits equipment will be damaged.
(b)The deck area of the liferaft shall be situated withinthatpartof the liferaft which affords protection to its occupants. The area of that deck shall be at least 0.3720 square metres (4 squarefeet)forevery person the liferaft is permitted to carry. The nature of the deckshall be such as to prevent so far as practicable the ingress of water andit shall effectively support the occupants out of the water.
(c)The liferaft shall be fitted with a coverorequivalentarrangement of a highly visible colour, which shall becapableofprotectingthe occupants against injury from exposure whichever way up the liferaftis floating.
(d)The equipment of the liferaft shall be sostowedastobereadily available whichever way up the liferaft is floating.
(e)The total weight of a liferaft and its equipment carried inpassenger ships shall not exceed 180 kilogrammes (400 lbs.). Liferafts carriedin cargo ships may exceed 180 kilogrammes (400 lbs.) in weight if theyare capable of being launched from both sides of the ship oriftherearе provided means for putting them into the water mechanically.
(f)The liferaft must at all times be effective and stablewhenfloating either way up.
(g)The liferaft shall have at least 96 cubic decimetres (3.4 cubicfeet) of air cases or equivalent buoyancy for each person it ispermittedto carry which must be placed as near as possible to the sides of the raft.
(h)The liferaft shall have a painter attachedandalifelinesecurely becketed round the outside. A lifeline shall also be fittedaroundthe inside of the raft.
(i)The liferaft shall be fitted at each opening with efficientmeansto enable persons in the water to climb on board.
(j)The liferaft shall be so constructed as not to be affected byoilor oil products.
(k)A buoyant light of the electric battery type shall be attached tothe liferaft by a lanyard.
(l)The liferaft shall be fittedwitharrangementsenablingittobe readily towed.
(m)Liferafts shall be so stowed as to float freeintheeventofthe ship sinking.

Regulation 17

Equipment of Inflatable and Rigid Liferafts

(a)The normal equipment of every liferaft shall consist of:
(i)One buoyant rescue quoit, attached to at least30metres(100 feet) of buoyant line.

(ii)For liferafts which are permitted to accommodate notmorethan 12 persons: one knifeandonebaler;forliferaftswhichare permitted to accommodate 13 persons or more:twoknivesandtwo balers.
(iii) Two sponges.
(iv)Two sea-anchors, one permanently attached totheliferaftand one spare.
(v)Two paddles.
(vi)One repair outfit capable ofrepairingpuncturesinbuoyancy compartments.
(vii) One topping-up pump or bellows,unlesstheliferaftcomplies with Regulation 16 of this Chapter.
(viii)Three tin-openers.
(ix)One approved first-aid outfit in a waterproof case.
(x)One rustproof graduated drinking vessel.
(xi)One waterproof electric torch suitableforsignallinginthe Morse Code, together with one spare set of batteries and onespare bulb in a waterproof container.
(xii) One daylight-signalling mirror and one signalling whistle.
(xiii)Twoparachutedistresssignalsofanapprovedtype, capable of giving a bright red light at a high altitude.
(xiv) Six hand flares of an approved type, capable of giving abright red light.
(xv)One set of fishing tackle.
(xvi) A foodration,determinedbytheAdministration,foreach person the liferaft is permitted to accommodate.
(xvii)Watertight receptacles containing 11/2 litres (3 pints)of freshwaterforeachpersontheliferaftispermittedto accommodate, of which 1/2 litre (1 pint) per person may be replaced by a suitable de-salting apparatus capable ofproducinganequal amount of fresh water.
(xviii) Six anti-seasickness tablets for each persontheliferaft is deemed fit to accommodate.
(xix) Instructions on how to survive in the liferaft; and
(xx)onecopyoftheillustratedtableoflife-savingsignals referred to in Regulation 16 of Chapter V.
(b)In the case of passenger ships engaged on short internationalvoyages of such duration that in the opinion of the Administration all the items specified in paragraph (a)ofthisRegulationareunnecessary,the Administration may allow one or more liferafts, not being less than one-sixth of the number ofliferaftscarriedinanysuchship,tobe provided with the equipment specifiedinsub-paragraphs (i)to(vii) inclusive, (xi) and (xix) of paragraph (a) of this Regulation, andwith one-half of the equipment specified in sub-paragraphs (xiii)and(xiv) of that paragraph and the remainderoftheliferaftscarriedtobe provided with the equipment specifiedinsub-paragraphs (i)to(vii) inclusive and (xix) of that paragraph.

Regulation 18

Training in the use of Liferafts

The Administration shall so far as ispracticableandreasonabletake steps with a view to ensuring that crews of shipsinwhichliferaftsare carried are trained in their launching and use.

Regulation 19

Embarkation into Lifeboats and Liferafts

(a) Suitablearrangementsshallbemadeforembarkationintothe lifeboats, which shall include:
(i)a ladderateachsetofdavitstoaffordaccesstothe lifeboats when waterborne, except that inpassengerships,ships employed as whale factory ships, ships employed as fishprocessing or canning factory ships andshipsengagedinthecarriageof personsemployedinthewhaling,fishprocessingorcanning industries, theAdministrationmaypermitsuchladderstobe replaced by approved devices provided that there shall not beless than one ladder on each side of the ship;
(ii)means for illuminating the lifeboats andtheirlaunchinggear during preparation for and the process of launching, andalsofor illuminating the water into which the lifeboats are launcheduntil the process of launching is completed;
(iii) arrangements for warning the passengers and crew thattheship is about to be abandoned; and
(iv)means for preventing any discharge of water into the lifeboats.
(b)Suitable arrangements shall also bemadeforembarkationintothe liferafts, which shall include:
(i)sufficient ladders to facilitate embarkation into theliferafts when waterborne except that in passenger ships, shipsemployedas whale factory ships, ships employed as fish processingorcanning factory ships,andshipsengagedinthecarriageofpersons employedinthewhaling,fishprocessingorfishcanning industries, the Administration may permit the replacementofsome or all of such ladders by approved devices;
(ii)where there are carried liferafts for whichapprovedlaunching devices are provided, means for illuminatingthoseliferaftsand launching devices during the preparation forandtheprocessof launching, and also for illuminating thewaterintowhichthose liferafts are launched until the process of launching is completed;
(iii) means for illuminating the stowagepositionofliferaftsfor which approved launching devices are not provided;
(iv)arrangements for warning the passengers and crew thattheship is about to be abandoned; and
(v)means for preventing any discharge of water intotheliferafts atfixedlaunchingpositions,includingthoseunderapproved launching devices.

Regulation 20

Marking of Lifeboats, Liferafts and Buoyant Apparatus

(a)The dimensions of a lifeboat and the number ofpersonswhichitis permitted to carry shall be marked on it in clear permanentcharacters. The name and port of registry of the ship to which the lifeboatbelongs shall be painted on each side of the bow.
(b)Buoyant apparatus shall be marked with the number ofpersonsinthe same manner.
(c)Thenumberofpersonsshallbemarkedinthesamemanneron

inflatable liferafts and also on the valise or containerinwhichthe inflatable liferaft is contained. Every inflatable liferaftshallalso bear a serial number and the manufacturer's name so thattheownerof the liferaft can be ascertained.
(d)Every rigid liferaft shallbemarkedwiththenameandportof registry of the ship in which it is carried,andwiththenumberof persons it is permitted to carry.
(e)No lifeboat, liferaft or buoyantapparatusshallbemarkedfora greater number of persons than that obtained in the manner specifiedin this Chapter.

Regulation 21

Specification of a Lifebuoy

(a)A lifebuoy shall satisfy the following requirements:
(i)it shall be of solid cork or any other equivalent material;
(ii)it shall be capable of supporting in fresh waterfor24hours at least 14.5 kilogrammes (32 lbs.) of iron;
(iii) it shall not be adversely affected by oil or oil products;
(iv)it shall be of a highly visible colour;
(v)it shall be marked in block letters with the nameandportof registry of the ship in which it is carried.
(b)Lifebuoys filled with rushes, cork shavingsorgranulatedcork,or any other loose granulated material, or whose buoyancy depends uponair compartments which require to be inflated, are prohibited.
(c)Lifebuoys made ofplasticorothersyntheticcompoundsshallbe capable of retaining their buoyant properties and durability incontact with sea water or oil products, or under variationsoftemperatureor climatic changes prevailing in open sea voyages.
(d)Lifebuoys shall be fitted with beckets securely seized. Atleastone lifebuoy on each side oftheshipshallbefittedwithabuoyant lifeline of at least 27.5 metres (15 fathoms) in length.
(e)In passenger ships not less thanone-halfofthetotalnumberof lifebuoys, and in no case less than six, and in cargo ships at least one-half of the total number of lifebuoys, shall be provided withefficient self-igniting lights.
(f)The self-igniting lights required by paragraph (e) of thisRegulation shall be such that they cannot be extinguished by water. Theyshallbe capable of burning for notlessthan45minutesandshallhavea luminous intensity of not less than 2 candelas in all directions ofthe upper hemisphere. The lights shall be kept near the lifebuoystowhich they belong, withthenecessarymeansofattachment.Self-igniting lights used in tankers shall be of an approved electric battery type.(
(g)All lifebuoys shall be so placed as to be readilyaccessibletothe persons on board, and at least two of the lifebuoys provided withself-igniting lights in accordancewithparagraph (e)ofthisRegulation shall also be provided with an efficientself-activatingsmokesignal capable of producing smoke of a highly visible colour foratleast15 minutes, and shall be capableofquickreleasefromthenavigating bridge.
(h)Lifebuoys shall always be capable ofbeingrapidlycastlooseand shall not be permanently secured in any way.

Regulation 22

Life-jackets

(a)Ships shall carry for everypersononboardalife-jacketofan approved type and, in addition, unless these life-jackets can be adapted for use by children, a sufficient number oflife-jacketssuitablefor children. Each life-jacket shall be suitably marked showing that ithas been approved by the Administration.
(b)In addition to the life-jacketsrequiredbyparagraph (a)ofthis Regulation there shall be carried on passenger ships life-jackets for5 per cent of the total number of personsonboard.Theselife-jackets shall be stowed in a conspicuous place on deck.
(c)An approved life-jacket shall comply with the following requirements:
(i)it shall be constructed with proper workmanship and materials;
(ii)it shall be so constructed as to eliminate sofaraspossible all risk of its being put on incorrectly, except that itshallbe capable of being worn inside out;
(iii) it shall be capable of liftingthefaceofanexhaustedor unconscious person out of the water and holding it above thewater with the body inclined backwards from its vertical position;
(iv)it shall be capable of turning the body in thewaterfromany position toasafefloatingpositionwiththebodyinclined backwards from its vertical position;
(v)it shall not be adversely affected by oil or oil products;
(vi)it shall be of a highly visible colour;
(vii) it shall be fitted with an approved whistle, firmlysecuredby a cord;
(viii)the buoyancy of the life-jacketrequiredtoprovidethe foregoing performance shall not be reduced by more than 5 percent after 24 hours' submergence in fresh water.
(d)A life-jacket, the buoyancy of whichdependsoninflation,maybe permitted for use by the crews of all ships except passengershipsand tankers provided that:
(i)it has two separate inflatable compartments;
(ii)it is capable of being inflated both mechanically and bymouth; and
(iii) it complies withtherequirementsofparagraph (c)ofthis Regulation with either compartment inflated separately.
(e)Life-jackets shall be so placed as to be readily accessible andtheir position shall be plainly indicated.

Regulation 23

Line-throwing Appliances

(a)Ships shall carry a line-throwing appliance of an approved type.
(b)The appliance shall be capable of carrying a line notlessthan230 metres (250 yards) with reasonable accuracy, and shall include notless than four projectiles and four lines.

Regulation 24

Ships' Distress Signals

Ships shall be provided, to the satisfaction of the Administration,with

means of making effective distress signals by day andbynight,including at least twelve parachute signals capable of giving a bright red light ata high altitude.

Regulation 25

Muster List and Emergency Procedure

(a)Special duties to be undertaken in the event of an emergency shallbe allotted to each member of the crew.
(b)The muster list shall show all the special duties and shallindicate, in particular, the station to which each member must go, and theduties that he has to perform.
(c)The muster list for each passenger ship shall be inaformapproved by the Administration.
(d)Before the vessel sails, the muster list shallbecompleted.Copies shall be posted in several parts of the ship, and in particularinthe crew's quarters.
(e)The muster list shallshowthedutiesassignedtothedifferent members of the crew in connexion with:
(i) theclosingofthewatertightdoors,valvesandclosing mechanisms of scuppers, ash-shoots and fire doors;
(ii)the equipping of the lifeboats(includingtheportableradio apparatus for survival craft) and the other life-saving appliances;
(iii) the launching of the lifeboat;
(iv)the general preparation of the other life-saving appliances;
(v)the muster of the passengers; and
(vi)the extinctionoffire,havingregardtotheship'sfire control plans.
(f)The muster list shall show the several duties assigned to themembers of the stewards department in relation tothepassengersincaseof emergency. These duties shall include:
(i)warning the passengers;
(ii)seeing that they are suitably clad and have put ontheirlife-jackets in a proper manner;
(iii) assembling the passengers at muster stations;
(iv)keeping orderinthepassagesandonthestairways,and, generally, controlling the movements of the passengers; and
(v)ensuring that a supply of blankets is taken to the lifeboats.
(g)The duties shown by the muster list in relation to theextinctionof fire pursuant to sub-paragraph (e) (vi) of this Regulation shall include particulars of:
(i)the manning of the fire parties assigned to deal with fires;
(ii)the special duties assigned in respect of the operation of fire-fighting equipment and installations.
(h)The muster list shall specify definite signalsforcallingallthe crew to their boat, liferaft and firestations,andshallgivefull particulars of these signals. These signals shall be made on the whistle or siren and, except on passenger ships on shortinternationalvoyages and on cargo ships of less than 45.7 metres (150 feet) inlength,they shall be supplemented byothersignalswhichshallbeelectrically operated. All these signals shall be operable from the bridge.

Regulation 26

Practice Musters and Drills

(a)(i)In passenger ships, musters of the crew for boat drill andfire drill shall take place weekly when practicable and thereshallbe such a muster when apassengershipleavesthefinalportof departureonaninternationalvoyagewhichisnotashort international voyage.
(ii)In cargo ships, a muster of the crew forboatdrillandfire drill shall take place at intervals of notmorethanonemonth, provided that a muster of the crew for boat drillandfiredrill shall take place within 24 hours of leaving a port if more than25 per cent of the crew have been replaced at that port.
(iii) On the occasion of the monthly muster in cargo ships theboat's equipment shall be examined to ensure that it is complete.
(iv)The date uponwhichmustersareheld,anddetailsofany training and drills in fire fighting which are carried out on board shall be recorded in such log book asmaybeprescribedbythe Administration. If in any week (for passenger ships) or month(for cargo ships) no muster or a part musteronlyisheld,anentry shall be made stating the circumstances and extentofthemuster held. A report of the examination of the boat's equipment oncargo ships shall be entered in the log book, which shall also record the occasions on which the lifeboatsareswungoutandloweredin compliance with paragraph (c) of this Regulation.
(b)In passengerships,exceptthoseengagedonshortinternational voyages, a muster of the passengers shall be held within 24 hoursafter leaving port.
(c)Different groups of lifeboats shall beusedinturnatsuccessive boat drills and every lifeboat shall be swung outand,ifpracticable and reasonable, lowered at least once every four months. The musters and inspections shall be so arranged that the crew thoroughly understand and are practised in the duties they have to perform, including instructions in the handling and operation of liferafts where these are carried.
(d)The emergency signalforsummoningpassengerstomusterstations shall be a succession of seven or more short blasts followed by one long blast on the whistle or siren. This shall be supplementedinpassenger ships, except those engaged on shortinternationalvoyages,byother signals, which shallbeelectricallyoperated,throughouttheship operablefromthebridge.Themeaningofallsignalsaffecting passengers, with precise instructions on whattheyaretodoinan emergency, shall be clearly stated inappropriatelanguagesoncards posted in their cabins and inconspicuousplacesinotherpassenger quarters.

PART B-PASSENGER SHIPS ONLY

Regulation 27

Lifeboats, Liferafts and Buoyant Apparatus

(a)Passenger ships shall carry two boats attached to davits-oneoneach side of the ship-for use in an emergency. These boatsshallbeofan approved type and shall be not more than 8.5 metres (28 feet) in length. They may be counted for the purposes of paragraphs (b) and (c)ofthis Regulation, provided that they comply fully withtherequirementsfor

lifeboats of this Chapter, and for the purposes of Regulation 8 provided that in addition they comply fully with the requirements of Regulation 9 and where appropriate Regulation 14 of this Chapter. They shall bekept ready for immediate use while the ship is at sea. In ships in whichthe requirements of paragraph (h) of Regulation29aremetbymeansof appliances fitted to the sides of the lifeboats, suchappliancesshall not be required to be fitted to thetwoboatsprovidedtomeetthe requirements of this Regulation.

(b)Passenger ships engaged on international voyages which arenotshort international voyages shall carry:

(i)Lifeboats on eachsideofsuchaggregatecapacityaswill accommodate half the total number ofpersonsonboard.Provided that the Administration may permit the substitution of lifeboats by liferafts of the same total capacity so howeverthatthereshall never be less than sufficient lifeboats on each side of the ship to accommodate 371/2 per cent of all on board.

(ii)Liferafts of sufficient aggregatecapacitytoaccommodate25 per cent of the total number of personsonboard,togetherwith buoyant apparatus for 3 per centofthatnumber.Providedthat ships which have a factor of subdivision of 0.33 or lessshallbe permitted to carry, in lieu of liferafts for 25 per cent of allon board and buoyant apparatus for 3 per cent of all on board, buoyant apparatus for 25 per cent of that number.

(c)(i)A passenger ship engaged on shortinternationalvoyagesshall be provided with sets of davits in accordance withitslengthas specified in Column AoftheTableinRegulation28ofthis Chapter. Each set of davits shall have a lifeboatattachedtoit and these lifeboats shall provide atleasttheminimumcapacity required by Column C of theTableorthecapacityrequiredto provide accommodation for all on board if this is less.

Provided that when in the opinion of theAdministrationitis impracticable or unreasonable to place on a ship engagedonshort international voyages the number ofsetsofdavitsrequiredby Column A of the Table inRegulation28,theAdministrationmay authorize,underexceptionalconditions,asmallernumberof davits, except that thisnumbershallneverbelessthanthe minimum number fixed by Column B of the Table, and thatthetotal capacity of the lifeboats on the ship will be at least equal to the minimum capacity required by Column C or the capacityrequiredto provide for all persons on board if this is less.

(ii)If the lifeboats so provided are not sufficienttoaccommodate all on board, additional lifeboats under davits or liferaftsshall be provided so that the accommodation provided in the lifeboats and the liferafts in the ship shall be sufficient for all on board.

(iii) Notwithstanding the provisionsofsub-paragraph (ii)ofthis paragraph in any ship engaged on shortinternationalvoyagesthe number of persons carried shall not exceed thetotalcapacityof the lifeboats provided in accordancewithsub-paragraphs (i)and (ii) of this paragraph unlesstheAdministrationconsidersthat this is necessitated by the volume of traffic and then only ifthe ship complies with the provisions of paragraph (d) of Regulation1 of Chapter II-1.

(iv)Whereundertheprovisionsofsub-paragraph (iii)ofthis paragraph the Administration has permitted the carriage ofpersons in excess of the lifeboat capacity andissatisfiedthatitis

impracticable inthatshiptostowtheliferaftscarriedin
accordance with
sub-paragraph (ii) of this paragraph it may permit areductionin
the number of lifeboats.
Provided that:
(1)the number of lifeboats shall,inthecaseofshipsof58
metres (190 feet) in length and over, never be less than four,
two of which shall be carried on each side of the ship, and in
the case of ships of less than 58 metres (190 feet) in length,
shall never be less than two, one of which shall be carried on
each side of the ship; and
(2) thenumberoflifeboatsandliferaftsshallalwaysbe
sufficient to accommodatethetotalnumberofpersonson
board.
(v)Every passenger shipengagedonshortinternationalvoyages
shall carry in addition to the lifeboats and liferafts requiredby
theprovisionsofthisparagraph,liferaftssufficientto
accommodate 10 per cent of the total numberofpersonsforwhom
there is accommodation in the lifeboats carried in that ship.
(vi)Every passenger shipengagedonshortinternationalvoyages
shall also carry buoyant apparatus for at least 5 per centofthe
total number of persons on board.
(vii) The Administration may permit individualshipsorclassesof
ships with short international voyage certificatestoproceedon
voyages in excess of 600 miles but notexceeding1,200milesif
suchshipscomplywiththeprovisionsofparagraph (d)of
Regulation 1 of Chapter II-1, if they carry lifeboats which provide
for 75 per cent of the persons on board and otherwisecomplywith
the provisions of this paragraph.

Regulation 28

Table relating to Davits and Lifeboat Capacity for Ships on
Short International Voyages

The following table fixes according to the length of the ship:
(A)the minimum number of sets of davits to be providedonaship
engaged on short international voyagestoeachofwhichmustbe
attached a lifeboat in accordance with Regulation 27 of this Chapter;
(B)the smaller number of sets of davitswhichmaybeauthorized
exceptionally on a ship engaged on short international voyagesunder
Regulation 27 of this Chapter; and
(C)the minimum lifeboat capacity required forashipengagedon
short international voyages.

	(A)	(B)	(C)
Registered length of ship			
	Minimum	Smaller	Minimum
	number	number	capacity
	of sets	of sets	of
	of	of	lifeboats
	davits	davits	
		authoriz	
		ed	

		exceptio	
		nally	
Metres	Feet			Cubic	Cubic
				metre	feet
		||s	
31 and	37	100 and	120	2	2	11	400
under||under ||			
37	"	43	120	"	140	2	2	18	650
43	"	49	140	"	160	2	2	26	900
49	"	53	160	"	175	3	3	33	1,15
									0
53	"	58	175	"	190	3	3	38	1,35
									0
58	"	63	190	"	205	4	4	44	1,55
									0
63	"	67	205	"	220	4	4	50	1,75
									0
67	"	70	220	"	230	5	4	52	1,85
									0
70	"	75	230	"	245	5	4	61	2,15
									0
75	"	78	245	"	255	6	5	68	2,40
									0
78	"	82	255	"	270	6	5	76	2,700
82	"	87	270	"	285	7	5	85	3,000
87	"	91	285	"	300	7	5	94	3,300
91	"	96	300	"	315	8	6	102	3,600
96	"	101	315	"	330	8	6	110	3,900
101	"	107	330	"	350	9	7	122	4,300
107	"	113	350	"	370	9	7	135	4,750
113	"	119	370	"	390	10	7	146	5,150
119	"	125	390	"	410	10	7	157	5,550
125	"	133	410	"	435	12	9	171	6,050
133	"	140	435	"	460	12	9	185	6,550
140	"	149	460	"	490	14	10	202	7,150
149	"	159	490	"	520	14	10	221	7,800
159	"	168	520	"	550	16	12	238	8,400

Note on (C): Where the length of the ship is under 31 metres (100 feet) or over 168 metres (550 feet) the minimum number of sets of davits and the cubic capacity of the lifeboats shall be prescribed by the Administration.

Regulation 29

Stowage and Handling of Lifeboats, Liferafts and Buoyant Apparatus

(a)Lifeboats and liferafts shall be stowed tothesatisfactionofthe Administration in such a way that:
(i)they can all be launched in the shortest possibletimeandin not more than 30 minutes;
(ii)they will not impede in any way the prompt handlingofanyof theotherlifeboats,liferaftsorbuoyantapparatusorthe marshalling of the persons on board at the launchingstations,or

their embarkation;
(iii) the lifeboats, and the liferafts forwhichapprovedlaunching devices are required to be carried, shall be capable ofbeingput into the water loaded with their fullcomplementofpersonsand equipment even in unfavourable conditions of trim and of 15 degrees of list either way; and
(iv)the liferafts forwhichapprovedlaunchingdevicesarenot required to be carried, and the buoyant apparatus, shall be capable of being put into the water even in unfavourable conditions of trim and of 15 degrees of list either way.
(b)Every lifeboat shall be attached to a separate set of davits.
(c)Lifeboats may only be stowed on more than one deck if propermeasures are taken to prevent lifeboats on a lower deckbeingfouledbythose stowed on a deck above.
(d)Lifeboats, and liferafts forwhichapprovedlaunchingdevicesare required to be carried, shall not be placed in the bow of the ship. They shall be stowed in such positions as toensuresafelaunchinghaving particularregardtoclearancefromthepropellerandsteeply overhanging portions of the hull aft.
(e)Davits shall be of approved design and shallbesuitablyplacedto the satisfaction of the Administration. They shall be so disposed on one or more decks that the lifeboats placed under them can be safely lowered without interference from the operation of any other davits.
(f)Davits shall be as follows:
(i)luffing or gravity type foroperatinglifeboatsweighingnot more than 2,300kilogrammes(21/4tons)intheirturningout condition;
(ii)gravity type for operating lifeboats weighingmorethan2,300 kilogrammes (21/4 tons) in their turning out condition.
(g)Davits, falls, blocks and all other gear shallbeofsuchstrength that the lifeboats can be turned out manned by a launching crew and then safely lowered with the full complement of persons andequipment,with the ship listed to 15 degrees either way and with a 10 degrees trim.
(h)Skates orothersuitablemeansshallbeprovidedtofacilitate launching the lifeboats against a list of 15 degrees.
(i)Means shall be provided for bringing the lifeboats against theship's side and there holding them so that persons may be safely embarked.
(j)Lifeboats, together with the emergency boatsrequiredbyRegulation 27 of this Chapter, shall be served by wire ropefalls,togetherwith winches of an approved type which, in the case of theemergencyboats, shall be capable of quick recovery of thoseboats.Exceptionally,the Administration may allow manila rope falls or falls of anotherapproved material with or without winches (except that the emergency boatsshall be required to be served by winches which are capable of quickrecovery of those boats) where they are satisfied that manila rope falls or falls of another approved material are adequate.
(k)At least two lifelines shall be fitted tothedavitspan,andthe falls and lifelines shall be long enough to reachthewaterwiththe ship at its lightest sea-going draught and listed to 15degreeseither way. Lower fall blocks shall be fitted with a suitable ring or long link for attaching to the sling hooks unless an approved type ofdisengaging gear is fitted.
(l)Where mechanically-powered appliances are fitted for therecoveryof the lifeboats, efficient hand gear shall also be provided. Wheredavits are recovered by action of the falls by power, safety devicesshallbe

fitted which will automatically cut off the power before the davits come against the stops in order to avoid overstressing the wire rope falls or davits.
(m)Lifeboats attached to davits shall have the fallsreadyforservice and arrangementsshallbemadeforspeedily,butnotnecessarily simultaneously, detaching the lifeboats from thefalls.Thepointof attachment of the lifeboats to the falls shall be at suchheightabove the gunwale as to ensure stability when lowering the lifeboats.
(n)(i)In passenger ships engaged on internationalvoyageswhichare notshortinternationalvoyagesinwhichtherearecarried lifeboats and liferafts in accordance with sub-paragraph (b) (i) of Regulation 27 of this Chapter, thereshallbeprovidedapproved launching devices sufficientinnumberintheopinionofthe Administration to enable that number of liferaftswhich,together with the lifeboats,isrequiredinaccordancewiththatsub-paragraph to provide accommodation for all on board, to be put into the water loaded with the number of persons they arepermittedto accommodate, in not more than thirty minutesincalmconditions. Approvedlaunchingdevicessoprovidedshall,sofaras practicable, be distributed equally on each side oftheshipand there shall never be less than one such deviceoneachside.No suchdevicesneed,however,beprovidedfortheadditional liferafts required tobecarriedbysub-paragraph (b)(ii)of Regulation 27 of this Chapter for 25 per cent of all on board,but every liferaft carried in accordance with that sub-paragraph shall, where an approved launching device is provided in the ship, be of a type which is capable of being launched from such a device.
(ii)In passenger ships engaged on short internationalvoyages,the number of approved launching devices to be provided shall be at the discretion of the Administration. The number of liferafts allocated to each such device carried shallnotbemorethanthenumber which, in the opinion of the Administration, can beputintothe water fully loaded with the number of persons they are permitted to carrybythatdeviceinnotmorethan30minutesincalm conditions.

Regulation 30

Lighting for Decks, Lifeboats, Liferafts, etc.

(a)Provision shall be madeforanelectricorequivalentsystemof lighting sufficient for all the requirements of safety in thedifferent parts of a passenger ship, andparticularlyfordecksonwhichthe lifeboats and liferafts are stowed. The self-contained emergencysource of electrical power required by Regulation 25 of Chapter II-1shallbe capable of supplying where necessary this lighting system andalsothe lighting required by sub-paragraphs (a) (ii), (b) (ii) and (b) (iii)of Regulation 19 of this Chapter.
(b)The exit from every main compartment occupied bypassengersorcrew shall be continuously lighted by an emergency lamp. The power forthese emergency lamps shall be so arranged that they will be supplied from the emergencysourceofpowerreferredtoinparagraph (a)ofthis Regulation in the event of failure of the main generating plant.

Regulation 31

Manning of Lifeboats and Liferafts

(a)A deck officer or certified lifeboatman shall be placed inchargeof each lifeboat and asecond-in-commandshallalsobenominated.The person in charge shall have a list of the lifeboat's crew, and shall see that the men placed under his orders are acquainted withtheirseveral duties.
(b)A man capable of working the motor shall beassignedtoeachmotor lifeboat.
(c)A man capable ofworkingtheradioandsearchlightinstallations shall be assigned to each lifeboat carrying this equipment.
(d)A man practised in the handling and operation ofliferaftsshallbe assigned to each liferaft carried, exceptwhereinshipsengagedon short international voyages the Administration is satisfied that this is not practicable.

Regulation 32

Certificated Lifeboatmen

(a)In passenger ships there shallbe,foreverylifeboatcarriedin order to comply with this Chapter, anumberoflifeboatmenatleast equal to that specified in the following table:

	The minimum
Prescribed complement	number of
of lifeboat	certificated
	lifeboatmen
	shall be
Less than 41 persons	2
From 41 to 61 persons	3
From 62 to 85 persons	4
Above 85 persons	5

(b)The allocationofthecertificatedlifeboatmentoeachlifeboat remains within the discretion of the master.
(c)Certificates of efficiency shall be issued under the authority ofthe Administration. In order to obtain such a certificate an applicant shall prove that he has been trained inalltheoperationsconnectedwith launching lifeboats and other life-saving appliances and in theuseof oars and propelling gear; thatheisacquaintedwiththepractical handling of lifeboats and of other life-saving equipment,andfurther, that he is capable of understanding and answering the orders relative to all kinds of life-saving appliances.

Regulation 33

Buoyant Apparatus

(a)No type of buoyant apparatus shall beapprovedunlessitsatisfies the following conditions:
(i)It shall be of such size and strengththatitcanbethrown from the place where it is stowedintothewaterwithoutbeing

damaged.
(ii)It shall not exceed 180 kilogrammes (400 lbs.) in weightunless suitable meanstothesatisfactionoftheAdministrationare provided to enable it to be launched without lifting by hand.
(iii) It shall be of approved material and construction.
(iv)It shall be effective and stable when floating either way up.
(v)The air cases or equivalent buoyancy shall be placed as nearas possible to the sides of the apparatus, and such buoyancy shall not be dependent upon inflation.
(vi)It shall be fitted with apainterandhavealinesecurely becketed round the outside.
(b)The number of persons for which buoyant apparatus iscertifiedshall be the number:
(i)ascertained by dividing the number of kilogrammes of ironwhich it is capable of supporting in fresh water by 14.5 (orthenumber of pounds divided by 32), or
(ii)equal to the number of millimetres in the perimeterdividedby 305 (or the number of feet intheperimeter),whicheveristhe less.

Regulation 34

Number of Lifebuoys to be Provided

The minimum number of lifebuoys with which passenger ships are provided shall be fixed by the following table:

Length of ship	Minimum
	number
	of buoys
in metres	in feet	
Under 61	Under 200	8
61 and under 122	200 and under 400	12
122 and under 183	400 and under 600	18
183 and under 244	600 and under 800	24
244 and over	800 and over	30

PART C-CARGO SHIPS ONLY

Regulation 35

Number and Capacity of Lifeboats and Liferafts

(a)(i)Every cargo ship, except ships employed as whale factoryships, fish processing or canning factory ships, and ships engaged inthe carriage of persons employed in thewhaling,fishprocessingor canning industries, shall carry lifeboats on each side of theship of such aggregate capacityaswillaccommodateallpersonson board,andinadditionshallcarryliferaftssufficientto accommodate half that number.
Provided that, inthecaseofsuchcargoshipsengagedon international voyagesbetweennearneighbouringcountries,the Administration, if it issatisfiedthattheconditionsofthe voyage are such as to render the compulsory carriageofliferafts

unreasonable or unnecessary, may to that extentexemptindividual ships or classes of ships from this requirement.
(ii)(1)Subject to theprovisionsofsub-paragraph (ii)(2)of this paragraph, every tanker of 3,000 tons grosstonnageand upwards shall carry not less than four lifeboats, two of which shall be carried aft and two amidships, except that in tankers which have no amidships superstructure all lifeboats shallbe carried aft.
(2)A tanker of 3,000 tons gross tonnage and upwards whichhas noamidshipssuperstructuremaybepermittedbythe Administration to carry two lifeboats only, provided that:
(aa)one lifeboat is carried aft on each side of the ship;
(bb)each such lifeboat shall not exceed8.5metres(28feet)in length;
(cc)eachsuchlifeboatshallbestowedasfarforwardas practicable, but at least so far forward thattheafter end of the lifeboat is one-and-a-half times the length of the lifeboat forward of the propeller; and
(dd)each such lifeboat shall be stowed as near sea level as issafe and practicable.
(b)(i)Everyshipemployedasawhalefactoryship,everyship employed as a fish processing or canningfactoryshipandevery ship engaged in the carriage of persons employedinthewhaling, fish processing or canning industries shall carry:
(1)Lifeboats on eachsideofsuchaggregatecapacityaswill accommodatehalfthetotalnumberofpersonsonboard; provided that the Administration may permitthesubstitution of lifeboats byliferaftsofthesametotalcapacityso howeverthatthereshallneverbelessthansufficient lifeboats on each side of the ship toaccommodate371/2per cent of all on board.
(2)Liferafts of sufficient aggregate capacity toaccommodatehalf the total number of persons on board;providedthat,ifin ships employed as fish processing or canning factory ships, it is impracticable to carry lifeboats whichcomplyfullywith the requirementsofthisChapter,theAdministrationmay permit insteadthecarriageofotherboats,whichshall however provide not less than theaccommodationrequiredby this Regulation and shallhaveatleastthebuoyancyand equipment required by this Chapter for lifeboats.
(ii)Everyshipemployedasawhalefactoryship,everyship employed as a fish processing or canningfactoryshipandevery ship engaged in the carriage of persons employedinthewhaling, fish processing or canning industries shall carry two boats-oneon each side-for use in an emergency.Theseboatsshallbeofan approved type and shall be not more than 8.5 metres(28feet)in length. They may be counted forthepurposesofthisparagraph provided that they comply fully with the requirements for lifeboats of this Chapter and for the purposes of Regulation 8 providedthat in addition they comply with the requirements of Regulation 9, and, where appropriate, Regulation 14 of thisChapter.Theyshallbe kept ready for immediate use while that ship is at sea. In ships in which the requirements of paragraph (g) of Regulation36ofthis Chapter are met by means of appliances fitted to the sidesofthe lifeboats, such appliances shall not be required tobefittedto

the two boats provided to meet the requirements of this Regulation.
(c)Every cargo ship with no amidships superstructure having aregistered length of 150 metres (492 feet) and upwards shall carry, in additionto the liferafts required under sub-paragraph (a) (i) of this Regulation, a liferaft capable of accommodating at least six personswhichshallbe stowed as far forward as is reasonable and practicable.

Regulation 36

Davits and Launching Arrangements

(a)In cargoshipslifeboatsandliferaftsshallbestowedtothe satisfaction of the Administration.
(b)Every lifeboat shall be attached to a separate set of davits.
(c)Lifeboats and liferaftsforwhichapprovedlaunchingdevicesare required to be carriedshallpreferablybepositionedascloseto accommodation and service spaces as possible. They shallbestowedin such positions as to ensure safe launching, having particular regardto clearance from the propeller and steeplyoverhangingportionsofthe hull, with the object of ensuring so far as practicable that they can be launched down the straight side of the ship. If positioned forwardthey shall be stowed abaft the collision bulkhead in a sheltered position and in this respect the Administration shall give specialconsiderationto the strength of the davits.
(d)Davits shall be of approved design and shallbesuitablyplacedto the satisfaction of the Administration.
(e)In tankers of 1,600 tons gross tonnage and upwards, ships employedas whale factory ships,shipsemployedasfishprocessingorcanning factory ships and ships engaged in the carriage of personsemployedin the whaling, fish processing or canning industries, all davits shallbe of the gravity type. In other ships, davits shall be as follows:
(i)luffing or gravity type foroperatinglifeboatsweighingnot more than 2,300kilogrammes(21/4tons)intheirturningout condition;
(ii)gravity type for operating lifeboats weighingmorethan2,300 kilogrammes (21/4 tons) in their turning out condition.
(f)Davits, falls, blocks and all other gear shallbeofsuchstrength that the lifeboats can be turned out manned by a launching crew and then safely lowered with the full complement of persons andequipment,with the ship listed to 15 degrees either way, and with a 10 degrees trim.
(g)Skates orothersuitablemeansshallbeprovidedtofacilitate launching the lifeboats against a list of 15 degrees.
(h)Means shall be provided for bringing the lifeboats against theship's side and there holding them so that persons may be safely embarked.
(i) Lifeboats,togetherwiththeemergencyboatsrequiredbysub-paragraph (b) (ii) of Regulation 35 of this Chapter, shall be servedby wire rope falls, together with winches of an approved type which, in the case of the emergency boats, shall be capable of quick recovery of those boats. Exceptionally, the Administration may allow manila rope fallsor falls of another approved material with or without winches (exceptthat the emergency boats shall be required to be served by winches whichare capable of quick recovery of those boats) where they are satisfiedthat manila rope falls or falls of another approved material are adequate.
(j)At least two lifelines shall be fitted to thedavitspans,andthe falls and lifelines shall be long enough to reachthewaterwiththe

ship at its lightest seagoing draught and listed to15degreeseither way. Lower fall blocks shall be fitted with a suitable ring or long link for attaching to the sling hooks unless an approved type ofdisengaging gear is fitted.

(k)Where mechanically powered appliances are fitted for therecoveryof the lifeboats, efficient hand gear shall also be provided. Wheredavits are recovered by action of the falls by power, safety devicesshallbe fitted which will automatically cut off the power before the davits come against the stops in order to avoid overstressing the wire rope falls or davits.

(l)Lifeboats shall have the falls readyforservice,andarrangements shallbemadeforspeedily,butnotnecessarilysimultaneously, detaching the lifeboats from the falls. The point of attachmentofthe lifeboats to the falls shall be at such height above the gunwaleasto ensure stability when lowering the lifeboats.

(m)In ships employed as whalefactoryships,shipsemployedasfish processing or canning factory ships and ships engaged in the carriage of persons employed in the whaling, fish processing or canningindustries, in which there are carried lifeboats and liferaftsinaccordancewith sub-paragraph (b) (i) (2) of Regulation 35 no approved launching devices need be provided for the liferafts, but thereshallbeprovidedsuch devices sufficient in number, in the opinion of theAdministration,to enable the liferafts carried in accordancewithsub-paragraph (b)(i) (1) of that Regulation to be put into the water loaded withthenumber of persons they are permittedtoaccommodate,innotmorethan30 minutes in calmconditions.Approvedlaunchingdevicessoprovided shall, so far as practicable, be distributed equally on each side of the ship. Every liferaft carried on ships inwhichanapprovedlaunching device is required to be provided shall be of a type which is capable of being launched by such a device.

Regulation 37

Number of Lifebuoys to be Provided

At least eight lifebuoys of a type which satisfiestherequirementsof Regulation 21 of this Chapter shall be carried.

Regulation 38

Emergency Lighting

The lighting required by sub-paragraphs (a) (ii), (b) (ii) and (b)(iii) of Regulation 19 of this Chapter shall be capable of being suppliedforat least three hours by the emergency source of powerrequiredbyRegulation 26 of Chapter II-1. In cargo ships of 1,600 tons gross tonnageandupwards theAdministrationshallensurethatthelightingofthealleyways, stairways and exits is such that the access of all persons on boardtothe launching stations and stowage positions of lifeboats and liferaftsisnot impeded.

CHAPTER IV

RADIOTELEGRAPHY AND RADIOTELEPHONY

PART A-APPLICATION AND DEFINITIONS

Regulation 1

Application

(a)Unless expressly providedotherwise,thisChapterappliestoall ships to which the present Regulations apply.
(b)This Chapter does not apply toshipstowhichpresentRegulations would otherwise apply while such ships are beingnavigatedwithinthe Great Lakes of North America and their connecting andtributarywaters as far east as the lower exit of the St. Lambert Lock at Montreal in the Province of Quebec, Canada.(
(c)No provision in this Chapter shallpreventtheusebyashipor survival craft in distress of anymeansatitsdisposaltoattract attention, make known its position and obtain help.

Regulation 2

Terms and Definitions

For the purpose of thisChapterthefollowingtermsshallhavethe meanings defined below. All other terms which are used in thisChapterand which are alsodefinedintheRadioRegulationsshallhavethesame meanings as defined in those Regulations:
(a) "Radio Regulations"meanstheRadioRegulationsannexedto,or regardedasbeingannexedto,themostrecentInternational Telecommunication Convention which may be in force at any time.
(b) "Radiotelegraphautoalarm"meansanautomaticalarmreceiving apparatus which responds to the radiotelegraph alarmsignalandhas been approved.
(c) "Radiotelephoneautoalarm"meansanautomaticalarmreceiving apparatus which responds to the radiotelephone alarmsignalandhas been approved.
(d) "Radiotelephone station", "Radiotelephone installation" and "Watches-radiotelephone"shallbeconsideredasrelatingtothemedium frequency band, unless expressly provided otherwise.
(e) "Radio Officer" means a person holding at leastafirstorsecond class radiotelegraph operator's certificate, oraradiocommunication operator'sgeneralcertificateforthemaritimemobileservice, complying withtheprovisionsoftheRadioRegulations,whois employed in the radiotelegraph station of ashipwhichisprovided with such a station in compliance with the provisions of Regulation3 or Regulation 4 of this Chapter.
(f) "Radiotelephone operator"meansapersonholdinganappropriate certificate complying with the provisions of the Radio Regulations.
(g) "Existing installation" means:
(i)an installation wholly installed onboardashipbeforethe dateonwhichthepresentConventionentersintoforce irrespective of the date on which acceptance bytherespective Administration takes effect; and
(ii)an installation part of which wasinstalledonboardaship before the date of entry into force ofthepresentConvention and the rest of which consistseitherofpartsinstalledin replacement of identical parts, or parts which complywiththe

requirements of this Chapter.
(h) "New installation" means any installation which isnotanexisting installation.

Regulation 3

Radiotelegraph Station

Passenger ships irrespective of size and cargo ships of 1,600 tonsgross tonnage and upwards, unless exempted under Regulation5ofthisChapter, shall be fitted with a radiotelegraph station complying with theprovisions of Regulations 9 and 10 of this Chapter.

Regulation 4

Radiotelephone Station

Cargo ships of 300 tons gross tonnage and upwardsbutlessthan1,600 tons gross tonnage, unless fitted with aradiotelegraphstationcomplying with the provisions of Regulations 9 and 10 of this Chapter shall,provided they are not exempted under Regulation 5 of this Chapter, be fittedwitha radiotelephone station complying with the provisions of Regulations15and 16 of this Chapter.

Regulation 5

Exemptions from Regulations 3 and 4

(a)The ContractingGovernmentsconsiderithighlydesirablenotto deviate from the application of Regulations 3 and4ofthisChapter; nevertheless the Administration may granttoindividualpassengeror cargo ships exemptionsofapartialand/orconditionalnature,or complete exemption from the requirements of Regulation 3 or Regulation 4 of this Chapter.
(b)The exemptions permitted under paragraph (a) of this Regulationshall be granted only to a ship engaged on a voyage where the maximum distance of the ship from the shore, the length of thevoyage,theabsenceof general navigational hazards, and other conditions affecting safetyare such as to render the full application of Regulation 3 orRegulation4 of this Chapter unreasonable or unnecessary. Whendecidingwhetheror not to grant exemptions to individual ships, Administrations shallhave regardtotheeffectthatexemptionsmayhaveuponthegeneral efficiency ofthedistressserviceforthesafetyofallships.
Administrations should bear in mind the desirability of requiringships which are exempted from the requirement of Regulation 3 of thisChapter to be fitted with aradiotelephonestationwhichcomplieswiththe provisions of Regulations 15 and 16 of this Chapter asaconditionof exemption.
(c)Each Administration shallsubmittotheOrganizationassoonas possible after the first of January in each year areportshowingall exemptions granted underparagraphs (a)and(b)ofthisRegulation during the previous calendar year and giving thereasonsforgranting such exemptions.

PART B-WATCHES

Regulation 6

Watches-Radiotelegraph

(a)Each ship which in accordance with Regulation 3orRegulation4of this Chapter is fitted with a radiotelegraphstationshall,whileat sea, carry at leastoneradioofficerand,ifnotfittedwitha radiotelegraphautoalarmshall,subjecttotheprovisionsof paragraph (d)ofthisRegulation,listencontinuouslyonthe radiotelegraph distress frequency by meansofaradioofficerusing headphones or a loudspeaker.
(b)Each passenger ship which in accordancewithRegulation3ofthis Chapter is fitted witharadiotelegraphstation,iffittedwitha radiotelegraphautoalarm,shall,subjecttotheprovisionsof paragraph (d) of this Regulation,andwhileatsea,listenonthe radiotelegraph distress frequency by meansofaradioofficerusing headphones or a loudspeaker, as follows:
(i)if carrying or certificated to carry 250 passengers or less,at least 8 hours listening a day in the aggregate;
(ii)if carrying or certificated to carry morethan250passengers and engaged on a voyage exceeding 16 hours'durationbetweentwo consecutive ports, at least16hours'listeningadayinthe aggregate. In this case the ship shall carryatleasttworadio officers;
(iii) if carrying or certificated to carry morethan250passengers and engaged on a voyage of less than 16 hours' duration between two consecutive ports, atleast8hours'listeningadayinthe aggregate.
(c)(i)Each cargo ship which in accordance with Regulation3ofthis Chapter is fitted with a radiotelegraph station, if fittedwitha radiotelegraph auto alarm, shall,subjecttotheprovisionsof paragraph (d) of this Regulation, and while at sea, listenonthe radiotelegraph distress frequency by means of a radio officer using headphones or a loudspeaker, for at least 8hoursadayinthe aggregate.
(ii)Each cargo ship of 300 tons gross tonnage and upwardsbutless than 1,600 tons gross tonnage which is fitted with a radiotelegraph station as a consequence of Regulation 4 of this Chapter, if fitted with a radiotelegraph auto alarm shall, subject totheprovisions of paragraph (d) of this Regulation, and while atsea,listenon the radiotelegraph distress frequency by means of aradioofficer using headphones or a loudspeaker, during such periodsasmaybe determined by the Administration. Administrationsshall,however, have regard to the desirability of requiring, whenever practicable, a listening watch of at least 8 hours a day in the aggregate.
(d)(i)During the period when aradioofficerisrequiredbythis Regulation to listen on the radiotelegraph distress frequency,the radio officer may discontinue such listening during thetimewhen he is handling traffic on other frequencies,orperformingother essential radio duties, but only if it is impracticabletolisten by split headphonesorloudspeaker.Thelisteningwatchshall always be maintained by aradioofficerusingheadphonesora loudspeaker during the silence periods provided forbytheRadio Regulations.

The term "essential radio duties" in this paragraph includes urgent repairs of:
(1)equipment for radiocommunication used for safety;
(2)radio navigational equipment by order of the master.
(ii)In addition totheprovisionsofsub-paragraph (i)ofthis paragraph, on ships other than multi-radio officer passenger ships, the radio officer may,inexceptionalcases,i.e.whenitis impracticaltolistenbysplitheadphonesorloudspeaker, discontinue listening by order of the master in order to carryout maintenance required to prevent imminent malfunction of:
-equipment for radiocommunication used for safety;
-radio navigational equipment;
-other electronic navigational equipment including its repair;
provided that:
(1)the radio officer,atthediscretionoftheAdministration concerned, is appropriately qualified to perform these duties; and
(2)the ship is fitted with a receivingselectorwhichmeetsthe requirements of the Radio Regulations;
(3)the listening watch is alwaysmaintainedbyaradioofficer using headphones or loudspeakerduringthesilenceperiods provided for by the Radio Regulations.
(e) Inallshipsfittedwitharadiotelegraphautoalarmthis radiotelegraph auto alarm shall,whiletheshipisatsea,bein operationwheneverthereisnolisteningbeingkeptunder paragraphs (b), (c) or (d) of this Regulation and, whenever practicable, during direction-finding operations.
(f)The listening periodsprovidedforbythisRegulation,including those which are determined by the Administration, shouldbemaintained preferably during periods prescribed for the radiotelegraphserviceby the Radio Regulations.

Regulation 7

Watches-Radiotelephone

(a)Each ship which is fitted with a radiotelephone station inaccordance with Regulation 4 of this Chapter shall, for safety purposes,carryat least one radiotelephone operator (who may be the master, an officeror a member of the crewholdingacertificateforradiotelephony)and shall, while at sea, maintain continuouswatchontheradiotelephone distress frequency in the place on board from which the ship isusually navigated, by use of a radiotelephone distress frequency watch receiver, using a loudspeaker,afilteredloudspeakerorradiotelephoneauto alarm.
(b)Each ship which in accordance with Regulation 3orRegulation4of this Chapter is fitted with a radiotelegraphstationshall,whileat sea, maintain continuous watch on the radiotelephone distressfrequency in a placetobedeterminedbytheAdministration,byuseofa radiotelephone distress frequency watch receiver, using a loudspeaker, a filtered loudspeaker or radiotelephone auto alarm.

Regulation 8

Watches-VHF Radiotelephone

Each ship provided withaVeryHighFrequency(VHF)radiotelephone station, in accordance with Regulation 18 of Chapter V, shall maintain a listening watch on the bridge for such periods and on suchchannelsas may be required bytheContractingGovernmentreferredtointhat Regulation.

PART C-TECHNICAL REQUIREMENTS

Regulation 9

Radiotelegraph Stations

(a)The radiotelegraphstationshallbesolocatedthatnoharmful interference from extraneous mechanical or other noise will be caused to the proper reception of radio signals. The station shallbeplacedas high in the ship as is practicable, so that the greatest possible degree of safety may be secured.
(b)The radiotelegraph operating room shall be of sufficient sizeandof adequate ventilation toenablethemainandreserveradiotelegraph installations to be operated efficiently, and shall not be used forany purpose which will interfere with the operationoftheradiotelegraph station.
(c)The sleeping accommodation of at leastoneradioofficershallbe situated as near as practicable to the radiotelegraph operating room. In newships,thissleepingaccommodationshallnotbewithinthe radiotelegraph operating room.
(d)There shall be provided between the radiotelegraph operating roomand the bridge andoneotherplace,ifany,fromwhichtheshipis navigated,anefficienttwo-waysystemforcallingandvoice communication which shallbeindependentofthemaincommunication system on the ship.
(e)The radiotelegraph installation shall be installed in such aposition that it will be protectedagainsttheharmfuleffectsofwateror extremes oftemperature.Itshallbereadilyaccessiblebothfor immediate use in case of distress and for repair.
(f)A reliable clock withadialnotlessthan12.5centimetres(5 inches) in diameter and a concentric seconds hand, the face of whichis marked to indicate the silence periods prescribed for the radiotelegraph service by theRadioRegulations,shallbeprovided.Itshallbe securely mounted in the radiotelegraph operating room in such a position that the entire dial can be easily and accurately observed by theradio officer from the radiotelegraph operating position and from the position for testing the radiotelegraph auto alarm receiver.
(g)A reliable emergency light shall beprovidedintheradiotelegraph operating room, consisting of an electric lamp permanentlyarrangedso as to provide satisfactory illumination of the operating controls of the main and reserve radiotelegraph installations and of the clockrequired by paragraph (f) of this Regulation. Innewinstallations,thislamp shall, if supplied from the reserve source of energyrequiredbysub-paragraph (a) (iii) of Regulation 10 of this Chapter, becontrolledby two-way switches placed near the mainentrancetotheradiotelegraph operating room and at the radiotelegraph operating position, unlessthe layout of the radiotelegraph operating room does not warrantit.These switches shall be clearly labelled to indicate their purpose.

(h)Either an electric inspection lamp, operated from thereservesource of energy required by sub-paragraph (a) (iii) of Regulation 10ofthis Chapter and provided with a flexibleleadofadequatelength,ora flashlight shall be provided and kept intheradiotelegraphoperating room.
(i)The radiotelegraph station shall be provided withsuchspareparts, toolsandtestingequipmentaswillenabletheradiotelegraph installation to be maintained in efficient workingconditionwhileat sea. The testing equipment shall include aninstrumentorinstruments for measuring A.C. volts, D.C. volts and ohms.
(j)If a separate emergency radiotelegraph operating room is providedthe requirements of paragraphs (d), (e), (f), (g) and (h) of this Regulation shall apply to it.

Regulation 10

Radiotelegraph Installations

(a)Except as otherwise expressly provided in this Regulation:
(i)The radiotelegraph station shallincludeamaininstallation and reserve installation, electricallyseparateandelectrically independent of each other.
(ii)The main installation shall includeamaintransmitter,main receiver, radiotelephone distressfrequencywatchreceiver,and main source of energy.
(iii) The reserve installation shall includeareservetransmitter, reserve receiver and reserve source of energy.
(iv)A main and a reserve antenna shall beprovidedandinstalled, provided that the Administrationmayexceptanyshipfromthe provision of a reserve antenna if it is satisfied that thefitting of such an antenna is impracticable or unreasonable,butinsuch case a suitable spare antenna completelyassembledforimmediate installation shall be carried. In addition, sufficient antenna wire and insulators shall in all cases be provided to enable asuitable antenna to be erected.Themainantenna,ifsuspendedbetween supports liable to whipping, shall besuitablyprotectedagainst breakage.
(b)In installations on cargo ships (except those on cargo ships of1,600 tons gross tonnage and upwards installed on or after 19 November1952), if the main transmitter complieswithalltherequirementsforthe reserve transmitter, the latter is not obligatory.
(c)(i)The main and reserve transmittersshallbecapableofbeing quickly connected with and tunedtothemainantenna,andthe reserve antenna if one is fitted.
(ii)Themainandreserveshallbecapableofbeingquickly connected with any antenna with which they are required to be used.
(d)All parts of the reserve installation shall be placed as highinthe ship as is practicable, so that the greatest possible degreeofsafety may be secured.
(e)The main and reserve transmitters shall be capable of transmittingon the radiotelegraph distress frequency using a class of emission assigned by the Radio Regulations forthatfrequency.Inaddition,themain transmitter shall be capable of transmitting onatleasttwoworking frequencies in the authorized bands between 405 kHz and 535kHz,using classesofemissionassignedbytheRadioRegulationsforthese

frequencies. The reserve transmitter may consist of aship'semergency transmitter, as defined in and limited in use by the Radio Regulations.
(f)The main and reserve transmittersshall,ifmodulatedemissionis prescribed by the Radio Regulations, have a depth of modulationofnot less than 70 per cent and a note frequency between 450 and 1,350 Hz.
(g)The main and reserve transmitters shall, when connectedtothemain antenna, have a minimum normal range as specified below, that is to say, they must be capable of transmitting clearlyperceptiblesignalsfrom ship to ship by day and under normal conditions andcircumstancesover the specified ranges.((Clearly perceptiblesignalswillnormallybe received if the R.M.S. value of the field strength at the receiver is at least 50 microvolts per metre.)

	Minimum normal
	range in miles
	Main	Reserve
	Transmit	transmitt
	ter	er
All passenger ships, and cargo ships		
of 1,600 tons gross tonnage and	150	100
upwards		
Cargo ships below 1,600 tons gross	100	75
tonnage		

(h)(i)The main and reserve receivers shallbecapableofreceiving the radiotelegraph distress frequency and the classesofemission assigned by the Radio Regulations for that frequency.
(ii)In addition, the main receiver shallpermitthereceptionof such of the frequenciesandclassesofemissionusedforthe transmission of timesignals,meteorologicalmessagesandsuch other communications relating to safety ofnavigationasmaybe considered necessary by the Administration.
(iii) The radiotelephone distress frequency watchreceivershallbe preset to this frequency. It shall beprovidedwithafiltering unit or a device to silence the loudspeaker if on the bridge in the absence of a radiotelephonealarmsignal.Thedeviceshallbe capable of being easily switched in and out and may beusedwhen, in the opinion of the master, conditions are such thatmaintenance of the listening watch would interfere with the safe navigationof the ship.
(iv)(1)A radiotelephone transmitter, if provided, shall befitted with an automatic deviceforgeneratingtheradiotelephone alarm signal, so designed as to prevent actuation bymistake, andcomplyingwiththerequirementsofparagraph (e)of Regulation 16 of this Chapter. The device shall be capableof being taken out of operation at any time inordertopermit the immediate transmission of a distress message.
(2)Arrangements shall be madetocheckperiodicallytheproper functioningoftheautomaticdeviceforgeneratingthe radiotelephone alarm signalonfrequenciesotherthanthe radiotelephone distress frequency using a suitableartificial antenna.
(i)Themainreceivershallhavesufficientsensitivitytoproduce signals in headphones or by means of aloudspeakerwhenthereceiver

input is as low as50microvolts.Thereservereceivershallhave sufficient sensitivity to produce such signals when thereceiverinput is as low as 100 microvolts.
(j)There shall be available at all times, while the shipisatsea,a supply of electrical energy sufficient to operate the maininstallation over the normal range required by paragraph (g) ofthisRegulationas well as for the purpose of charging any batteries formingpartofthe radiotelegraphstation.Thevoltageofthesupplyforthemain installation shall, in the case of new ships, be maintained within [pic] 10 per cent of the rated voltage. In thecaseofexistingships,it shall be maintained as neartheratedvoltageaspossibleand,if practicable, within [pic] 10 per cent.
(k)The reserve installation shall be provided withasourceofenergy independent of the propelling poweroftheshipandoftheship's electrical system.
(l)(i)Thereservesourceofenergyshallpreferablyconsistof accumulatorbatteries,whichmaybechargedfromtheship's electrical system, and shall under all circumstances be capableof being put into operationrapidlyandofoperatingthereserve transmitter and receiver for at least six hours continuouslyunder normal working conditionsbesidesanyoftheadditionalloads mentioned in paragraphs (m) and (n) of this Regulation.(
(ii)The reserve source of energy is required tobeofacapacity sufficient to operate simultaneously thereservetransmitterand the VHF installation, when fitted, for at least six hours unlessa switching device is fitted to ensure alternate operation only.VHF usage of the reserve source of energy shall be limited to distress, urgencyandsafetycommunications.Alternatively,aseparate reserve source of energy may be provided for the VHF installation.
(m)The reserve source of energy shallbeusedtosupplythereserve installation and the automatic alarm signal keying devicespecifiedin paragraph (r) of this Regulation if it is electrically operated.
The reserve source of energy may also be used to supply:
(i)the radiotelegraph auto alarm;
(ii)the emergency light specified in paragraph (g) ofRegulation9 of this Chapter;
(iii) the direction-finder;
(iv)the VHF installation;
(v)the device for generating the radiotelephonealarmsignal,if provided;
(vi)any device, prescribedbytheRadioRegulations,topermit changeover from transmission to reception and vice versa.
Subject to the provisionsofparagraph (n)ofthisRegulation,the reserve source of energy shall not be used other than forthepurposes specified in this paragraph.
(n)Notwithstanding the provisions of paragraph (m)ofthisRegulation, the Administration may authorize the use in cargo ships ofthereserve source of energy for a smallnumberoflow-poweremergencycircuits which are wholly confined totheupperpartoftheship,suchas emergency lighting on the boat deck, onconditionthatthesecanbe readily disconnected if necessary, and that the source of energyisof sufficient capacity to carry the additional load or loads.
(o)The reserve source of energy and its switchboard shall be ashighas practicable in the ship and readily accessible to the radio officer. The switchboard shall, wherever possible, be situated in a radio room; if it

is not, it shall be capable of being illuminated.
(p)While the ship is at sea, accumulator batteries, whether formingpart of the main installation or reserve installation, shall be brought up to the normal fully-charged condition daily.
(q)All steps shall be taken toeliminatesofarasispossiblethe causes of, and to suppress, radio interference from electrical and other apparatus on board. If necessary, steps shall be takentoensurethat the antennae attached to broadcast receivers do notcauseinterference to the efficient or correct working of the radiotelegraphinstallation. Particular attention shall be paid to this requirement in the designof new ships.
(r)In addition to a means for manuallytransmittingtheradiotelegraph alarm signal, an automatic radiotelegraphalarmsignalkeyingdevice shallbeprovided,capableofkeyingthemainandthereserve transmitters so as to transmittheradiotelegraphalarmsignal.The device shall be capable of being taken out of operation at anytimein order to permitimmediatemanualoperationofthetransmitter.If electrically operated, this keying device shall be capable ofoperation from the reserve source of energy.
(s)At sea, the reservetransmitter,ifnotusedforcommunications, shall be tested daily using a suitable artificial antenna, and atleast once during each voyage using thereserveantennaifinstalled.The reserve source of energy shall also be tested daily.
(t)All equipment forming part of theradiotelegraphinstallationshall be reliable, and shall be so constructed that it isreadilyaccessible for maintenance purposes.
(u)Notwithstanding the provision of Regulation 4ofthisChapter,the Administration may, in the case of cargo ships of less than1,600tons gross tonnage, relax the fullrequirementsofRegulation9ofthis Chapter and the present Regulation, provided that thestandardofthe radiotelegraph station shall in no case fallbelowtheequivalentof that prescribed under Regulation 15 and Regulation 16ofthisChapter for radiotelephone stations, so far as applicable. In particular, in the case of cargo ships of 300 tons gross tonnage and upwards but lessthan 500 tons gross tonnage, the Administration need not require:
(i)a reserve receiver;
(ii)a reserve source of energy in existing installations;
(iii) protection of the main antenna against breakage by whipping;
(iv)the means of communication betweentheradiotelegraphstation and the bridge to be independent of the main communication system;
(v)the range of the transmitter to be greater than 75 miles.

Regulation 11

Radiotelegraph Auto Alarms

(a)Any radiotelegraphautoalarminstalledafter26 May1965shall comply with the following minimum requirements:
(i)In the absence of interference of any kind it shallbecapable of being actuated, without manual adjustment, by any radiotelegraph alarm signal transmitted on the radiotelegraphdistressfrequency byanycoaststation,ship'semergencyorsurvivalcraft transmitter operating in accordancewiththeRadioRegulations, provided that the strength of the signal at the receiverinputis greater than 100 microvolts and less than 1 volt.

(ii)In theabsenceofinterferenceofanykind,itshallbe actuated by either three or four consecutive dashes when the dashes vary in length from 3.5 to as near 6 seconds aspossibleandthe spacesvaryinlengthbetween1.5secondsandthelowest practicable value, preferably not greater than 10 milliseconds.
(iii) It shall not be actuated by atmospherics or by any signalother than the radiotelegraph alarm signal, providedthatthereceived signals do not in factconstituteasignalfallingwithinthe tolerance limits indicated in sub-paragraph (ii) above.
(iv)The selectivity of the radiotelegraph auto alarm shallbesuch as toprovideapracticallyuniformsensitivityoveraband extending not less than 4 kHz and not more than 8 kHz on eachside of the radiotelegraph distress frequencyandtoprovideoutside this band a sensitivity which decreases as rapidly aspossiblein conformity with the best engineering practice.
(v)If practicable, the radiotelegraphautoalarmshall,inthe presence ofatmosphericsorinterferingsignals,automatically adjust itself so that within a reasonably short time itapproaches theconditioninwhichitcanmostreadilydistinguishthe radiotelegraph alarm signal.
(vi)When actuated by a radiotelegraph alarm signal, or in theevent of failure of the apparatus, the radiotelegraphautoalarmshall causeacontinuousaudiblewarningtobegiveninthe radiotelegraph operating room,intheradiooofficer'ssleeping accommodation and on the bridge. If practicable, warning shall also be given in the case of failure of anypartofthewholealarm receiving system. Only one switch for stopping the warning shall be provided and this shall be situated in the radiotelegraph operating room.
(vii) For the purpose of regularlytestingtheradiotelegraphauto alarm, the apparatus shall include ageneratorpre-tunedtothe radiotelegraph distress frequency and a keying device bymeansof whicharadiotelegraphalarmsignaloftheminimumstrength indicated in sub-paragraph (i) above isproduced.Ameansshall also be providedforattachingheadphonesforthepurposeof listening to signals received on the radiotelegraph auto alarm.
(viii)Theradiotelegraphautoalarmshallbecapableof withstandingvibration,humidityandchangesoftemperature, equivalent to severe conditions experienced on board ships atsea, and shall continue to operate under such conditions.
(b)Before a new typeofradiotelegraphautoalarmisapproved,the Administration concerned shall be satisfied,bypracticaltestsmade under operating conditions equivalent to thoseobtaininginpractice, that the apparatus complies with paragraph (a) of this Regulation.
(c)In ships fitted witharadiotelegraphautoalarm,itsefficiency shall be tested by a radio officer at least once every 24 hours while at sea. If it is not in working order, the radio officer shall reportthat fact to the master or officer on watch on the bridge.
(d)A radio officer shall periodically checktheproperfunctioningof theradiotelegraphautoalarmreceiver,withitsnormalantenna connected, by listening to signals and by comparingthemwithsimilar signals received on the radiotelegraph distress frequencyonthemain installation.
(e)As far as practicable, the radiotelegraph auto alarm,whenconnected to an antenna shall not affect the accuracy of the direction-finder.

Regulation 12

Direction-Finders

(a)(i)The direction-finding apparatus requiredbyRegulation12of Chapter V shall be efficient and capable of receiving signalswith the minimum of receiver noise and of taking bearings from which the true bearing and direction may be determined.
(ii)It shall be capable of receiving signals ontheradiotelegraph frequencies assigned by the Radio Regulations for thepurposesof distress and direction-finding and for maritime radio beacons.
(iii) In the absence of interference thedirection-findingapparatus shall have a sensitivity sufficienttopermitaccuratebearings being taken on a signal havingafieldstrengthaslowas50 microvolts per metre.
(iv)As far as is practicable, the direction-finding apparatusshall besolocatedthataslittleinterferenceaspossiblefrom mechanicalorothernoisewillbecausedtotheefficient determination of bearings.
(v)As far as is practicable, the direction-findingantennasystem shall be erected in such a manner that the efficientdetermination of bearings will be hindered as little aspossiblebytheclose proximity of other antennae, derricks, wire halyards or other large metal objects.
(vi)An efficient two-way means of callingandvoicecommunication shall be provided between the direction-finder and the bridge.
(vii) All direction-finders shall be calibratedtothesatisfaction of the Administration on first installation. The calibrationshall be verified by check bearings or by a further calibrationwhenever any changes are made in the position ofanyantennaeorofany structures on deck which might affect appreciably theaccuracyof the direction-finder. The calibration particulars shall bechecked at yearly intervals, or as near thereto as possible. A record shall be kept of thecalibrationsandofanychecksmadeoftheir accuracy.
(b)(i)Radioequipmentforhomingontheradiotelephonedistress frequency shall be capable of taking direction-finding bearingson that frequency without ambiguity ofsensewithinanarcof30 degrees on either side of the bow.
(ii)When installing and testing the equipment referredtointhis paragraph due regard should be given to the relevant recommendation of the International Radio Consultative Committee (CCIR).
(iii) All reasonablestepsshallbetakentoensurethehoming capability required bythisparagraph.Incaseswheredueto technical difficulties the homing capabilitycannotbeachieved, Administrations may grant to individual ships exemptionsfromthe requirements of this paragraph.

Regulation 13

Radiotelegraph Installation for Fitting in Motor Lifeboats

(a)The radiotelegraph installation required by Regulation 14ofChapter III shall include a transmitter, a receiver and a source ofenergy.It

shall be so designed that it can be used in an emergency by an unskilled person.
(b) Thetransmittershallbecapableoftransmittingonthe radiotelegraph distress frequency using a class of emission assignedby the Radio Regulations for that frequency. The transmitter shall alsobe capable of transmitting on thefrequency,andofusingaclassof emission, assigned by the Radio Regulations for use by survival craft in the bands between 4,000 kHz and 27,500 kHz.
(c)The transmitter shall, if modulatedemissionisprescribedbythe Radio Regulations, have a depth of modulation of not lessthan70per cent and a note frequency between 450 and 1,350 Hz.
(d)In addition to a key for manual transmissions, thetransmittershall be fitted with an automatic keying device for thetransmissionofthe radiotelegraph alarm and distress signals.
(e)On the radiotelegraph distress frequency the transmitter shall havea minimum normal range (as specified in paragraph (g) of Regulation 10of this Chapter) of 25 miles using the fixed antenna.(
(f) Thereceivershallbecapableofreceivingtheradiotelegraph distress frequency and the classes of emissionassignedbytheRadio Regulations for that frequency.
(g)The source of energy shall consistofanaccumulatorbatterywith sufficientcapacitytosupplythetransmitterforfourhours continuously under normal working conditions. If thebatteryisofa type that requires charging, means shall be availableforchargingit from the ship's power supply. In addition there shallbeameansfor charging it after the lifeboat has been launched.
(h) Whenthepowerfortheradiotelegraphinstallationandthe searchlight required by Regulation 14 of Chapter III are drawn fromthe same battery, it shall havesufficientcapacitytoprovideforthe additional load of the searchlight.
(i)Afixed-typeantennawillbeprovidedtogetherwithmeansfor supporting it at the maximum practicable height. In addition anantenna supported by a kite or balloon shall be provided if practicable.
(j)At sea a radio officer shall at weekly intervals test thetransmitter using a suitable artificial antenna, and shall bring the batteryupto full charge if it is of a type which requires charging.

Regulation 14

Portable Radio Apparatus for Survival Craft

(a)The apparatus required by Regulation 13 of Chapter IIIshallinclude a transmitter, a receiver, an antenna and a source of energy.Itshall be so designed that it can be usedinanemergencybyanunskilled person.
(b)The apparatusshallbereadilyportable,watertight,capableof floating in sea water and capable of being dropped into the seawithout damage. New equipment shall be as lightweight and compact as practicable and shall preferably be capable of use in both lifeboats and liferafts.
(c) Thetransmittershallbecapableoftransmittingonthe radiotelegraph distress frequency using a class of emission assignedby the Radio Regulations for that frequency,and,inthebandsbetween 4,000kHzand27,500kHz,oftransmittingontheradiotelegraph frequency, and of using aclassofemissionassignedbytheRadio Regulations for survival craft. However, the Administrationmaypermit

the transmitter to be capableoftransmittingontheradiotelephone distress frequency, and of using a class ofemissionassignedbythe Radio Regulations for that frequency, as an alternative orinaddition to transmission on the radiotelegraph frequency assignedbytheRadio Regulations for survival craft in the bands between 4,000 kHz and 27,500 kHz.
(d)The transmitter shall, if modulatedemissionisprescribedbythe Radio Regulations, have a depth of modulation of not lessthan70per cent and in the case of radiotelegraph emission haveanotefrequency between 450 and 1,350 Hz.
(e)In addition to a key for manual transmissions, thetransmittershall be fitted with an automatic keying device for thetransmissionofthe radiotelegraph alarm and distress signals. If the transmitter is capable of transmitting on the radiotelephone distress frequency,itshallbe fitted with an automatic device,complyingwiththerequirementsof paragraph (e) of Regulation 16 of thisChapter,fortransmittingthe radiotelephone alarm signal.
(f) Thereceivershallbecapableofreceivingtheradiotelegraph distress frequency and the classes of emissionassignedbytheRadio Regulations forthatfrequency.Ifthetransmitteriscapableof transmitting on the radiotelephone distress frequency the receiver shall also be capable of receiving that frequencyandaclassofemission assigned by the Radio Regulations for that frequency.
(g)The antenna shallbeeitherself-supportingorcapableofbeing supported by the mast of a lifeboat at the maximumpracticableheight. In addition it is desirable that anantennasupportedbyakiteor balloon shall be provided if practicable.
(h)The transmitter shall supply an adequateradiofrequencypower(to the antenna required byparagraph (a)ofthisRegulationandshall preferably derive its supply from a hand generator. If operatedfroma battery, the battery shall complywithconditionslaiddownbythe Administration to ensure that it is of a durable type and is of adequate capacity.
(i)At sea a radio officer or a radiotelephone operator,asappropriate, shall atweeklyintervalstestthetransmitter,usingasuitable artificial antenna and shall bring the battery up to full chargeifit is of a type which requires charging.
(j)For the purpose of thisRegulation,newequipmentmeansequipment supplied to a ship after the date of entry intoforceofthepresent Convention.

Regulation 15

Radiotelephone Stations

(a)The radiotelephone station shall be in the upper part of the shipand so located that it is sheltered to thegreatestpossibleextentfrom noise which might impair the correct reception of messages and signals.
(b)There shall beefficientcommunicationbetweentheradiotelephone station and the bridge.
(c)A reliable clock shall be securely mounted insuchapositionthat the entire dial can be easily observed from the radiotelephone operating position.
(d)A reliable emergency lightshallbeprovided,independentofthe systemwhichsuppliesthenormallightingoftheradiotelephone

installation, and permanently arranged so as to be capable ofproviding adequate illumination of the operating controlsoftheradiotelephone installation, of the clock required by paragraph (c) of thisRegulation and of the card of instructions required by paragraph (f).
(e)Where a source of energy consistsofabatteryorbatteries,the radiotelephone station shall be provided with a means ofassessingthe charge condition.
(f)A card of instructions giving a clear summaryoftheradiotelephone distress procedure shall be displayed in full view of the radiotelephone operating position.

Regulation 16

Radiotelephone Installations

(a) Theradiotelephoneinstallationshallincludetransmittingand receiving equipment, and appropriate sources of energy (referredtoin the following paragraphs as"thetransmitter","thereceiver","the radiotelephone distress frequency watch receiver", and"thesourceof energy" respectively).
(b) Thetransmittershallbecapableoftransmittingonthe radiotelephone distress frequency and on at least one other frequency in the bands between 1,605 kHz and 2,850 kHz, using the classes of emission assigned by the RadioRegulationsforthesefrequencies.Innormal operationadoublesidebandtransmissionorasinglesideband transmission with fullcarrier(i.e.,A3H)shallhaveadepthof modulation of at least 70 per cent at peak intensity.Modulationofa single sideband transmission with reduced orsuppressedcarrier(A3A, A3J) shall be such that the intermodulation productsshallnotexceed the values given in the Radio Regulations.
(c)(i)In the case ofcargoshipsof500tonsgrosstonnageand upwards but less than 1,600tonsgrosstonnagethetransmitter shall have a minimum normal range of 150 miles, i.e., itshallbe capable of transmitting clearly perceptible signalsfromshipto ship by day and under normal conditions and circumstances over this range.((Clearly perceptible signals will normally bereceivedif the R.M.S. value of the field strength produced at the receiverby the unmodulated carrier is at least 25 microvolts per metre.)
(ii)In the case ofcargoshipsof300tonsgrosstonnageand upwards but less than 500 tons gross tonnage:
(1)for existing installations the transmitter shall have aminimum normal range of at least 75 miles; and
(2)for new installations the transmitter shall produce apowerin the antenna of at least 15 watts (unmodulated carrier).
(d)The transmitter shall be fittedwithadeviceforgeneratingthe radiotelephone alarm signal by automatic means so designed as to prevent actuation by mistake. The device shall be capable of being taken outof operation at any time in order to permit the immediate transmission of a distress message. Arrangements shall be made to checkperiodicallythe properfunctioningofthedeviceonfrequenciesotherthanthe radiotelephone distress frequency using a suitable artificial antenna.
(e)The device required by paragraph (d) of this Regulationshallcomply with the following requirements:
(i)The tolerance of the frequency of each tone shall be[pic]1.5 per cent.

(ii)The tolerance on the duration of each toneshallbe[pic]50 milliseconds.
(iii) The intervalbetweensuccessivetonesshallnotexceed50 milliseconds.
(iv)The ratio of the amplitude of the stronger tone to thatofthe weaker shall be within the range 1 to 1.2.
(f)The receiver required by paragraph (a) ofthisRegulationshallbe capable of receiving the radiotelephone distress frequency and atleast one other frequency available for maritimeradiotelephonestationsin the bands between 1,605 kHz and 2,850 kHz, using the classes of emission assigned by the Radio Regulations for these frequencies. In addition the receiver shall permit the reception of such other frequencies, using the classes of emission assigned by the Radio Regulations, as areusedfor the transmission by radiotelephony of meteorological messagesandsuch other communications relating to the safetyofnavigationasmaybe considered necessary by theAdministration.Thereceivershallhave sufficient sensitivity to produce signals by means of a loudspeaker when the receiver input is as low as 50 microvolts.
(g)The radiotelephone distress frequency watch receiver shallbepreset to this frequency. It shall be providedwithafilteringunitora device to silence the loudspeaker in theabsenceofaradiotelephone alarm signal. The device shall be capable of beingeasilyswitchedin and out and may be used when, in the opinion of themaster,conditions are such that maintenance of the listening watchwouldinterferewith the safe navigation of the ship.
(h)To permitrapidchange-overfromtransmissiontoreceptionwhen manual switching is used, the control for theswitchingdeviceshall, where practicable,belocatedonthemicrophoneorthetelephone handset.
(i)While the ship is at sea, there shall beavailableatalltimesa main source of energy sufficient to operate theinstallationoverthe normal range required by paragraph (c) of this Regulation. Ifbatteries are provided they shall under all circumstances have sufficient capacity tooperatethetransmitterandreceiverforatleastsixhours continuously under normal working conditions.(In installations in cargo ships of 500 tons gross tonnage and upwards butlessthan1,600tons gross tonnage made on or after 19 November 1952,areservesourceof energy shall be provided in the upper part of the ship unlessthemain source of energy is so situated.
(j)The reserve source ofenergy,ifprovided,maybeusedonlyto supply:
(i)the radiotelephone installation;
(ii)the emergency light required by paragraph (d) ofRegulation15 of this Chapter;
(iii) the device required by paragraph (d)ofthisRegulation,for generating the radiotelephone alarm signal; and
(iv)the VHF installation.
(k)Notwithstanding the provisions of paragraph (j)ofthisRegulation, the Administration may authorizetheuseofthereservesourceof energy, if provided, for a direction-finder, if fitted, and for a number of low-power emergency circuits which are wholly confined totheupper part of the ship, such asemergencylightingontheboatdeck,on condition that the additional loads canbereadilydisconnected,and that the source of energy is of sufficient capacity to carry them.
(l)While at sea, any battery provided shall bekeptchargedsoasto

meet the requirements of paragraph (i) of this Regulation.
(m)An antenna shall be provided and installed and, ifsuspendedbetween supports liable to whipping, shall in the case ofcargoshipsof500 tons gross tonnage and upwards but less than 1,600 tons gross tonnage be protected against breakage. In addition, there shall be a spareantenna completely assembled for immediate replacement or,wherethisisnot practicable, sufficient antenna wire and insulators toenableaspare antenna to be erected. The necessary tools toerectanantennashall also be provided.

Regulation 17

VHF Radiotelephone Stations

(a)When a VHF radiotelephonestationisprovidedinaccordancewith Regulation 18 of Chapter V, it shall be in the upper partoftheship andincludeaVHFradiotelephoneinstallationcomplyingwiththe provisions of this Regulation and comprising a transmitter and receiver, a source of power capable of actuating them at their rated power levels, and an antenna suitable for efficient radiating and receiving signals at the operating frequencies.
(b)Such a VHF installation shall conform to therequirementslaiddown in the Radio Regulations for equipment used in the VHFMaritimeMobile Radiotelephone Service andshallbecapableofoperationonthose channels specified by the Radio Regulations and as mayberequiredby the Contracting Government referred to in Regulation 18 of Chapter V.
(c)The Contracting Government shallnotrequirethetransmitterR.F. carrier power output to be greater than 10 watts. The antenna shall,in so far as is practicable, have an unobstructed view in all directions.(
(d)Control of the VHF channels required for navigational safety shallbe immediately available on the bridge convenient to theconningposition and, where necessary, facilities shouldalsobeavailabletopermit radiocommunications from the wings of the bridge.

Regulation 18

Radiotelephone Auto Alarms

(a)The radiotelephone auto alarm shall comply with the followingminimum requirements:
(i)the frequencies of maximum response of the tunedcircuits,and other tone selecting devices, shall be subject toatoleranceof [pic] 1.5 per cent in each instance; andtheresponseshallnot fall below 50 per cent ofthemaximumresponseforfrequencies within 3 per cent of the frequency of maximum response;
(ii)intheabsenceofnoiseandinterference,theautomatic receiving equipment shall be capable of operatingfromthealarm signal in a period of not less than fourandnotmorethansix seconds;
(iii) the automatic receiving equipment shallrespondtothealarm signal, under conditions ofintermittentinterferencecausedby atmospherics and powerful signalsotherthanthealarmsignal, preferably without any manual adjustment being required duringany period of watch maintained by the equipment;
(iv)the automatic receivingequipmentshallnotbeactuatedby

atmospherics or by strong signals other than the alarm signal;
(v)the automatic receiving equipment shall be effective beyondthe range at which speech transmission is satisfactory;
(vi)theautomaticreceivingequipmentshallbecapableof withstandingvibration,humidity,changesoftemperatureand variationsinpowersupplyvoltageequivalenttothesevere conditions experienced on board ships at sea, and shall continue to operate under such conditions;
(vii)theautomaticreceivingequipmentshould,asfaras practicable,givewarningoffaultsthatwouldpreventthe apparatus from performing its normal functions during watch hours.
(b)Before a new typeofradiotelephoneautoalarmisapproved,the Administration concerned shall be satisfiedbypracticaltests,made under operating conditions equivalent tothoseobtainedinpractice, that the apparatus complies with paragraph (a) of this Regulation.

PART D-RADIO LOGS

Regulation 19

Radio Logs

(a)The radio log (diary of theradioservice)requiredbytheRadio Regulations for a ship which is fitted with a radiotelegraph stationin accordance with Regulation 3 or Regulation 4 of thisChaptershallbe kept in the radiotelegraph operating room during the voyage. Every radio officer shall enter in the log his name, the times at which hegoeson and off watch, and all incidents connected with the radio servicewhich occur during his watch which may appear to be of importance to safety of life at sea. In addition, there shall be entered in the log:
(i)the entries required by the Radio Regulations;
(ii)details of the maintenance, including a record ofthecharging of the batteries,insuchformasmaybeprescribedbythe Administration;
(iii) a daily statementthattherequirementofparagraph (p)of Regulation 10 of this Chapter has been fulfilled;
(iv)details of the tests ofthereservetransmitterandreserve source of energy made under paragraph (s) of Regulation 10 ofthis Chapter;
(v)in ships fitted with aradiotelegraphautoalarmdetailsof tests made under paragraph (c) of Regulation 11 of this Chapter;
(vi)details of the maintenance of the batteries, including arecord of thecharging(ifapplicable)requiredbyparagraph (j)of Regulation 13 of this Chapter, and details of the tests required by that paragraph in respectofthetransmittersfittedinmotor lifeboats;
(vii) details of the maintenance of the batteries, including arecord of thecharging(ifapplicable)requiredbyparagraph (i)of Regulation 14 of this Chapter, and details of the tests required by that paragraph in respect of portable radio apparatus forsurvival craft;
(viii)the time at which the listening watch wasdiscontinuedin accordance with paragraph (d) ofRegulation6ofthisChapter, together with the reason and the time at which the listeningwatch was resumed.

(b)The radio log (diary of theradioservice)requiredbytheRadio Regulations for a ship which is fitted with a radiotelephone stationin accordance with Regulation 4 of this Chapter shall be kept at theplace where listening watch is maintained. Every qualified operator, and every master, officer orcrewmembercarryingoutalisteningwatchin accordance with Regulation 7 of this Chapter, shall enterinthelog, with his name, the details of all incidentsconnectedwiththeradio service whichoccurduringhiswatchwhichmayappeartobeof importance to safety of life at sea. In addition, there shall be entered in the log:
(i)the details required by the Radio Regulations;
(ii)the time at which listening watch begins whentheshipleaves port, and the time at which it ends when the ship reaches port;
(iii)thetimeatwhichlisteningwatchisforanyreason discontinued, together with thereason,andthetimeatwhich listening watch is resumed;
(iv)details of themaintenanceofthebatteries(ifprovided), including a record of the chargingrequiredbyparagraph (l)of Regulation 16 of this Chapter;
(v)details of the maintenance of the batteries, including arecord of thecharging(ifapplicable)requiredbyparagraph (i)of Regulation 14 of this Chapter, and details of the tests required by that paragraph in respect of portable radio apparatus forsurvival craft.
(c) Radiologsshallbeavailableforinspectionbytheofficers authorized by the Administration to make such inspection.

CHAPTER V

SAFETY OF NAVIGATION

Regulation 1

Application

This Chapter,unlessotherwiseexpresslyprovidedinthisChapter, applies to all ships on all voyages, except ships of warandshipssolely navigating the GreatLakesofNorthAmericaandtheirconnectingand tributary waters as far east as the lower exit of the St.LambertLockat Montreal in the Province of Quebec, Canada.

Regulation 2

Danger Messages

(a)The master of every ship which meets with dangerous ice,adangerous derelict, or any other direct danger to navigation, or a tropical storm, or encounters sub-freezing air temperatures associated withgaleforce winds causing severe ice accretion on superstructures, or winds of force 10 or above on the Beaufort scale for which no stormwarninghasbeen received, is bound to communicate the information by allthemeansat his disposal to shipsinthevicinity,andalsotothecompetent authoritiesatthefirstpointonthecoastwithwhichhecan communicate.Theforminwhichtheinformationissentisnot obligatory. It may be transmitted either in plainlanguage(preferably

English) or by means of the International Code of Signals. It shouldbe broadcast to all ships in the vicinity and sent to thefirstpointon the coast to which communication can be made, with a request that itbe transmitted to the appropriate authorities.
(b)Each Contracting Government will take all stepsnecessarytoensure that when intelligence of any of the dangers specified inparagraph (a) of this Regulation is received, itwillbepromptlybroughttothe knowledge ofthoseconcernedandcommunicatedtootherinterested Governments.
(c)The transmission of messages respecting the dangers specified isfree of cost to the ships concerned.
(d)All radio messagesissuedunderparagraph (a)ofthisRegulation shallbeprecededbytheSafetySignal,usingtheprocedureas prescribed by the RadioRegulationsasdefinedinRegulation2of Chapter IV.

Regulation 3

Information required in Danger Messages

The following information is required in danger messages:
(a)Ice, Derelicts and other Direct Dangers to Navigation
(i)The kind of ice, derelict or danger observed.
(ii) The position of the ice, derelict or danger when last observed.
(iii)The time and date (Greenwich Mean Time) whendangerlast observed.
(b)Tropical Storms (Hurricanes in the West Indies, Typhoons inthe China Sea, Cyclones in Indian waters, and storms of a similarnature in other regions)
(i)A statement that a tropical stormhasbeenencountered.This obligation shouldbeinterpretedinabroadspirit,and information transmitted whenever the master has good reason to believe that a tropical storm is developing or existsinhis neighbourhood.
(ii) Time, date (Greenwich Mean Time) and position of shipwhenthe observation was taken.
(iii)As much of the followinginformationasispracticable should be included in the message:
-barometric pressure, preferably corrected (stating millibars, millimetres,orinches,andwhethercorrectedor uncorrected);
-barometric tendency (the change in barometric pressure during the past three hours);
-true wind direction;
-wind force (Beaufort scale);
-state of the sea (smooth, moderate, rough, high);
-swell (slight, moderate, heavy) and the truedirectionfrom which it comes. Period or length of swell (short, average, long) would also be of value;
-true course and speed of ship.
(c)Subsequent Observations
When a master has reported a tropical or other dangerous storm,it is desirable, but not obligatory, that further observationsbemade and transmitted hourly, if practicable, but in any case atintervals of not more than three hours, so long as the ship remainsunderthe

influence of the storm.
(d)Winds of force 10 or above on the Beaufort scaleforwhichno storm warning has been received
This is intended to deal with storms other than the tropical storms referred to in paragraph (b) of this Regulation; when such a storm is encountered, the message should contain similar informationtothat listed under that paragraph but excluding the details concerningsea and swell.
(e)Sub-freezing air temperatures associated with galeforcewinds causing severe ice accretion on superstructures
(i)Time and date (Greenwich Mean Time).
(ii) Air temperature.
(iii)Sea temperature (if practicable).
(iv) Wind force and direction.

Examples
Ice
TTT Ice. Large berg sighted in 4605 N., 4410 W., at 0800 GMT. May 15.
Derelicts
TTT Derelict. Observed derelict almost submerged in 4006 N., 1243 W.,at 1630 GMT. April 21.
Danger to Navigation
TTT Navigation. Alpha lightship not on station. 1800 GMT. January 3.
Tropical Storm
TTT Storm. 0030 GMT. August 18. 2004 N., 11354 E. Barometer corrected 994 millibars, tendency down 6 millibars. WindNW.,force9,heavysqualls. Heavy easterly swell. Course 067, 5 knots.
TTTStorm.Appearancesindicateapproachofhurricane.1300GMT. September 14. 2200 N., 7236 W. Barometer corrected29.64inches,tendency down .015 inches. Wind NE., force 8, frequent rain squalls.Course035,9 knots.
TTT Storm. Conditions indicate intense cyclone has formed. 0200 GMT.May 4. 1620 N., 9203 E. Barometer uncorrected 753 millimetres, tendencydown5 millimetres. Wind S. by W., force 5. Course 300, 8 knots.
TTT Storm. Typhoon to southeast. 0300 GMT. June 12.1812N.,12605E. Barometer falling rapidly. Wind increasing from N.
TTT Storm. Wind force 11, no storm warning received.0300GMT.May4. 4830N.,30W.Barometercorrected983millibars,tendencydown4 millibars. Wind SW., force 11 veering. Course 260, 6 knots.
Icing
TTT experiencing severe icing. 1400 GMT.March2.69N.,10W.Air temperature 18. Sea temperature 29. Wind NE., force 8.

Regulation 4

Meteorological Services

(a)The Contracting Governments undertake to encourage thecollectionof meteorologicaldatabyshipsatseaandtoarrangefortheir examination, dissemination and exchange in the manner most suitablefor the purpose of aiding navigation. Administrationsshallencouragethe use of instruments of a high degree of accuracy,andshallfacilitate the checking of such instruments upon request.
(b)In particular, the Contracting Governments undertake to co-operatein carrying out,asfaraspracticable,thefollowingmeteorological

arrangements:
(i)To warn ships of gales, storms and tropical storms, both bythe issue of radio messages and by the display ofappropriatesignals at coastal points.
(ii)Toissuedaily,byradio,weatherbulletinssuitablefor shipping, containing dataofexistingweather,wavesandice, forecasts and, where practicable, sufficient additional information to enable simple weather charts to be prepared at sea andalsoto encourage the transmission of suitable facsimile weather charts.
(iii) To prepare and issue such publications as may benecessaryfor the efficient conduct of meteorological work at sea and to arrange, if practicable, for the publication and making availableofdaily weather charts for the information of departing ships.
(iv)To arrangeforselectedshipstobeequippedwithtested instruments (such as a barometer, a barograph, a psychrometer,and suitable apparatus for measuring sea temperature) for useinthis service, and to take meteorological observations atmainstandard times for surface synoptic observations (at least four times daily, whenever circumstances permit) and to encourage other ships to take observations in a modified form, particularly when inareaswhere shipping is sparse; these ships to transmit theirobservationsby radio forthebenefitofthevariousofficialmeteorological services, repeating the information for the benefit of ships in the vicinity. When in thevicinityofatropicalstorm,orofa suspected tropical storm, ships should be encouragedtotakeand transmit their observations atmorefrequentintervalswhenever practicable, bearing in mind navigational preoccupations ofships' officers during storm conditions.
(v)To arrange for the reception andtransmissionbycoastradio stations of weather messages from and toships.Shipswhichare unable to communicate direct withshoreshallbeencouragedto relay their weather messages through ocean weather ships or through other ships which are in contact with shore.
(vi)To encourage all masters to inform shipsinthevicinityand also shore stations whenever they experience awindspeedof50 knots or more (force 10 on the Beaufort scale).
(vii) To endeavour to obtain a uniformprocedureinregardtothe international meteorological services alreadyspecified,and,as far as is practicable, to conform to the Technical Regulationsand recommendations made by the World MeteorologicalOrganization,to which the Contracting Governments may refer forstudyandadvice any meteorological question which may ariseincarryingoutthe present Convention.
(c)The information provided for in this Regulation shall be furnishedin formfortransmissionandtransmittedintheorderofpriority prescribed by the Radio Regulations, andduringtransmission"toall stations" of meteorological information,forecastsandwarnings,all ship stations must conform to the provisions of the Radio Regulations.
(d) Forecasts,warnings,synopticandothermeteorologicalreports intended for ships shall be issuedanddisseminatedbythenational service in the best positiontoservevariouszonesandareas,in accordance with mutual arrangements made by the ContractingGovernments concerned.

Regulation 5

Ice Patrol Service

(a)The Contracting Governments undertake to continue an ice patrol anda service for studyandobservationoficeconditionsintheNorth Atlantic. During the whole of the ice season the south-eastern, southern and south-western limits of the regions of icebergs in thevicinityof the Grand Banks of Newfoundland shall beguardedforthepurposeof informing passing ships of the extent of this dangerous region; forthe study of ice conditions in general; and forthepurposeofaffording assistance to shipsandcrewsrequiringaidwithinthelimitsof operation of the patrol ships. During the rest of the year the study and observation of ice conditions shall be maintained as advisable.
(b)Ships and aircraft used for the ice patrol service and thestudyand observation of ice conditionsmaybeassignedotherdutiesbythe managing Government, provided that such other dutiesdonotinterfere with their primary purpose or increase the cost of this service.

Regulation 6

Ice Patrol. Management and Cost

(a)The Government of the United States of America agrees to continuethe management of the ice patrol service and the studyandobservationof ice conditions, includingthedisseminationofinformationreceived therefrom. The Contracting Governmentsspeciallyinterestedinthese services undertake to contributetotheexpenseofmaintainingand operating these services; each contribution to be based uponthetotal gross tonnage of the vessels ofeachcontributingGovernmentpassing throughtheregionsoficebergsguardedbytheIcePatrol;in particular, each Contracting Government specially interestedundertakes to contribute annually to the expense of maintaining and operating these services a sum determined by the ratio which the total gross tonnageof that Contracting Government's vesselspassingduringtheiceseason through the regions of icebergs guarded by the Ice Patrol bearstothe combinedtotalgrosstonnageofthevesselsofallcontributing Governments passingduringtheiceseasonthroughtheregionsof icebergsguardedbytheIcePatrol.Non-contractingGovernments specially interested may contribute to the expenseofmaintainingand operating these services on the same basis. The managing Government will furnish annually to each contributingGovernmentastatementofthe total cost of maintaining andoperatingtheIcePatrolandofthe proportionate share of each contributing Government.
(b)Each of thecontributingGovernmentshastherighttoalteror discontinue itscontribution,andotherinterestedGovernmentsmay undertake to contribute totheexpense.ThecontributingGovernment which avails itself of this rightwillcontinueresponsibleforits current contribution up to 1 Septemberfollowingthedateofgiving notice of intention to alter or discontinue itscontribution.Totake advantage of thesaidrightitmustgivenoticetothemanaging Government at least six months before the said 1 September.
(c)If, at anytime,theUnitedStatesGovernmentshoulddesireto discontinue these services, or if one ofthecontributingGovernments should express a wish to relinquishresponsibilityforitspecuniary contribution,ortohaveitscontributionaltered,oranother

Contracting Government should desire to undertake to contributetothe expense, the contributingGovernmentsshallsettlethequestionin accordance with their mutual interests.
(d)The contributing Governments shall have the rightbycommonconsent to make from time to time such alterations intheprovisionsofthis Regulation and of Regulation 5 of this Chapter as appear desirable.
(e)Where this Regulation provides thatameasuremaybetakenafter agreement among the contributingGovernments,proposalsmadebyany ContractingGovernmentforeffectingsuchameasureshallbe communicated to the managing Government which shall approachtheother contributing Governments with a view to ascertaining whether they accept such proposals, and the results of the enquiries thus made shall be sent to the other contributing GovernmentsandtheContractingGovernment making theproposals.Inparticular,thearrangementsrelatingto contributions to the cost of theservicesshallbereviewedbythe contributing Governments at intervals notexceedingthreeyears.The managing Government shall initiate the action necessary to this end.

Regulation 7

Speed Near Ice

When ice is reported on or near his course the master ofeveryshipat night is bound to proceed at a moderate speed or to alter his coursesoas to go well clear of the danger zone.

Regulation 8

Routeing

(a)The practice of following, particularly inconvergingareas,routes adopted for the purpose of separation of the traffic including avoidance of passage through areas designated as areas to be avoided byshipsor certain classesofships,orforthepurposeofavoidingunsafe conditions,hascontributedtothesafetyofnavigationandis recommended for use by all ships concerned.
(b)The Organization is recognized astheonlyinternationalbodyfor establishing and adopting measures on an international levelconcerning routeing and areas to be avoided by ships or certain classesofships. It will collate and disseminate to Contracting Governments allrelevant information.
(c)The selection of the routes and the initiation of actionwithregard to them, and the delineation of what constitutes converging areas,will be primarily the responsibility of theGovernmentsconcerned.Inthe development of routeing schemes which impinge upon international waters, or such other schemes they may wish adopted bytheOrganization,they will give due consideration to relevantinformationpublishedbythe Organization.
(d)ContractingGovernmentswillusetheirinfluencetosecurethe appropriate use of adopted routes and will do everything in theirpower to ensure adherence to themeasuresadoptedbytheOrganizationin connexion with routeing of ships.
(e)Contracting Governments willalsoinduceallshipsproceedingon voyages in the vicinity of the Grand Banks of Newfoundland to avoid,as far as practicable, the fishing banks of Newfoundland north oflatitude

43(N and to pass outside regions known or believed to beendangeredby ice.

Regulation 9

Misuse of Distress Signals

The use of an international distress signal, except forthepurposeof indicating that a ship or aircraft isindistress,andtheuseofany signal which may be confused withaninternationaldistresssignal,are prohibited on every ship or aircraft.

Regulation 10

Distress Messages-Obligations and Procedures

(a)The master of a ship at sea, on receiving asignalfromanysource that a ship or aircraft or survival craft thereofisindistress,is bound to proceed with all speed to theassistanceofthepersonsin distress informing them if possible that he is doing so. If he is unable or, in the special circumstances of the case, considers itunreasonable or unnecessary to proceed to their assistance,hemustenterinthe logbook the reason for failing toproceedtotheassistanceofthe persons in distress.
(b)The master of a ship in distress, after consultation, sofarasmay be possible, with the masters of the ships whichanswerhiscallfor assistance, has the right to requisition such one or more of those ships as he considers best able to render assistance, and it shall be the duty of the master or masters of the ship or shipsrequisitionedtocomply with the requisition by continuing to proceedwithallspeedtothe assistance of persons in distress.
(c)The master of a ship shall be released from the obligation imposedby paragraph (a) of this Regulation when he learns that one ormoreships other than his own have been requisitioned and arecomplyingwiththe requisition.
(d)The master of a ship shall be released from the obligation imposedby paragraph (a)ofthisRegulation,and,ifhisshiphasbeen requisitioned, from the obligationimposedbyparagraph (b)ofthis Regulation, if he is informed by thepersonsindistressorbythe master of another ship which has reached such persons that assistance is no longer necessary.
(e)The provisions of this Regulation do not prejudicetheInternational Conventionfortheunificationofcertainruleswithregardto Assistance and Salvage at Sea, signed at Brussels on 23 September1910, particularly the obligation to render assistance imposed byArticle11 of that Convention.

Regulation 11

Signalling Lamps

All ships of over 150 tons gross tonnage, when engagedoninternational voyages, shall have on board an efficientdaylightsignallinglampwhich shall not be solely dependent upon theship'smainsourceofelectrical power.

Regulation 12

Shipborne Navigational Equipment

(a)All ships of 1,600 tons gross tonnageandupwardsshallbefitted with a radar of a type approved by theAdministration.Facilitiesfor plotting radar readings shall be provided on the bridge in those ships.
(b)All ships of 1,600 tons gross tonnage andupwards,whenengagedon international voyages, shallbefittedwithradiodirection-finding apparatus complying with the provisions of Regulation 12 of ChapterIV. The Administration may, in areas where it considers itunreasonableor unnecessary for such apparatus to be carried, exempt anyshipofless than 5,000 tons gross tonnage from this requirement,dueregardbeing had to the fact that radio direction-finding apparatus is of valueboth as a navigational instrument and as an aid to locatingships,aircraft or survival craft.
(c)All ships of 1,600 tons gross tonnage andupwards,whenengagedon international voyages, shall be fitted with a gyro-compassinaddition tothemagneticcompass.TheAdministration,ifitconsidersit unreasonable or unnecessary to require a gyro-compass,mayexemptany ship of less than 5,000 tons gross tonnage from this requirement.
(d)All new ships of 500 tons gross tonnage and upwards, whenengagedon international voyages, shall be fitted with an echo-sounding device.
(e)Whilst all reasonable steps shall be taken to maintaintheapparatus in an efficient condition, malfunction of the radar equipment, the gyro-compass or the echo-sounding device shall not beconsideredasmaking the ship unseaworthy or as a reason for delaying the ship in ports where repair facilities are not readily available.
(f)All new ships of 1,600 tons gross tonnage andupwards,whenengaged on international voyages, shallbefittedwithradioequipmentfor homing on theradiotelephonedistressfrequencycomplyingwiththe relevant provisions of paragraph (b) of Regulation 12 of Chapter IV.

Regulation 13

Manning

The Contracting Governments undertake, each for itsnationalships,to maintain, or, if it is necessary, to adopt,measuresforthepurposeof ensuring that, from the point of view of safety of life atsea,allships shall be sufficiently and efficiently manned.

Regulation 14

Aids to Navigation

The Contracting Governments undertake to arrangefortheestablishment and maintenance of such aids tonavigation,includingradiobeaconsand electronic aids as, in their opinion, the volume oftrafficjustifiesand the degree of risk requires, and toarrangeforinformationrelatingto these aids to be made available to all concerned.

Regulation 15

Search and Rescue

(a)Each Contracting Government undertakes to ensurethatanynecessary arrangements are made for coast watching and for the rescueofpersons in distress at sea round its coasts. These arrangementsshouldinclude the establishment, operation and maintenanceofsuchmaritimesafety facilities as are deemed practicable and necessary having regard tothe density of the seagoing traffic and the navigational dangers and should, so far as possible, afford adequate means of locating and rescuingsuch persons.
(b)Each Contracting Government undertakes to makeavailableinformation concerning its existing rescue facilitiesandtheplansforchanges therein, if any.

Regulation 16

Life-Saving Signals

The following signals shall be used by life-saving stations andmaritime rescue units when communicating with ships or personsindistressandby ships or persons in distress when communicatingwithlife-savingstations and maritime rescue units. The signals used by aircraftengagedinsearch and rescue operations to direct ships are indicated in paragraph (d)below. An illustrated table describing the signals listed belowshallbereadily available to the officer of the watch of every ship towhichthisChapter applies.
(a) Repliesfromlife-savingstationsormaritimerescueunitsto distress signals made by a ship or person:

Signal		Signification
By day-Orange smoke	[p	"You are
signal or combined light	ic	seen-assistance will
and sound signal	]	be given as soon as
(thunderlight)		possible."
consisting of three		
single signals which are		(Repetition of such
fired at intervals of		signals shall have
approximately one		the same meaning.)
minute.		
By night-White star		
rocket consisting of		
three single signals		
which are fired at		
intervals of		
approximately one		
minute.		

If necessary the day signals maybegivenatnightorthenight signals by day.
(b)Landing signals for the guidance of small boats with crews orpersons in distress:

|Signal ||Signification |
|By day-Vertical motion|[pi|"This is the best|

of a white flag or the	c]	place to land."
arms or firing of a		
green star-signal or		
signalling the code		
letter "K" (- · -)		
given by light or		
sound-signal		
apparatus.		
By night-Vertical		
motion of a white		
light or flare, or		
firing of a green		
star-signal or		
signalling the code		
letter "K" (- · -)		
given by light or		
sound-signal		
apparatus. A range		
(indication of		
direction) may be		
given by placing a		
steady white light or		
flare at a lower level		
and in line with the		
observer.		
By day-Horizontal	[pi	"Landing here highly
motion of a white flag	c]	dangerous."
or arms extended		
horizontally or firing		
of a red star-signal		
or signalling the code		
letter "S" (((()		
given by light or		
sound-signal		
apparatus.		
By night-Horizontal		
motion of a white		
light or flare or		
firing of a red		
star-signal or		
signalling the code		
letter "S" (((()		
given by light or		
sound-signal		
apparatus.		
By day-Horizontal	[pi	"Landing here highly
motion of a white	c]	dangerous. A more
flag, followed by the		favourable location
placing of the white		for landing is in the
flag in the ground and		direction indicated."
the carrying of		
another white flag in		
the direction to be		
indicated or firing of		
a red star-signal		

vertically and a white		
star-signal in the		
direction towards the		
better landing place		
or signalling the code		
letter "S" (((()		
followed by the code		
letter "R" ((- () if		
a better landing place		
for the craft in		
distress is located		
more to the right in		
the direction of		
approach or the code		
letter "L" ((- (()		
if a better landing		
place for the craft in		
distress is located		
more to the left in		
the direction of		
approach.		
By night-Horizontal	[pi	"Landing here highly
motion of a white	c]	dangerous. A more
light or flare,		favourable location
followed by the		for landing is in the
placing of the white		direction indicated."
light or flare on the		
ground and the		
carrying of another		
white light or flare		
in the direction to be		
indicated or firing of		
a red star-signal		
vertically and a white		
star-signal in the		
direction towards the		
better landing place		
or signalling the code		
letter "S" (((()		
followed by code		
letter "R" ((- () if		
a better landing place		
for the craft in		
distress is located		
more to the right in		
the direction of		
approach or the code		
letter "L" ((- (()		
if a better landing		
place for the craft in		
distress is located		
more to the left in		
the direction of		
approach.		

(c)Signals to be employed in connexion with the use of shorelife-saving apparatus:

Signal		Signification
By day-Vertical	[p	In
motion of a white	ic	general-"Affirmative."
flag or the arms or	]	Specifically:
firing of a green		"Rocket line is held."
star-signal.		"Tail block is made
By night-Vertical		fast."
motion of a white		"Hawser is made fast."
light or flare or		"Man is in the breeches
firing of a green		buoy."
star-signal.		"Haul away."
By day-Horizontal	[p	In general-"Negative."
motion of a white	ic	Specifically:
flag or arms extended	]	"Slack away."
horizontally or		"Avast hauling."
firing of a red		
star-signal.		
By night-Horizontal		
motion of a white		
light or flare or		
firing of a red		
star-signal.		

(d)Signals used by aircraft engaged on search andrescueoperationsto direct ships towards anaircraft,shiporpersonindistress(see explanatory Note below):
(i)The following procedures performed in sequencebyanaircraft mean that the aircraft is directingasurfacecrafttowardsan aircraft or a surface craft in distress:
(1)circling the surface craft at least once;
(2)crossing the projected course of the surface craftcloseahead at alowaltitude,openingandclosingthethrottleor changing the propeller pitch;
(3)heading in the direction in which the surfacecraftistobe directed.
Repetition of such procedures has the same meaning.
(ii)The following procedure performed by an aircraft means thatthe assistance of the surface craft to which the signal is directedis no longer required:
-crossing the wake of the surface craft closeasternatalow altitude, opening andclosingthethrottleorchangingthe propeller pitch.

Note: Advance notification of changes in these signals will be given by the Organization as necessary.

Regulation 17

Pilot Ladders and Mechanical Pilot Hoists

Ships engaged on voyages in the course of which pilots are likelytobe employed shall comply with the following requirements:

(a) Pilot Ladders

(i)The ladder shallbeefficientforthepurposeofenabling pilots to embark and disembark safely, kept clean and in good order and may be used by officials and otherpersonswhileashipis arriving at or leaving a port.

(ii)The ladder shall be secured in a position so thatitisclear from any possible discharges from the ship, thateachsteprests firmly against the ship's side, that itisclearsofarasis practicable of the finer lines of the ship and that thepilotcan gain safe and convenient access to the ship after climbing not less than 1.5 metres (5 feet) and not more than 9 metres(30feet).A single length of ladder shall be used capable of reaching the water from the point of access to the ship; inprovidingforthisdue allowance shall be made for all conditions of loading andtrimof the ship and for anadverselistof15degrees.Whenneverthe distance from sea level to the point of access to the ship ismore than 9 metres (30 feet), access from the pilot ladder totheship shall be by means of an accommodation ladder or other equallysafe and convenient means.

(iii) The steps of the pilot ladder shall be:

(1)of hardwood, or other material ofequivalentproperties,made in one piece freeofknots,havinganefficientnon-slip surface; the four loweststepsmaybemadeofrubberof sufficientstrengthandstiffnessorofothersuitable material of equivalent characteristics;

(2)not less than 480 millimetres (19 inches) long, 115millimetres (41/2 inches) wide, and 25millimetres(1inch)indepth, excluding any non-slip device;

(3)equally spaced not less than 300millimetres(12inches)nor more than 380 millimetres (15 inches) apart and be securedin such a manner that they will remain horizontal.

(iv)No pilot ladder shallhavemorethantworeplacementsteps which are secured in position by a method different from thatused in the original construction of the ladder and any steps so secured shall be replacedassoonasreasonablypracticablebysteps secured in position by the method used in the original construction of the ladder. When any replacement step issecuredtotheside ropes of the ladder by means of grooves in the sides ofthestep, such grooves shall be in the longer sides of the step.

(v)The side ropes of the laddershallconsistoftwouncovered manilaropesnotlessthan60millimetres(21/4inches)in circumference on each side. Each rope shall be continuouswithno joints below the top step. Two man-ropes properlysecuredtothe shipandnotlessthan65millimetres(21/2inches)in circumference and a safety line shall be kept at hand ready for use if required.

(vi)Battens madeofhardwood,orothermaterialofequivalent properties, in one piece and not less than 1.80 metres (5feet10 inches) long shall be provided at such intervalsaswillprevent the pilot ladder from twisting. The lowest batten shall beonthe fifth step from the bottom of the ladder and theintervalbetween any batten and the next shall not exceed 9 steps.

(vii) Means shall be provided to ensure safeandconvenientpassage on to or into and off the ship between the head of the pilot ladder or of any accommodation ladder or other applianceprovided.Where such passage is by means of a gatewayintherailsorbulwark, adequate handholds shall be provided.Wheresuchpassageisby means of a bulwark ladder, such ladder shall besecurelyattached to the bulwark rail or platform and two handholdstanchionsshall be fitted at the point of boarding or leavingtheshipnotless than 0.70 metre (2 feet 3 inches) nor more than 0.80 metre (2feet 7 inches) apart. Each stanchion shall berigidlysecuredtothe ship's structure at or near its base and also atahigherpoint, shall be not less than 40 millimetres (11/2 inches) in diameter and shall extend not less than 1.20 metres (3 feet 11 inches) above the top of the bulwark.
(viii)Lighting shall be provided atnightsuchthatboththe pilot ladder overside and also the position where the pilotboards the ship shall be adequately lit. A lifebuoy equipped with aself-igniting light shall be kept at hand ready for use. A heavingline shall be kept at hand ready for use if required.
(ix)Means shall be provided to enable the pilot laddertobeused on either side of the ship.
(x) Theriggingoftheladderandtheembarkationand disembarkation of a pilot shallbesupervisedbyaresponsible officer of the ship.
(xi)Where on any ship constructional features such as rubbingbands would preventtheimplementationofanyoftheseprovisions, special arrangements shall bemadetothesatisfactionofthe Administration to ensurethatpersonsareabletoembarkand disembark safely.

(b) Mechanical Pilot Hoists
(i)Amechanicalpilothoist,ifprovided,anditsancillary equipment shall be of a type approvedbytheAdministration.It shall be of such design and constructionastoensurethatthe pilot can be embarked and disembarked in a safe manner includinga safe access from the hoist to the deck and vice versa.
(ii)A pilot ladder complying with theprovisionsofparagraph (a) of this Regulation shall be kept on deck adjacent to the hoistand available for immediate use.

Regulation 18

VHF Radiotelephone Stations

When a Contracting Government requires ships navigating in an areaunder itssovereigntytobeprovidedwithaVeryHighFrequency(VHF) radiotelephone station to be used in conjunction with a system which ithas established in order to promote safety ofnavigation,suchstationshall comply with the provisions of Regulation 17ofChapterIVandshallbe operated in accordance with Regulation 8 of Chapter IV.

Regulation 19

Use of the Automatic Pilot

(a)Inareasofhightrafficdensity,inconditionsofrestricted visibility and in all other hazardous navigational situations wherethe automatic pilot is used, it shall be possible to establish human control of the ship's steering immediately.
(b)In circumstances as above, it shall be possiblefortheofficerof the watch to have available without delay the servicesofaqualified helmsman who shall be ready at all times to take over steering control.
(c)The change-over from automatictomanualsteeringandviceversa shall be made by or under the supervision of a responsible officer.

Regulation 20

Nautical Publications

All ships shall carry adequate and up-to-date charts, sailing directions, lists of lights, notices to mariners, tide tablesandallothernautical publications necessary for the intended voyage.

Regulation 21

International Code of Signals

All ships which in accordance with the present Convention are required to carry a radiotelegraph or aradiotelephoneinstallationshallcarrythe International Code of Signals. This publication shallalsobecarriedby any other ship which in the opinion of the Administration has a need touse it.

CHAPTER VI

CARRIAGE OF GRAIN

PART A-GENERAL PROVISIONS

Regulation 1

Application

Unless expressly provided otherwise, this Chapter, including PartsA,B and C, applies to the carriage of grain in all ships towhichthepresent Regulations apply.

Regulation 2

Definitions

(a)The term "grain" includes wheat,maize(corn),oats,rye,barley, rice, pulses, seeds and processedformsthereof,whosebehaviouris similar to that of grain in its natural state.
(b)The term "filled compartment" referstoanycompartmentinwhich, after loading and trimming as requiredunderRegulation3,thebulk grain is at its highest possible level.
(c)Theterm"partlyfilledcompartment"referstoanycompartment whereinbulkgrainisnotloadedinthemannerprescribedin paragraph (b) of this Regulation.

(d)The term "angle of flooding" ((f) means anangleofheelatwhich openings in the hull, superstructures ordeckhouses,whichcannotbe closedweathertight,immerse.Inapplyingthisdefinition,small openings through which progressive flooding cannot take placeneednot be considered as open.

Regulation 3

Trimming of Grain

All necessary and reasonable trimming shall beperformedtolevelall free grain surfaces and to minimize the effect of grain shifting.
(a)In any "filled compartment", the bulk grain shall be trimmed so asto fill all the spaces under the decks andhatchcoverstothemaximum extent possible.
(b) Afterloading,allfreegrainsurfacesin"partlyfilled compartments" shall be level.
(c)The Administration issuing the document ofauthorizationmay,under Regulation 9 of this Chapter, grant dispensation from trimming inthose cases where the underdeck voidgeometryresultingfromfreeflowing grain into a compartment, which maybeprovidedwithfeedingducts, perforated decks or other similar means, is taken intoaccounttoits satisfaction when calculating the void depths.

Regulation 4

Intact Stability Requirements

(a)The calculations required by this Regulation shall be baseduponthe stability information providedinaccordancewithRegulation19of Chapter II-1, of the present Convention, or with the requirements of the Administration issuing the document of authorization under Regulation 10 of this Chapter.
(b)The intact stability characteristics of any ship carryingbulkgrain shall be shown to meet, throughout the voyage, atleastthefollowing criteria after taking into account in the manner describedinPartB, the heeling moments due to grain shift:
(i)the angle of heel duetotheshiftofgrainshallbenot greater than12degreesexceptthatanAdministrationgiving authorization in accordance with Regulation 10 of this Chaptermay require a lesser angle of heelifitconsidersthatexperience shows this to be necessary;(
(ii)in the statical stability diagram,thenetorresidualarea between the heeling arm curve and the righting arm curve up tothe angle of heel of maximum difference between theordinatesofthe two curves,or40degreesorthe"angleofflooding"((f), whichever is the least, shall in all conditions of loadingbenot less than 0.075 metre-radians; and
(iii) the initial metacentric height, after correctionforthefree surface effects of liquids in tanks, shall be notlessthan0.30 metre.
(c)Before loading bulk grain the master shall,ifsorequiredbythe Contracting Government of the country of the port of loading, demonstate the ability of the ship at all stages of any voyage to complywiththe stability criteria required by paragraph (b) ofthisRegulationusing

the information approved and issued under Regulations 10 and 11 ofthis Chapter.
(d)After loading, the master shall ensure that the ship shall beupright before proceeding to sea.

Regulation 5

Longitudinal Divisions and Saucers

(a)Inboth"filledcompartments"and"partlyfilledcompartments", longitudinal divisions may be provided as a device either to reducethe adverse heeling effect of grain shift or to limitthedepthofcargo used for securing the grain surface.Suchdivisionsshallbefitted grain-tight and constructed in accordance with the provisions of Section I of Part C of this Chapter.
(b)In a "filledcompartment",adivision,iffittedtoreducethe adverse effects of grain shift, shall:
(i)in a 'tween-deck compartment extend from deck to deck; and
(ii)in a hold extend downwards from the undersideofthedeckor hatch covers as described in Section II of Part B of this Chapter. Exceptinthecaseoflinseedandotherseedshavingsimilar properties, a longitudinal division beneath a hatchway maybereplaced by a saucer formed in the manner described in Section IofPartCof this Chapter.
(c)In a "partly filled compartment", a division, if fitted, shallextend from one-eighth of the maximum breadthofthecompartmentabovethe level of the grain surface and to thesamedistancebelowthegrain surface. When used to limit the depth of overstowing, the height ofthe centreline division shall be at least 0.6 metre abovethelevelgrain surface.
(d)Furthermore, theadverseheelingeffectsofgrainshiftmaybe reduced by tightly stowing the wings andendsofacompartmentwith baggedgrainorothersuitablecargoadequatelyrestrainedfrom shifting.

Regulation 6

Securing

(a)Unless account is taken of the adverse heelingeffectduetograin shift in accordance with these Regulations,thesurfaceofthebulk grain in any "partly filled compartment" shall be level andtoppedoff with bagged grain tightly stowed and extending to a height ofnotless than one-sixteenth of the maximum breadth of the free grainsurfaceor 1.2 metres, whichever is the greater. Insteadofbaggedgrain,other suitable cargo exerting at least the same pressure may be used.
(b)The bagged grain or such other suitable cargo shallbesupportedin themannerdescribedinSectionIIofPartCofthisChapter.
Alternatively, the bulk grain surface may besecuredbystrappingor lashing as described in that Section.

Regulation 7

Feeders and Trunks

If feeders or trunks are fitted, proper account shallbetakenofthe effects thereofwhencalculatingtheheelingmomentsasdescribedin Section III of Part BofthisChapter.Thestrengthofthedivisions forming the boundaries of such feeders shall conform with the provisionsof Section I of Part C of this Chapter.

Regulation 8

Combination Arrangements

Lower holds and 'tween-deck spaces in way thereof may beloadedasone compartmentprovidedthat,incalculatingtransverseheelingmoments, proper account is taken of the flow of grain into the lower spaces.

Regulation 9

Application of Parts B and C

AnAdministrationoraContractingGovernmentonbehalfofan Administration may authorize departure fromtheassumptionscontainedin Parts B and C of this Chapter in those cases where it considers thistobe justified having regard to the provisionsforloadingorthestructural arrangements,providedthestabilitycriteriainparagraph (b)of Regulation 4 of this Chapter are met. Where suchauthorizationisgranted under this Regulation, particulars shall beincludedinthedocumentof authorization or grain loading data.

Regulation 10

Authorization

(a)A document of authorization shall be issued for every shiploadedin accordancewiththeRegulationsofthisChaptereitherbythe Administration or an organization recognized by it or byaContracting Government on behalf of the Administration.Itshallbeacceptedas evidence that the ship is capable of complying with the requirementsof these Regulations.
(b)The document shall accompany and refer to the grain loadingstability booklet provided to enablethemastertomeettherequirementsof paragraph (c) of Regulation 4 of this Chapter. This bookletshallmeet the requirements of Regulation 11 of this Chapter.
(c)Such a document, grain loading stabilitydataandassociatedplans may be drawn up in the official language orlanguagesoftheissuing country. If the language used is neither English norFrench,thetext shall include a translation into one of these languages.
(d) Acopyofsuchadocument,grainloadingstabilitydataand associated plans shall be placed on board in order that themaster,if so required, shall produce them for the inspectionoftheContracting Government of the country of the port of loading.
(e)A ship without such a document of authorization shall notloadgrain until the master demonstrates to the satisfaction of theAdministration or the Contracting Government of the port of loading onbehalfofthe Administration that the shipinitsproposedloadedconditionwill comply with the requirements of these Regulations.

Regulation 11

Grain Loading Information

This information shall be sufficient to allow the master to determinein all reasonable loading conditions the heeling momentsduetograinshift calculated in accordance with Part B of this Chapter. It shallincludethe following:
(a)Information which shall be approved bytheAdministrationorbya Contracting Government on behalf of the Administration:
(i) curvesortablesofgrainheelingmomentsforevery compartment, filledorpartlyfilled,orcombinationthereof, including the effects of temporary fittings;
(ii)tablesofmaximumpermissibleheelingmomentsorother informationsufficienttoallowthemastertodemonstrate compliance with the requirements of paragraph (c) ofRegulation4 of this Chapter;
(iii) details of the scantlings of any temporaryfittingsandwhere applicable the provisions necessary tomeettherequirementsof Section I(E) of Part C of this Chapter;
(iv)typical loaded servicedepartureandarrivalconditionsand where necessary, intermediate worst service conditions;
(v)a worked example for the guidance of the master;
(vi)loading instructionsintheformofnotessummarizingthe requirements of this Chapter.
(b)Information which shall be acceptable to the Administrationortoa Contracting Government on behalf of the Administration:
(i)ship's particulars;
(ii)lightshipdisplacementandtheverticaldistancefromthe intersection of the moulded base line and midshipsectiontothe centre of gravity (KG);
(iii) table of free surface corrections;
(iv)capacities and centres of gravity.

Regulation 12

Equivalents

Where an equivalent accepted by theAdministrationinaccordancewith Regulation 5 of Chapter I of this Convention is applied,particularsshall be included in the document of authorization or grain loading data.

Regulation 13

Exemptions for Certain Voyages

TheAdministration,oraContractingGovernmentonbehalfofthe Administrationmay,ifitconsidersthattheshelterednatureand conditions of the voyage are such as to render theapplicationofanyof the requirements of Regulations 3 to 12ofthisChapterunreasonableor unnecessary, exempt from those particular requirements individualshipsor classes of ships.

PART B-CALCULATION OF ASSUMED HEELING MOMENTS

SECTION I-DESCRIPTION OF THE ASSUMED VOIDS AND METHOD OF CALCULATING INTACT STABILITY

SECTION II-ASSUMED VOLUMETRIC HEELING MOMENT OF A FILLED COMPARTMENT

SECTION III-ASSUMED VOLUMETRIC HEELING MOMENT OF FEEDERS AND TRUNKS

SECTION IV-ASSUMED VOLUMETRIC HEELING MOMENT OF PARTLY FILLED COMPARTMENTS

SECTION V-ALTERNATIVE LOADING ARRANGEMENTS FOR EXISTING SHIPS

SECTION I-DESCRIPTION OF THE ASSUMED VOIDS AND METHOD OF CALCULATING INTACT STABILITY

(A)GENERAL

(a)For the purpose of calculating the adverse heelingmomentduetoa shift of cargo surface in ships carrying bulk grain it shall beassumed that:
(i)In "filled compartments" which have been trimmedinaccordance with Regulation 3 of this Chapter a void exists under allboundary surfaces having an inclinationtothehorizontallessthan30 degrees and that the voidisparalleltotheboundarysurface having an average depth calculated according to the formula:
Vd = Vd1 + 0.75(d - 600) mm
Where:
Vd = Average void depth in mm;
Vd1 = Standard void depth from Table I below;
d=Actual girder depth in mm.
In no case shall Vd be assumed to be less than 100 mm.

TABLE I

Distance from hatchend or hatchside to boundary of compartment metres	Standard void depth Vd1 mm
0.5	570
1.0	530
1.5	500
2.0	480
2.5	450
3.0	440
3.5	430
4.0	430
4.5	430
5.0	430
5.5	450
6.0	470
6.5	490
7.0	520
7.5	550

|8.0 |590 |

Notes on Table I:
For distances greater than 8.0 metres the standard voiddepthVd1 shall be linearly extrapolated at 80 mm increase for each1.0metre increase in distance. Where there is a differenceindepthbetween the hatchside girder or its continuation and thehatchendbeamthe greater depth shall be used except that:
(1)when the hatchside girder or its continuation is shallower than the hatchend beam the voids abreast the hatchwaymaybe calculated using the lesser depth; and
(2)when the hatchend beam isshallowerthanthehatchside girder or its continuation thevoidsforeandaftofthe hatchway inboard of the continuation of thehatchsidegirder may be calculated using the lesser depth;
(3)where there is a raiseddeckclearofahatchwaythe average void depth measured from the underside oftheraised deck shall be calculated usingthestandardvoiddepthin association with a girder depth of the hatchend beam plusthe height of the raised deck.
(ii)In "filled compartments" which arenottrimmedinaccordance with Regulation 3 of this Chapter and wheretheboundarysurface has an inclination to the horizontal which is less than 30 degrees, thecargosurfacehasaninclinationof30degreestothe horizontal after loading.
(iii) Within filled hatchways and in addition to any open voidwithin the hatch cover there is a void of average depth of 150 mm measured down to the grain surface from the lowest part of thehatchcover or the top of the hatchside coaming, whichever is the lower.
(b)The description of thepatternofgrainsurfacebehaviourtobe assumed in "partly filled compartments" is shown in Section IVofthis Part.
(c)Forthepurposeofdemonstratingcompliancewiththestability criteria in paragraph (b) of Regulation 4 of thisChapter(seeFigure 1), the ship's stability calculations shall be normally baseduponthe assumption that the centre of gravity of cargo in a "filled compartment" is at the volumetric centre of the whole cargospace.Inthosecases where the Administration authorizes account to be taken of the effect of assumed underdeck voids ontheverticalpositionofthecentreof gravity of the cargo in "filled compartments" it willbenecessaryto compensate for theadverseeffectoftheverticalshiftofgrain surfaces by increasing the assumed heeling moment due to thetransverse shift of grain as follows:

total heeling moment = 1.06 (calculated transverse heeling moment.

In all cases the weight of cargo in a "filled compartment" shall bethe volume of the whole cargo space divided by the stowage factor.

[pic]Figure 1

Notes on Figure 1:
(1)Where:
[pic];

(40 = 0.8 ((0;
Stowage factor = Volume per unit weight of grain cargo;
Displacement = Weight of ship, fuel, freshwater,storesetc.and
cargo.
(2)The righting arm curve shall be derived from cross-curveswhich
are sufficient in number toaccuratelydefinethecurveforthe
purpose of these requirements and shall includecross-curvesat12
degrees and 40 degrees.
(d)In "partly filled compartments" the adverseeffectofthevertical
shift of grain surfaces shall be taken into account as follows:

total heeling moment = 1.12 (calculated transverse heeling moment.

(e)Any otherequallyeffectivemethodmaybeadoptedtomakethe
compensation required in paragraphs (c) and (d) above.

SECTION II-ASSUMED VOLUMETRIC HEELING MOMENT OF A FILLED COMPARTMENT

(A)GENERAL

(a)The pattern of grain surface movement relates to a transversesection
across the portion of the compartment being considered and the resultant
heeling moment should be multiplied by the length toobtainthetotal
moment for that portion.
(b)The assumed transverse heeling momentduetograinshiftingisa
consequence of final changes of shape and position of voids aftergrain
has moved from the high side to the low side.
(c)The resulting grain surface after shifting shall be assumed tobeat
15 degrees to the horizontal.
(d)In calculating the maximum void area thatcanbeformedagainsta
longitudinal structural member, the effects of any horizontalsurfaces,
e.g. flanges or face bars, shall be ignored.
(e)The total areas of the initial and final voids shall be equal.
(f)A discontinuous longitudinal division shallbeconsideredeffective
over its full length.

(B)ASSUMPTIONS

In the following paragraphs it is assumed that the totalheelingmoment
foracompartmentisobtainedbyaddingtheresultsofseparate
considerations of the following portions:
(a)Before and abaft hatchways:
(i)If a compartment has two or more mainhatchwaysthroughwhich
loading may take place the depth oftheunderdeckvoidforthe
portion(s) between such hatchways shallbedeterminedusingthe
fore and aft distance to the midpoint between the hatchways.
(ii)After the assumed shift of grain the finalvoidpatternshall
be as shown in Figure 2 below:

[pic]Figure 2

Notes on Figure 2:
(1)If the maximum void area which can be formed against thegirder
at B is less than the initial area of the void under AB,i.e.AB(
Vd, the excess area shall be assumed to transfer to the final void on

the high side.
(2)If the longitudinal division at C is one which has been provided in accordance with sub-paragraph (b) (ii) ofRegulation5ofthis Chapter it shall extend to at least 0.6 metre below D or Ewhichever gives the greater depth.
(b)In and abreast hatchways:
After the assumed shift of grain the final void pattern shall be as shown in the following Figure 3 or Figure 4.

[pic]

Notes on Figure 3:
(1)AB Any area in excess of that which can be formed against the girder at B shall transfer to the final void area in the hatchway.
(2)CD Any area in excess of that which can be formed against the girder at E shall transfer to the finalvoidareaonthehigh side.

[pic]Figure 4

Notes on Figure 4:
(1)If the centreline division is one whichhasbeenprovidedin accordance withsub-paragraph (b)(ii)ofRegulation5ofthis Chapter it shall extend to at least 0.6 metre below H or Jwhichever gives the greater depth.
(2)The excess void area from AB shall transfer to the low side half of the hatchway in which two separate final void areas will be formed viz. one against the centreline division and theotheragainstthe hatchside coaming and girder on the high side.
(3)If a bagged saucer or bulk bundle is formedinahatchwayit shall be assumed, for the purpose of calculatingtransverseheeling moment, that such a device is at least equivalent tothecentreline division.

(C)COMPARTMENTS LOADED IN COMBINATION

The following paragraphs describe the patternofvoidbehaviourwhich shall be assumed when compartments are loaded in combination:
(a)Without effective centreline divisions:
(i) Undertheupperdeck-asforthesingledeckarrangement described in Section II(B) of this Part.
(ii)Under the second deck-the area of voidavailablefortransfer from the low side, i.e. original void area lessareaagainstthe hatchside girder, shall be assumed to transfer as follows:
one half to the upper deck hatchway and one quarter each to the high side under the upper and second deck.
(iii) Under the third and lower decks-thevoidareasavailablefor transfer from the low side of each of these decks shall beassumed to transfer in equal quantities to all the voids under the decks on the high side and the void in the upper deck hatchway.
(b)With effective centreline divisions which extend into theupperdeck hatchway:
(i) Atalldecklevelsabreastthedivisionthevoidareas available for transfer fromthelowsideshallbeassumedto transfer to the void under the low sidehalfoftheupperdeck

hatchway.
(ii)At the deck level immediately below the bottom ofthedivision the void area available for transfer from thelowsideshallbe assumed to transfer as follows:
one half to the void under the low side half of the upperdeck hatchway and the remainder in equalquantitiestothevoids under the decks on the high side.
(iii) At deck levels lower than those described insub-paragraphs (i) and (ii) of this paragraph the voidareaavailablefortransfer from the low side of eachofthosedecksshallbeassumedto transfer in equal quantities to the voids in each of the two halves of the upper deck hatchway on each side ofthedivisionandthe voids under the decks on the high side.
(c)With effective centreline divisionswhichdonotextendintothe upper deck hatchway:
Since no horizontal transfer of voids may be assumed to take place at the same deck level as the division the void area available for transfer from the low side at this level shall be assumed to transferabovethe division to voids on the high sides in accordance with the principles of paragraphs (a) and (b) above.

SECTION III-ASSUMED VOLUMETRIC HEELING MOMENT OF FEEDERS AND TRUNKS

(A)SUITABLY PLACED WING FEEDERS (See Figure 5)
It may be assumed that under the influence of ship motion underdeck voids willbesubstantiallyfilledbytheflowofgrainfromapairof longitudinal feeders provided that:
(a)the feeders extend for the full length of the deck and thatthe perforations therein are adequately spaced;
(b)the volume ofeachfeederisequaltothevolumeofthe underdeck void outboard of the hatchside girder and its continuation.

[pic]

(B)TRUNKS SITUATED OVER MAIN HATCHWAYS

After the assumed shift of grain the final void pattern shall be as shown in Figure 6.

[pic]Figure 6

Note on Figure 6:
If the wing spaces in way of the trunk cannot be properlytrimmedin accordance with Regulation 3 of this Chapter it shall be assumed thata 25 degree surface shift takes place.

SECTION IV-ASSUMED VOLUMETRIC HEELING MOMENT OF PARTLY FILLED COMPARTMENTS

(A)GENERAL

When the freesurfaceofthebulkgrainhasnotbeensecuredin accordance with Regulation 6 of this Chapter it shall beassumedthatthe grain surface after shifting shall be at 25 degrees to the horizontal.

(B)DISCONTINUOUS LONGITUDINAL DIVISIONS

In a compartment in which the longitudinal divisions arenotcontinuous between the transverse boundaries, the length over which any suchdivisions are effective as devices to prevent fullwidthshiftsofgrainsurfaces shall be taken to be the actual length of the portion of the divisionunder consideration less two-sevenths of the greater of thetransversedistances between the division and its adjacent division or ship's side. Thiscorrectiondoesnotapplyinthelowercompartmentsofany combination loading in which theuppercompartmentiseithera"filled compartment" or a "partly filled compartment".

SECTION V-ALTERNATIVE LOADING ARRANGEMENTS FOR EXISTING SHIPS

(A)GENERAL

A ship loaded in accordance with either Sub-Section (B) orSub-Section(C) below shall be considered to have intact stability characteristics atleast equivalent to the requirements of paragraph (b)ofRegulation4ofthis Chapter. Documentsofauthorizationpermittingsuchloadingsshallbe accepted under the provisions of paragraph (e)ofRegulation10ofthis Chapter.
For the purpose of this Part, the term "Existing Ship" means a ship,the keel of which is laid before the date of coming into force of this Chapter.

(B)STOWAGE OF SPECIALLY SUITABLE SHIPS

(a)Notwithstanding anything contained in Part BofthisChapter,bulk grain may becarriedwithoutregardtotherequirementsspecified therein in ships which are constructed withtwoormoreverticalor sloping grain-tight longitudinal divisions suitablydisposedtolimit the effectofanytransverseshiftofgrainunderthefollowing conditions:
(i)as many holds and compartments as possibleshallbefulland trimmed full;
(ii)for any specified arrangement of stowage the ship will notlist to an angle greater than 5 degreesatanystageofthevoyage where:
(1)in holds or compartments which have been trimmed full thegrain surface settled 2 per cent by volume from the original surface and shifts to an angle of 12 degrees with thatsurfaceunder all boundaries of these holds and compartments whichhavean inclination of less than 30 degrees to the horizontal;
(2)in "partly filled compartments orholds"freegrainsurfaces settle and shift as in sub-paragraph (ii)(1) of this paragraph or to such larger angle as maybedeemednecessarybythe Administration, or by a Contracting Governmentonbehalfof theAdministration,andgrainsurfacesifoverstowedin accordance with Regulation 5 of this Chapter shift to an angle of 8 degrees with theoriginallevelledsurfaces.Forthe purposeofsub-paragraph (ii)ofthisparagraphshifting boards, if fitted, will be considered to limit thetransverse shift of the surface of the grain;
(iii) the master is provided with a grain loadingplancoveringthe stowage arrangements to be adopted and astabilitybooklet,both

approved by the Administration, or by a ContractingGovernmenton behalf of the Administration, showing the stability conditions upon whichthecalculationsgiveninsub-paragraph (ii)ofthis paragraph are based.
(b)The Administration, or aContractingGovernmentonbehalfofthe Administration, shall prescribe theprecautionstobetakenagainst shifting in allotherconditionsofloadingofshipsdesignedin accordance withparagraph (B)(a)ofthisSectionwhichmeetthe requirements of sub-paragraphs (ii) and (iii) of that paragraph.

(C)SHIPS WITHOUT DOCUMENTS OF AUTHORIZATION

Ashipnothavingonboarddocumentsofauthorizationissuedin accordance with Regulations 4 and 10 of this Chaptermaybepermittedto load bulk grain under the requirements of Sub-Section (B)ofthisSection or provided that:
(a)All"filledcompartments"shallbefittedwithcentreline divisions extending for the full length ofsuchcompartmentswhich extend downwards from the underside of the deck or hatch covers toa distance below the deck line of at least one-eighthofthemaximum breadth of the compartment or 2.4 metres, whicheveristhegreater except that saucers constructed in accordance with Section II of Part C may be accepted in lieu of a centreline division in andbeneatha hatchway.
(b)All hatches to "filled compartments" shall be closed andcovers secured in place.
(c)All free grain surfaces in "partlyfilledcompartments"shall be trimmed level and secured in accordance with Section II of Part C.
(d)Throughout the voyage the metacentricheightaftercorrection for the free surface effects of liquids in tanks shall be0.3metre or that given by the following formula, whichever is greater:

[pic]

Where:
L =total combined length of all full compartments;
B =moulded breadth of vessel;
SF =Stowage factor;
Vd =calculated average void depth as per paragraph (a)(i) of Section I (A) of this Part;
? =displacement.

PART C-GRAIN FITTINGS AND SECURING

SECTION I-STRENGTH OF GRAIN FITTINGS
(A)General (including working stresses)
(B)Divisions loaded on both sides
(C)Divisions loaded on one side only
(D)Saucers
(E)Bundling of bulk
(F)Securing hatch covers of filled compartments

SECTION II-SECURING OF PARTLY FILLED COMPARTMENTS
(A)Strapping or lashing
(B)Overstowing arrangements

(C)Bagged grain

SECTION I-STRENGTH OF GRAIN FITTINGS

(A)GENERAL

(a)Timber
All timber used for grain fittings shall be of good sound quality and of a type and grade which has been proved to be satisfactoryforthis purpose. The actual finished dimensionsofthetimbershallbein accordance with the dimensionshereinafterspecifiedinthisPart. Plywood of an exterior type bonded with waterproof glue andfittedso that the direction of the grain in the face plies isperpendiculartо the supporting uprightsorbindermaybeusedprovidedthatits strength is equivalent to thatofsolidtimberoftheappropriate scantlings.
(b)Working Stresses
When calculating the dimensions ofdivisionsloadedononeside, using the Tables in paragraphs (a) and (b) of Sub-Section (C)ofthis Section, the following working stresses should be adopted:
For divisions of steel2000 kg per square cm
For divisions of wood 160 kg per square cm
(c)Other Materials
Materials other than wood or steel may be approved for such divisions providedthatproperregardhasbeenpaidtotheirmechanical properties.
(d)Uprights
(i)Unless means are provided to prevent the ends of uprightsbeing dislodged from their sockets, the depth of housing at each endof each upright shall be not less than 75 mm. If anuprightisnot secured at the top, the uppermost shore or stay shall be fitted as near thereto as is practicable.
(ii)The arrangementsprovidedforinsertingshiftingboardsby removing a part of the cross-section of an upright shallbesuch that the local level of stresses is not unduly high.
(iii) The maximum bending moment imposed upon an upright supportinga division loaded on one side shall normally be calculatedassuming that the ends of the uprights are freely supported. However, if an Administration is satisfied that any degree of fixity assumed will be achieved in practice, account may be taken of any reductionin the maximum bending momentarisingfromanydegreeoffixity provided at the ends of the upright.
(e)Composite Section
Where uprights, binders or any other strength members areformedby two separate sections, one fitted on each side of a division and inter-connected by through bolts at adequate spacing, theeffectivesection modules shall be taken as the sum of the twomoduliofthеseparate sections.
(f)Partial Division
Where divisions do not extend to the fulldepthoftheholdsuch divisions and their uprights shall be supported or stayed so astobe as efficient as those which do extend to the full depth of the hold.

(B)DIVISIONS LOADED ON BOTH SIDES

(a)Shifting Boards
(i)Shifting boards shall have a thickness of not lessthan50mm and shall be fitted grain-tight and where necessarysupportedby uprights.
(ii)The maximum unsupported spanforshiftingboardsofvarious thicknesses shall be as follows:

Thickness	Maximum Unsupported
	Span
50 mm	2.5 metres
60 mm	3.0 metres
70 mm	3.5 metres
80 mm	4.0 metres

If thicknesses greaterthanthesearepro videdthemaximum unsupportedspanwillvarydirectlywiththeincreasein thickness.
(iii) The ends of all shifting boards shall besecurelyhousedwith 75 mm minimum bearing length.
(b)Other Materials
Divisions formed by using materials otherthanwoodshallhavea strength equivalent to the shifting boards required in paragraph (a) of this Sub-Section.
(c)Uprights
(i)Steel uprights used to support divisions loadedonbothsides shall have a section modulus given by
W = a (W1
Where:
W = section modulus in cm3;
a = horizontal span between uprights in metres.
The section modulus per metre span W1 shall be not less thanthat given by the formula:
W1 = 14.8 (h1 - 1.2) cm3 per metre;
Where:
h1 is the vertical unsupported span inmetresandshallbe taken as the maximum value of thedistancebetweenanytwo adjacent stays or betweenthestayoreitherendofthe upright. Where this distanceislessthan2.4metresthe respective modulus shall be calculated as if the actualvalue was 2.4 metres.
(ii)The moduli of wood uprights shall be determinedbymultiplying by 12.5 the corresponding moduliforsteeluprights.Ifother materials are used their moduli shall be atleastthatrequired for steel increased in proportion to the ratio of thepermissible stresses for steel to that of the materialused.Insuchcases attention shall be paid also totherelativerigidityofeach upright to ensure that the deflection is not excessive.
(iii) The horizontal distance between uprights shall be such thatthe unsupported spans of the shifting boards do not exceed the maximum span specified in sub-paragraph (ii) of paragraph (a) of this Sub-Section.
(d)Shores
(i)Wood shores, when used, shall be in a single piece and shallbe securely fixed ateachendandheeledagainstthepermanent

structure of the ship except that theyshallnotbeardirectly against the side plating of the ship.

(ii)Subject totheprovisionsofsub-paragraphs (iii)and(iv) below, the minimum size of wood shores shall be as follows:

	Rectangul	Diameter of
Length of Shore in	ar	Circular
metres	Section	Section
	mm	mm
Not exceeding 3 m	150 x 100	140
Over 3 m but not	150 x 150	165
exceeding 5 m		
Over 5 m but not	150 x 150	180
exceeding 6 m		
Over 6 m but not	200 x 150	190
exceeding 7 m		
Over 7 m but not	200 x 150	200
exceeding 8 m		
Exceeding 8 m	200 x 150	215

Shores of 7 metres or more in length shall besecurelybridged at approximately mid-length.

(iii) Whenthehorizontaldistancebetweentheuprightsdiffers significantly from 4 metres, the moments of inertia of theshores may be changed in direct proportion.

(iv)Where the angle oftheshoretothehorizontalexceeds10 degreesthenextlargershoretothatrequiredbysub-paragraph (ii) of this paragraph shall be fitted provided thatin no case shall the anglebetweenanyshoreandthehorizontal exceed 45 degrees.

(e)Stays

Where stays are used to support divisions loaded on both sides,they shall be fitted horizontally or as near theretoaspracticable,well secured at each end and formed of steel wire rope.Thesizesofthe wire rope shall be determined assuming that the divisionsandupright which the stay supports are uniformly loaded at 500 kg/m2. Theworking load so assumed in the stay shall not exceed one-third of itsbreaking load.

(C)DIVISIONS LOADED ON ONE SIDE ONLY

(a)Longitudinal Divisions

The load in kg per metre length of the division shall be taken tobe as follows:

TABLE I1

B (m)
h	2	3	4	5	6	7	8	10
(m)								
1.5	850	900	1,010	1,225	1,500	1,770	2,060	2,645
2.0	1,390	1,505	1,710	1,985	2,295	2,605	2,930	3,590
2.5	1,985	2,160	2,430	2,740	3,090	3,435	3,800	4,535
3.0	2,615	2,845	3,150	3,500	3,885	4,270	4,670	5,480
3.5	3,245	3,525	3,870	4,255	4,680	5,100	5,540	6,425

4.0	3,890	4,210	4,590	5,015	5,475	5,935	6,410	7,370
4.5	4,535	4,890	5,310	5,770	6,270	6,765	7,280	8,315
5.0	5,185	5,570	6,030	6,530	7,065	7,600	8,150	9,260
6.0	6,475	6,935	7,470	8,045	8,655	9,265	9,890	11,15
							0
7.0	7,765	8,300	8,910	9,560	10,24	10,93	11,63	13,04
					5	0	0	0
8.0	9,055	9,665	10,35	11,07	11,83	12,59	13,37	14,93
			0	5	5	5	0	0
9.0	10,34	11,03	11,79	12,59	13,42	14,26	15,11	16,82
	5	0	0	0	5	0	0	0
10.0	11,63	12,39	13,23	14,10	15,01	15,92	16,85	18,71
	5	5	0	5	5	5	0	0

h = height of grain in metres from the bottom of the division[1]
B = transverse extent of the bulk grain in metres
For other values of h or B the loadsshallbedeterminedbylinear interpolation or extrapolation as necessary.

(b)Transverse Divisions
The load in kg per metre length of the division shall be taken tobe as follows:

TABLE II[2]
L (m)

h	2	3	4	5	6	7	8	10
(m)								
1.5	43.3	45.1	45.9	46.2	46.2	46.2	46.2	46.2
2	44.5	46.7	47.6	47.8	47.8	47.8	47.8	47.8
2.5	45.4	47.6	48.6	48.8	48.8	48.8	48.8	48.8
3	46.0	48.3	49.2	49.4	49.4	49.4	49.4	49.4
3.5	46.5	48.8	49.7	49.8	49.8	49.8	49.8	49.8
4	47.0	49.1	49.9	50.1	50.1	50.1	50.1	50.1
4.5	47.4	49.4	50.1	50.2	50.2	50.2	50.2	50.2
5	47.7	49.4	50.1	50.2	50.2	50.2	50.2	50.2
6	47.9	49.5	50.1	50.2	50.2	50.2	50.2	50.2
7	47.9	49.5	50.1	50.2	50.2	50.2	50.2	50.2
8	47.9	49.5	50.1	50.2	50.2	50.2	50.2	50.2
9	47.9	49.5	50.1	50.2	50.2	50.2	50.2	50.2
10	47.9	49.5	50.1	50.2	50.2	50.2	50.2	50.2

B = transverse extent of the bulk grain in metres
For other values of h or B the reaction loads shallbedeterminedby linear interpolation or extrapolation as necessary.

TABLE IV

TRANSVERSE DIVISIONS LOADED ON ONE SIDE ONLY

Bearing Reaction at the Upper End of Upright as Percentage of Load (Table II)
|L (m)|

h	2
(m)	
Maximum load at the top	50% of the appropriate
	total load from Table I
Maximum load at the	55% of the appropriate
bottom	total load from Table I
Transverse Divisions	
Maximum load at the top	45% of the appropriate
	total load from Table II
Maximum load at the	60% of the appropriate
bottom	total load from Table II

The thickness of horizontal woodenboardsmayalsobedetermined having regard to the vertical distribution of theloadingrepresented by Tables III and IV above and in such cases

[pic]

Where:
t=thickness of board in mm;
a=horizontal span of the board i.e. distance between uprights in metres;
h=head of grain to the bottom of the division in metres;
p=total load per unit length derived from Table I or II in kilogrammes;
k=factor dependent upon vertical distribution of the loading.
When the vertical distributionoftheloadingisassumedtobe uniform, i.e. rectangular, k shall be taken asequalto1.0.Fora trapezoidal distribution

[pic]

Where:
R is the upper end bearing reaction taken from Table III of IV.

(d)Stays or Shores

The sizes of stays and shores shall be so determined thattheloads derived from Tables I and II in the precedingparagraphs (a)and(b) shall not exceed one-third of the breaking loads.

(D)SAUCERS

When a saucer is used to reduce theheelingmomentsina"filled compartment", its depth, measured from the bottom of the saucer tothe deck line, shall be as follows:
For ships with a moulded breadth of up to9.1metres,notless than 1.2 metres.
For ships with a moulded breadth of 18.3 metres or more, notless than 1.8 metres.
For ships with a mouldedbreadthbetween9.1metresand18.3 metres, the minimum depth of the saucer shall becalculatedby interpolation.

The top (mouth) of thesaucershallbeformedbytheunderdeck structure in thewayofthehatchway,i.e.hatchsidegirdersor coamings and hatchend beams. The saucer andhatchwayaboveshallbe completely filled with bagged grain or other suitable cargolaiddown on a separation cloth or itsequivalentandstowedtightlyagainst adjacent structures and the portable hatchway beams if thelatterare in place.

(E)BUNDLING OF BULK

As an alternative to filling the saucer with baggedgrainorother suitable cargo a bundle of bulk grain may be used provided that:
(a)Thesaucerislinedwithamaterialacceptabletothe Administration having a tensile strength of not less than 274 kg per 5 cm strip and which is provided with suitable means for securing at the top.
(b) As an alternative to paragraph (a) above amaterialacceptable to the Administration having a tensile strength of not less than 137 kg per 5 cm strip may beusedifthesauceriscon structedas follows:
Athwartship lashings acceptable totheAdministrationshallbe placed inside the saucer formed in the bulk grainatintervals of notmorethan2.4metres.Theselashingsshallbeof sufficient length to permit being drawn up tight and securedat the top of the saucer.
Dunnage not lessthan25mminthicknessorothersuitable material of equal strength and between 150 to 300mminwidth shall be placed fore and aft over these lashings to preventthe cutting or chafing of the material which shall be placed thereon to line the saucer.
(c) The saucer shall be filled with bulk grain andsecuredatthe top except that when usingmaterialapprovedunderparagraph (b) above further dunnageshallbelaidontopafterlappingthe material before the saucer is secured by setting up the lashings.
(d) If more than one sheet of material is used tolinethesaucer they shall be joined at the bottom either by sewing or a double lap.
(e) The top of the saucer shall be coincidental with thebottomof the beams when these are in place and suitable general cargo or bulk grain may be placed between the beams on top of the saucer.

(F)SECURING HATCH COVERS OF FILLED COMPARTMENTS

If there is no bulk grain or other cargo above a "filled compartment" the hatch covers shall be secured in an approved mannerhavingregard to the weight and permanent arrangementsprovidedforsecuringsuch covers.

The documents of authorization issued underRegulation10ofthis Chapter shall include reference to the mannerofsecuringconsidered necessary by the Administration issuing such documents.

SECTION II-SECURING OF PARTLY FILLED COMPARTMENTS

(A)STRAPPING OR LASHING

(a)When,inordertoeliminateheelingmomentsin"partlyfilled compartments", strapping or lashing is utilized, the securingshallbe accomplished as follows:
(i)The grain shall be trimmed and levelled to theextentthatit is very slightly crowned and covered with burlap separation cloths, tarpaulins or the equivalent.
(ii)The separation cloths and/or tarpaulins shall overlapatleast 1.8 metres.
(iii) Two solid floors of rough 25 mm by150mmto300mmlumber shall be laid with the top floor running longitudinally andnailed to an athwartships bottom floor. Alternatively, one solid floorof 50 mm lumber, running longitudinally and nailed over the topofa 50 mm bottom bearer not less than 150 mm wide,maybeused.The bottom bearers shall extend the full breadth of the compartment and shall be spacednotmorethan2.4metresapart.Arrangements utilizing other materials and deemed byanAdministrationtobe equivalent to the foregoing may be accepted.
(iv)Steel wire rope (19 mm diameter orequivalent),doubledsteel strapping (50 mm x 1.3 mm and having a breaking loadofatleast 5,000 kg), or chain of equivalent strength, each of which shallbe set tight by means of a 32 mm turnbuckle, may be used for lashings. A winch tightener, used in conjunction with a locking arm,maybe substituted for the 32 mm turnbuckle when steel strapping isused, providedsuitablewrenchesareavailableforsettingupas necessary. When steel strapping is used, not less than threecrimp seals shall be used for securing the ends. When wire isused,not less than fourclipsshallbeusedforformingeyesinthe lashings.
(v)Priortothecompletionofloadingthelashingshallbe positively attached to the framing at a point approximately 450mm below the anticipated final grain surface by means of eithera25 mm shackle or beam clamp of equivalent strength.
(vi)The lashings shall be spaced not more than 2.4 metres apartand each shall be supported by a bearer nailed over the top of the fore and aft floor. This bearer shall consist of not less than 25 mmby 150 mm lumber or its equivalent and shall extend thefullbreadth of the compartment.
(vii) During the voyage the strappingshallberegularlyinspected and set up where necessary.

(B)OVERSTOWING ARRANGEMENTS

Where bagged grain or other suitable cargo is utilized for the purpose of securing "partly filled compartments",thefreegrainsurfaceshallbe covered with a separation cloth or equivalent orbyasuitableplatform. Such platforms shall consist of bearers spacednotmorethan1.2metres apart and 25 mm boards laid thereon spacednotmorethan100mmapart. Platforms may be constructed of other materials provided they are deemedby an Administration to be equivalent.

(C)BAGGED GRAIN

Bagged grain shall be carried in sound bags which shallbewellfilled and securely closed.

CHAPTER VII

CARRIAGE OF DANGEROUS GOODS

Regulation 1

Application

(a)Unless expressly providedotherwise,thisChapterappliestothe carriageofdangerousgoodsinallshipstowhichthepresent Regulations apply.
(b)The provisions of this Chapter donotapplytoship'sstoresand equipment or to particular cargoes carried in ships speciallybuiltor converted as a whole for that purpose, such as tankers.
(c)The carriage of dangerous goods isprohibitedexceptinaccordance with the provisions of this Chapter.
(d) TosupplementtheprovisionsofthisChaptereachContracting Government shall issue, or cause to be issued, detailed instructionson the safe packing and stowage of specific dangerous goodsorcategories of dangerous goods which shallincludeanyprecautionsnecessaryin their relation to other cargo.

Regulation 2

Classification

Dangerous goods shall be divided into the following classes:
Class 1 -Explosives.
Class 2 -Gases: compressed, liquefied or dissolved under pressure.
Class 3 -Inflammable(liquids.
Class 4.1- Inflammable solids.
Class 4.2-Inflammable solids, or substances, liable to spontaneous combustion.
Class 4.3-Inflammable solids, or substances, which in contact with water emit inflammable gases.
Class 5.1-Oxidizing substances.
Class 5.2-Organic peroxides.
Class 6.1-Poisonous (toxic) substances.
Class 6.2-Infectious substances.
Class 7 -Radioactive substances.
Class 8 -Corrosives.
Class 9 -Miscellaneous dangerous substances, that is any other substance which experience has shown, or may show, to be of such a dangerous character that the provisions of this Chapter should apply to it.

Regulation 3

Packing

(a)The packing of dangerous goods shall be:
(i)well made and in good condition;
(ii)of such a character that any interior surface with thecontents may come in contact is not dangerously affectedbythesubstance

being conveyed; and
(iii) capable of withstandingtheordinaryrisksofhandlingand carriage by sea.
(b)Where the use of absorbent or cushioning material is customary inthe packing of liquids in receptacles that material shall be:
(i)capable of minimizing the dangers to which the liquidmaygive rise;
(ii)sodisposedastopreventmovementandensurethatthe receptacle remains surrounded; and
(iii) where reasonably possible of sufficient quantity toabsorbthe liquid in the event of breakage of the receptacle.
(c)Receptacles containing dangerous liquids shall have an ullageatthe filling temperature sufficient toallowforthehighesttemperature during the course of normal carriage.
(d)Cylinders or receptacles for gases under pressure shall beadequately constructed, tested, maintained and correctly filled.
(e)Empty receptacles which have been used previously for the carriageof dangerous goods shall themselves be treated asdangerousgoodsunless they have been cleaned and dried or,whenthenatureoftheformer contents permit with safety, have been closed securely.

Regulation 4

Marking and Labelling

Each receptacle containing dangerousgoodsshallbemarkedwiththe correct technical name (trade names shall not be used) andidentifiedwith a distinctive label or stencilofthelabelsoastomakeclearthe dangerouscharacter.Eachreceptacleshallbesolabelledexcept receptacles containing chemicals packedinlimitedquantitiesandlarge shipments which can be stowed, handled and identified as a unit.

Regulation 5

Documents

(a)In all documents relating to the carriage of dangerousgoodsbysea where the goods are named the correct technical name of the goodsshall be used (trade names shall not beused)andthecorrectdescription given in accordance with the classification set out in Regulation2of this Chapter.
(b)The shipping documents prepared by the shipper shallinclude,orbe accompanied by, a certificate or declaration that theshipmentoffered for carriage is properly packed,markedandlabelledandinproper condition for carriage.
(c)Each ship carrying dangerousgoodsshallhaveaspeciallistor manifest setting forth, in accordance with Regulation 2 of this Chapter, the dangerous goods onboardandthelocationthereof.Adetailed stowage plan which identifies by class and sets out the location ofall dangerous goods on board may be used in place of suchspeciallistor manifest.

Regulation 6

Stowage Requirements

(a)Dangerous goods shall be stowed safely and appropriately accordingto the nature of the goods. Incompatible goods shall be segregated from one another.
(b)Explosives (except ammunition) which present a serious riskshallbe stowed in a magazine which shall be kept securely closed whileatsea. Suchexplosivesshallbesegregatedfromdetonators.Electrical apparatus and cables in any compartment in which explosives arecarried shall be designed and used soastominimizetheriskoffireor explosion.
(c)Goods which give off dangerous vapoursshallbestowedinawell ventilated space or on deck.
(d)In ships carrying inflammable liquidsorgasesspecialprecautions shall be taken where necessary against fire or explosion.
(e)Substances which areliabletospontaneousheatingorcombustion shall not be carried unless adequateprecautionshavebeentakento prevent the outbreak of fire.

Regulation 7

Explosives in Passenger Ships

(a)In passenger ships the following explosives only may be carried:
(i)safety cartridges and safety fuses;
(ii)small quantities of explosives not exceeding 9kilogrammes(20 pounds) total net weight;
(iii) distress signals for use in shipsoraircraft,ifthetotal weight of such signals does notexceed1,016kilogrammes(2,240 pounds);
(iv)except in ships carrying unberthed passengers,fireworkswhich are unlikely to explode violently.
(b)Notwithstanding the provisions ofparagraph (a)ofthisRegulation additional quantities or types of explosives may be carried in passenger ships in whichtherearespecialsafetymeasuresapprovedbythe Administration.

CHAPTER VIII

NUCLEAR SHIPS

Regulation 1

Application

This Chapter applies to all nuclear ships except ships of war.

Regulation 2

Application of other Chapters

The Regulations contained in the other Chapters of the present Convention apply to nuclear ships except as modified by this Chapter.

Regulation 3

Exemptions

A nuclearshipshallnot,inanycircumstances,beexemptedfrom compliance with any Regulations of this Convention.

Regulation 4

Approval of Reactor Installation

The design, construction and standards of inspection and assembly ofthe reactor installation shall be subject to the approvalandsatisfactionof the Administration and shall take account of the limitations whichwillbe imposed on surveys by the presence of radiation.

Regulation 5

Suitability of Reactor Installation for Service on Board Ship

The reactor installation shall be designed having regard tothespecial conditionsofserviceonboardshipbothinnormalandexceptional circumstances of navigation.

Regulation 6

Radiation Safety

The Administration shall takemeasurestoensurethattherearеno unreasonable radiation or other nuclear hazards, at sea or in port,tothe crew, passengers or public, or to the waterways or food or water resources.

Regulation 7

Safety Assessment

(a)A Safety Assessment shall be preparedtopermitevaluationofthe nuclear power plant and safety of the ship to ensure that therearеno unreasonable radiation or other hazards, at sea or in port, to the crew, passengers or public, or to the waterways or foodorwaterresources. The Administration, when satisfied, shall approve such Safety Assessment which shall always be kept up-to-date.
(b)The Safety Assessment shall be made available sufficiently inadvance to the Contracting Governments of the countrieswhichanuclearship intends to visit so that they may evaluate the safety of the ship.

Regulation 8

Operating Manual

A fully detailed Operating Manual shall be prepared fortheinformation and guidance of the operating personnelintheirdutiesonallmatters relating totheoperationofthenuclearpowerplantandhavingan important bearing onsafety.TheAdministration,whensatisfied,shall approve such Operating Manual and a copy shall be kept onboardtheship. The Operating Manual shall always be kept up-to-date.

Regulation 9

Surveys

Survey of nuclear ships shallincludetheapplicablerequirementsof Regulation 7 of Chapter I, or of Regulations 8,9and10ofChapterI, except in so far as surveys are limited by thepresenceofradiation.In addition, the surveys shall include any special requirements oftheSafety Assessment. They shall inallcases,notwithstandingtheprovisionsof Regulations 8 and 10 of Chapter I, be carried out not lessfrequentlythan once a year.

Regulation 10

Certificates

(a)The provisions of paragraph (a) of Regulation 12 of Chapter Iandof Regulation 14 of Chapter I shall not apply to nuclear ships.
(b)A Certificate, called aNuclearPassengerShipSafetyCertificate shall be issued after inspection and survey to a nuclear passengership which complies with the requirements of Chapters II-1, II-2, III, IV and VIII, and any other relevant requirements of the present Regulations.
(c)A Certificate, called a Nuclear Cargo ShipSafetyCertificateshall be issued after inspection and survey toanuclearcargoshipwhich satisfies therequirementsforcargoshipsonsurveysetoutin Regulation 10 of ChapterI,andcomplieswiththerequirementsof Chapters II-1, II-2, III, IV and VII and any other relevant requirements of the present Regulations.
(d)Nuclear Passenger Ship SafetyCertificatesandNuclearCargoShip Safety Certificates shall state: "That the ship, being anuclearship, complied with all requirements of Chapter VIIIoftheConventionand conformed to the Safety Assessment approved for the ship".
(e)Nuclear Passenger Ship SafetyCertificatesandNuclearCargoShip Safety Certificates shall be valid for a periodofnotmorethan12 months.
(f)Nuclear Passenger Ship SafetyCertificatesandNuclearCargoShip Safety Certificates shall be issued either by the Administrationorby any person or organization duly authorized by it. Ineverycase,that Administration assumes full responsibility for the certificate.

Regulation 11

Special Control

In addition to the control established by Regulation19ofChapterI, nuclear ships shall be subject to special control before entering theports and in the ports ofContractingGovernments,directedtowardsverifying that there is on board a valid NuclearShipSafetyCertificateandthat there are no unreasonable radiation or other hazards at sea or inport,to the crew, passengers or public,ortothewaterwaysorfoodorwater resources.

Regulation 12

Casualties

In the event of any accident likely to lead toanenvironmentalhazard the master of a nuclear ship shall immediatelyinformtheAdministration. Themastershallalsoimmediatelyinformthecompetent Governmental authority of the country in whose waters the ship may be,orwhosewaters the ship approaches in a damaged condition.

APPENDIX

Form of Safety Certificate for Passenger Ships

PASSENGER SHIP SAFETY CERTIFICATE

(Official Seal)(Country)

for [pic] international voyage.

Issued under the provisions of the
INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE AT SEA, 1974

Name	Distinct			Particulars of	Date on
of	ive	Port	Gross	voyages, if any,	which keel
Ship	Number	of	Tonnag	sanctioned under	was laid
	or	Regist	e	Regulation 27	(see NOTE
	Letters	ry		(c) (vii) of	below)
			|Chapter III|

[pic][pic]

I. That the above-mentioned ship has been dulysurveyedinaccordance with the provisions of the Convention referred to above.

II.That the survey showed that the ship complied withtherequirements of the Regulations annexed to the said Convention as regards:
(1)the structure, main and auxiliaryboilersandotherpressure vessels and machinery;
(2)the watertight subdivision arrangements and details;
(3)the following subdivision load lines:

Subdivision load lines		To apply when the
assigned and marked on	Freeboard	spaces in which
the ship's side at		passengers are
amidships (Regulation		carried include the
11 of Chapter II-1)		following alternative
		spaces
C.1		
C.2		
C.3		

III.That thelife-savingappliancesprovideforatotalnumberof
..... persons and no more, viz.:
lifeboats(including.....motorlifeboats)capableof
accommodating.....persons, and.....motor
lifeboats fitted with radiotelegraph installation andsearchlight
(included in the totallifeboatsshownabove)
and.....motor lifeboatsfittedwithsearchlightonly
(alsoincludedinthetotallifeboatsshown above),
requiring.....certificated lifeboatmen;
liferafts, for which approved launching devices are required, capable
of accommodating.....persons; and
liferafts, for which approved launchingdevicesarenotrequired,
capable of accommodating.....persons;
buoyant apparatus capable of supporting.....persons;
lifebuoys;
life-jackets.

IV.That the lifeboats and liferafts were equipped in accordance with the provisions of the Regulations.

V. That theshipwasprovidedwithaline-throwingapplianceand portableradioapparatusforsurvivalcraftinaccordancewiththe provisions of the Regulations.

VI.That the ship complied with the requirements oftheRegulationsas regards radiotelegraph installations, viz.:

	Requirements of Regulations	Actual provision
Hours of listening by operator		
Number of operators		
Whether auto alarm fitted		
Whether main installation fitted		
Whether reserve installation fitted		
Whether main and reserve transmitters electrically separated or combined		
Whether direction finder fitted		
Whether radio equipment for homing on the radiotelephone distress frequency fitted		
Whether radar fitted		
Number of passengers for which certificated		

VII.That the functioning of the radiotelegraphinstallationsformotor lifeboats and/or theportableradioapparatusforsurvivalcraft,if provided, complied with the provisions of the Regulations.
VIII. That the ship complied with the requirements oftheRegulationsas regards fire-detectingandfire-extinguishingappliances,radar,echo-sounding device and gyro-compass and was providedwithnavigationlights and shapes, pilot ladder, and means of making sound signals,anddistress

signals in accordance with the provisions of the Regulations andalsothe International Regulations for Preventing Collisions at Sea in force.
IX.That in all other respects the ship complied with the requirements of the Regulations, so far as these requirements apply thereto.
This certificate is issued under the authority oftheGovernment.
It will remain in force until
Issued at theday of19
Here follows the seal or signature of the authority entitledtoissue the certificate.
(Seal)
If signed, the following paragraph is to be added:
The undersigned declaresthatheisdulyauthorizedbythesaid Government to issue this certificate.
(Signature)

NOTE: It will be sufficient to indicate the year in which the keel was laid or when the ship was at a similar stage of constructionexceptfor1952, 1965 and the year of the coming into force of the InternationalConvention for the Safety of Life at Sea, 1974, in which cases the actual dateshould be given.

In the case of a ship which is converted as provided in Regulation 1(b)(i) of Chapter II-1 or Regulations1(a)(i)ofChapterII-2ofthe Convention, the date on which the work of conversion wasbegunshouldbe given.

Form of Safety Construction Certificate for Cargo Ships

CARGO SHIP SAFETY CONSTRUCTION CERTIFICATE
(Official Seal)(Country)

Issued under the provisions of the
INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE AT SEA, 1974

Name of Ship	Distinctive Number or Letters	Port of Registry	Gross Tonnage	Date on which keel was laid (see NOTE below)

[pic] [pic]

That the above-mentioned ship has been duly surveyed inaccordance with the provisions of Regulation 10ofChapterIoftheConvention referred to above, and that the survey showed that the conditionofthe hull, machinery and equipment, as defined in the above Regulation, was in all respects satisfactory and that the ship complied with theapplicable requirements of Chapter II-1 and Chapter II-2 (other thanthatrelating to fire-extinguishing appliances and fire control plans).
This certificate is issued under the authority oftheGovernment.
It will remain in force until

Issued attheday of19
Here follows the seal or signature of the authority entitled to issue the certificate.
(Seal)
If signed, the following paragraph is to be added:
The undersigned declares that he is duly authorized by the said Government to issue this certificate.
(Signature)

NOTE: It will be sufficient to indicate the year in whichthekeelwas laid or when the ship was at a similar stage of constructionexceptfor 1952, 1965 and the year of the coming intoforceoftheInternational Convention for the Safety of Life at Sea, 1974, in which cases the actual date should be given.

Form of Safety Equipment Certificate for Cargo Ships

CARGO SHIP SAFETY EQUIPMENT CERTIFICATE
(Official Seal)(Country)

Issued under the provisions of the
INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE AT SEA, 1974

	Distinct		Gross	Date on which
Name of	ive	Port of	Tonnage	keel was laid
Ship	Number	Registry		(see NOTE
	or			below)
	Letters			

[pic] [pic]

I. That the above-mentioned ship has been duly inspectedinaccordance with the provisions of the Convention referred to above.

II.That the inspection showed that the life-savingappliancesprovided for a total number of.....persons and no more viz.:

lifeboats on port side capable of
accommodating.....persons;
lifeboatsonstarboardsidecapable of
accommodating.....persons;
motor lifeboats(includedinthetotallifeboatsshownabove),
including..... motor lifeboats fittedwith
radiotelegraphinstallationandsearchlight,
and.....motor lifeboats fitted with searchlight only;
.liferafts,forwhichapprovedlaunchingdevicesarerequired,
capable of accommodating.....persons; and
liferafts, for which approved launchingdevicesarenotrequired,
capable of accommodating.....persons;
lifebuoys;

life-jackets.
III.That the lifeboats and liferafts were equipped in accordance with the provisions of the Regulations annexed to the Convention.
IV.That theshipwasprovidedwithaline-throwingapparatusand portableradioapparatusforsurvivalcraftinaccordancewiththe provisions of the Regulations.
V.Thattheinspectionshowedthattheshipcompliedwiththe requirementsofthesaidConventionasregardsfire-extinguishing appliances and fire control plans, echo-soundingdeviceandgyro-compass and was provided with navigation lights and shapes, pilot ladder, and means of making sound signalsanddistresssignals,inaccordancewiththe provisionsoftheRegulationsandtheInternationalRegulationsfor Preventing Collisions at Sea in force.
VI.That in all other respects the ship complied with the requirements of the Regulations so far as these requirements apply thereto.
This certificate is issued under the authority oftheGovernment.
It will remain in force until
Issued attheday of19
Here follows the seal or signature of the authority entitledtoissue the certificate.
(Seal)
If signed, the following paragraph is to be added:
The undersigned declares that heisdulyauthorizedbythesaid Government to issue this certificate.
(Signature)

NOTE: It will be sufficient to indicate the year in which the keel was laid or when the ship was at a similar stage of constructionexceptfor1952, 1965 and the year of the coming into force of the InternationalConvention for the Safety of Life at Sea, 1974, in which cases the actual dateshould be given.

Form of Safety Radiotelegraphy Certificate for Cargo Ships

CARGO SHIP SAFETY RADIOTELEGRAPHY CERTIFICATE
(Official Seal)(Country)

Issued under the provisions of the
INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE AT SEA, 1974

	Distinct		Gross	Date on which
Name of	ive	Port of	Tonnage	keel was laid
Ship	Number	Registry		(see NOTE
	or			below)
	Letters			

[pic] [pic]

I. That the above-mentioned ship complieswiththeprovisionsofthe RegulationsannexedtotheConventionreferredtoaboveasregards

radiotelegraphy and radar:

	Requirements	Actual
	of	provisio
	Regulations	n
Hours of listening by operator		
Number of operators		
Whether auto alarm fitted		
Whether main installation fitted		
Whether reserve installation		
fitted		
Whether main and reserve		
transmitters electrically		
separated or combined		
Whether direction finder fitted		
Whether radio equipment for		
homing on the radiotelephone		
distress frequency fitted		
Whether radar fitted		

II.That the functioning of the radiotelegraphyinstallationformotor lifeboats and/or theportableradioapparatusforsurvivalcraft,if provided, complies with the provisions of the said Regulations.
This certificate is issued under the authority oftheGovernment.
It will remain in force until
Issued attheday of19
Here follows the seal or signature of the authority entitled to issue this certificate:
(Seal)
If signed, the following paragraph is to be added:
The undersigned declares thatheisdulyauthorizedbythesaid Government to issue this certificate.
(Signature)

NOTE: It will be sufficient to indicate the year in which the keel waslaid or when the ship was at a similar stage ofconstructionexceptfor1952, 1965 and the year of the coming into force of theInternationalConvention for the Safety of Life at Sea, 1974, in which cases the actualdateshould be given.

Form of Safety Radiotelephony Certificate for Cargo Ships

CARGO SHIP SAFETY RADIOTELEPHONY CERTIFICATE

(Official Seal)(Country)
Issued under the provisions of the
INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE AT SEA, 1974

	Distincti		Gross	Date on which
Name of	ve Number	Port of	Tonnage	
Ship	or	Registry		keel was laid
	Letters			
				(see NOTE
				below)

[pic] [pic]

I. That the above-mentioned ship complieswiththeprovisionsofthe RegulationsannexedtotheConventionreferredtoaboveasregards Radiotelephony:

	Requirements of	Actual
	Regulations	provisio
		n
Hours of listening		
Number of operators		

II.That the functioning of the portableradioapparatusforsurvival craft, if provided, complies with the provisions of the said Regulations. This certificate is issued under the authority of the Government.It will remain in force until
Issued attheday of19
Here follows the seal or signature of the authority entitled to issue this certificate.
(Seal)
If signed, the following paragraph is to be added:
The undersigned declares that he is duly authorized by the said Government to issue this certificate.
(Signature)

NOTE: It will be sufficient to indicate the year in which the keel waslaid or when the ship was at a similar stage ofconstructionexceptfor1952, 1965 and the year of the coming into force of theInternationalConvention for the Safety of Life at Sea, 1974, in which cases the actualdateshould be given.

Form of Exemption Certificate

EXEMPTION CERTIFICATE

(Official Seal)(Country)

Issued under the provisions of the

INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE AT SEA, 1974
Name of ship	Distinctive	Port of	Gross Tonnage
	Number or	Registry	
	Letters		

[pic] [pic]

That the above-mentioned ship is,undertheauthorityconferredby
Regulation ..... of Chapter .....oftheRegulations
annexed to the Convention referred to above, exempted from therequirements
of+ ..... of the Convention onthe
voyages
.....
..... to
.....
.....
Insert here the conditions,
if any, on which the exemption
certificate is granted.

This certificate is issued under the authority oftheGovernment.
It will remain in force until
Issued attheday of19
Here follows the seal or signature of the authority entitledtoissue
this certificate.
(Seal)
If signed, the following paragraph is to be added:
The undersigned declaresthatheisdulyauthorizedbythesaid
Government to issue this certificate.
(Signature)

+ Insert here references to Chapters and Regulations, specifying particular
paragraphs.

Form of Safety Certificate for Nuclear Passenger Ships

NUCLEAR PASSENGER SHIP SAFETY CERTIFICATE
(Official Seal)(Country)

Issued under the provisions of the
INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE AT SEA, 1974

				Particulars of	Date on
	Distinc	Port	Gross	voyages, if	which
Name of	tive	of	Tonnag	any, sanctioned	keel was
Ship	Number	Regist	e	under	laid (see
	or	ry		Regulation 27	NOTE
	Letters			(c) (vii) of	below)
				Chapter III	

[pic] [pic]

I. That the above-mentioned ship has been dulysurveyedinaccordance with the provisions of the Convention referred to above.
II.That the ship, being a nuclear ship, complied withallrequirements of Chapter VIII of the Convention and conformed totheSafetyAssessment approved for the ship.
III.That the survey showed that the ship complied withtherequirements of the Regulations annexed to the said Convention as regards:
(1)the structure, main and auxiliaryboilersandotherpressure vessels and machinery;
(2)the watertight subdivision arrangements and details;
(3)the following subdivision load lines:

Subdivision load lines		To apply when the
assigned and marked on	Freeboard	spaces in which
the ship's side at		passengers are
amidships (Regulation		carried include the
11 of Chapter II-1)		following alternative
		spaces
C.1		
C.2		
C.3		

IV.That thelife-savingappliancesprovideforatotalnumberof .....persons and no more, viz.:

lifeboats(including.....motorlifeboats)capableof accommodating.....persons, and.....motor lifeboats fitted with radiotelegraph installation andsearchlight (included in the totallifeboatsshownabove)
and.....motor lifeboats fittedwithsearchlightonly (alsoincludedinthetotallifeboatsshown above),
requiring.....certificated lifeboatmen;
liferafts,forwhichapprovedlaunchingdevicesarerequired, capableofaccommodating.....persons; and
liferafts, for which approved launchingdevicesarenotrequired, capable of accommodating.....persons;
buoyant apparatus capable of supporting.....persons;
.lifebuoys;
..life-jackets.
V. That the lifeboats and liferafts were equipped in accordance with the provisions of the Regulations.
VI.That theshipwasprovidedwithaline-throwingappliance and portableradioapparatusforsurvivalcraftinaccordancewiththe provisions of the Regulations.
VII.That the ship complied with the requirements oftheRegulationsas regards radiotelegraph installations, viz.:

	Requirements	Actual
	of	provisi
	Regulations	on
Hours of listening by operator		
Number of operators		

Whether auto alarm fitted		
Whether main installation fitted		
Whether reserve installation		
fitted		
Whether main and reserve		
transmitters electrically		
separated or combined		
Whether direction finder fitted		
Whether radio equipment for		
homing on the radiotelephone		
distress frequency fitted		
Whether radar fitted		
Number of passengers for which		
certificated		

VIII. That the functioning of the radiotelegraphinstallationsformotor lifeboats and/or theportableradioapparatusforsurvivalcraft,if provided, complied with the provisions of the Regulations.
IX.That the ship complied with the requirements oftheRegulationsas regardsfire-detectingandfire-extinguishingappliances,radarecho-sounding device and gyro-compass and was providedwithnavigationlights and shapes, pilot ladder, and means of making soundsignalsanddistress signals in accordance with the provisions of the Regulations andalsothe International Regulations for Preventing Collisions at Sea in force.
X. That in all other respects the ship complied with the requirements of the Regulations, so far as these requirements apply thereto.
This certificate is issued under the authority ofthe Government.
It will remain in force until
Issued attheday of19
Here follows the seal or signature of the authority entitled toissue the certificate.
(Seal)
If signed, the following paragraph is to be added:
The undersigned declares that heisdulyauthorizedbythesaid Government to issue this certificate.
(Signature)

NOTE: It will be sufficient to indicate the year in which the keel waslaid or when the ship was at a similar stage of construction except for 1965and the year of the coming into force of the InternationalConventionforthe Safety of Life at Sea, 1974, inwhichcasestheactualdateshouldbe given.
In the case of a ship which is converted as provided in Regulation 1(b) (i) of Chapter II-1 or Regulation 1 (a) (i) of ChapterII-2,thedateon which the work of conversion was begun should be given.

Form of Safety Certificate for Nuclear Cargo Ships

NUCLEAR CARGO SHIP SAFETY CERTIFICATE
(Official Seal)(Country)

Issued under the provisions of the
INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE AT SEA, 1974

	Distincti			Date on
Name of	ve Number	Port of	Gross	which keel
Ship	or	Registry	Tonnage	was laid
	Letters			(see NOTE
				below)

[pic] [pic]

I. That the above-mentioned ship has been dulysurveyedinaccordance with the provisions of the Convention referred to above.
II.That the ship, being a nuclear ship, complied withallrequirements of Chapter VIII of the Convention and conformed totheSafetyAssessment approved for the ship.
III.That the survey showed that the ship satisfied therequirementsset out in Regulation 10 of Chapter I of the Convention as tohull,machinery and equipment, and complied with the relevant requirements of ChapterII-1 and Chapter II-2.
IV.That thelife-savingappliancesprovideforatotalnumberof .....persons and no more, viz.:

lifeboats on port side capable ofaccommodating .....persons;
lifeboatsonstarboardsidecapable of accommodating.....persons;
motorlifeboats(includedinthetotallifeboatsshownabove) including.....motorlifeboats fitted with radiotelegraphinstallationandsearchlight,
and.....motor lifeboats fitted with searchlightonly;
liferafts, for which approved launching devices are required, capable ofaccommodating.....persons; and
liferafts, for which approved launchingdevicesarenotrequired, capable of accommodating.....persons;
lifebuoys;
life-jackets.
V. That the lifeboats and liferafts were equipped in accordance with the provisions of the Regulations annexed to the Convention.
VI.Thattheshipwasprovidedwithaline-throwingapparatusand portableradioapparatusforsurvivalcraftinaccordancewiththe provisions of the Regulations.
VII.That the ship complied with the requirementsoftheRegulationsas regards radiotelegraph installations, viz.:

	Requirements	Actual
	of	provision
	Regulations	
Hours of listening by		
operator		
Number of operators		
Whether auto alarm fitted		
Whether main installation		

fitted		
Whether reserve installation		
fitted		
Whether main and reserve		
transmitters electrically		
separated or combined		
Whether direction finder		
fitted		
Whether radio equipment for		
homing on the radiotelephone		
distress frequency fitted		
Whether radar fitted		

VIII. That the functioning of theradiotelegraphinstallationsformotor lifeboats, and/or theportableradioapparatusforsurvivalcraft,if provided, complied with the provisions of the Regulations.
IX. ThattheinspectionshowedthattheshipcompliedwiththeIMO requirementsofthesaidConventionasregardsfire-extinguishing appliances, radar, echo-sounding device and gyro-compassandwasprovided with navigation lights and shapes, pilot ladder, and means ofmakingsound signals and distress signalsinaccordancewiththeprovisionsofthe Regulations and the International Regulations for PreventingCollisionsat Sea in force.
X. That in all other respects the ship complied with the requirementsof the Regulations so far as these requirements apply thereto.
This certificate is issued under the authority of theGovernment.
It will remain in force until
Issued attheday of19
Here follows the seal or signature of the authority entitled to issue the certificate.
(Seal)
If signed, the following paragraph is to be added:
The undersigned declares thatheisdulyauthorizedbythesaid Government to issue this certificate.
(Signature)

NOTE: It will be sufficient to indicate the year in which the keel waslaid or when the ship was at a similar stage of construction except for theyear 1965 and the year of the coming into force of theInternationalConvention for the Safety of Life at Sea, 1974, in which cases the actualdateshould be given.

("Inflammable" has the same meaning as "flammable".
(Instead of the requirements in this Part, the Regulations onSubdivision and Stability of Passenger Ships as an Equivalent to Part BofChapterII of the International ConventionfortheSafetyofLifeatSea,1960, adopted by the Organization by Resolution A.265(VIII),maybeused,if applied, in their entirety.
(Whichever results in the more severe requirements.
+Reference ismadetotheRecommendationonaStandardMethodfor EstablishingCompliancewiththeRequirementsforCross-Flooding Arrangements in Passenger Ships, adopted by the OrganizationbyResolution

A.266 (VIII).
(ReferenceismadetotheRecommendationonIntactStabilityfor
Passenger and Cargo Shipsunder100metresinlength,adoptedbythe
OrganizationbyResolutionA.167(ES.IV)andAmendmentstothis
Recommendation, adopted by the Organization by Resolution A.206 (VII).
(ReferenceismadetotheRecommendationonSafetyMeasuresfor
Periodically Unattended Machinery Spaces of Cargo Ships additional tothose
normally considered necessary for an Attended MachinerySpace,adoptedby
the Organization by Resolution A.211 (VII).
(Reference is made totheRecommendationonSteeringGearforLarge
Ships, adopted by the Organization by Resolution A.210 (VII).
(Reference is made totheRecommendationonSteeringGearforLarge
Ships, adopted by the Organization by Resolution A.210 (VII).
+Reference is made to Recommendation on Safety MeasuresforPeriodically
Unattended Machinery Spaces of CargoShipsadditionaltothosenormally
considered necessaryforanAttendedMachinerySpace,adoptedbythe
Organization by Resolution A.211 (VII).
("Inflammable" has the same meaning as "flammable".
+Reference is made to Recommendation on Test Method for QualifyingMarine
Construction Materials as Non-Combustible, adopted bytheOrganizationby
Resolution A.270 (VIII).
#Reference is made to Recommendation for Fire Test Procedures for "A"and
"B" Class Divisions,adoptedbytheOrganizationbyResolutionsA.163
(ES.IV) and A.215 (VII).
(Reference is made to Recommendation for Fire Test Procedures for "A"and
"B" Class Divisions,adoptedbytheOrganizationbyResolutionsA.163
(ES.IV) and A.215 (VI).
(Reference ismadetoGuidelinesontheEvaluationofFireHazard
Properties of Materials, adopted by theOrganizationbyResolutionA.166
(ES.IV).
+Reference is made to Improved Provisional Guidelines onTestProcedures
for Primary Deck Coverings, adopted by the Organization by ResolutionA.214
(VII).
(Reference is made to Recommendation on Fixed FireExtinguishingSystems
for Special Category Spaces adopted by the Organization by ResolutionA.123
(V).
(A water fog applicator might consist of a metal "L" -shaped pipe,the
long limb being about 2 metres (6 feet) in length capableofbeingfitted
to a fire hose and the short limb beingabout250 millimetres(10 inches)
in length fitted with a fixed water fog nozzle or capableofbeingfitted
with a water spray nozzle.
(Reference ismadetoGuidelinesontheEvaluationofFireHazard
Properties of Materials, adopted by theOrganizationbyResolutionA.166
(ES.IV).
+Reference is made to Improved Provisional Guidelines onTestProcedures
for Primary Deck Coverings, adopted by the Organization by ResolutionA.214
(VII).
(ReferenceismadetoRecommendationonSafetyMeasuresfor
Periodically Unattended Machinery Spaces of Cargo Ships additional tothose
normally considered necessary for an Attended MachinerySpace,adoptedby
the Organization by Resolution A.211 (VII).
+ReferenceismadetoImprovedProvisionalGuidelinesonTest
Procedures for PrimaryDeckCoverings,adoptedbytheOrganizationby
Resolution A.214 (VII).
(ReferenceismadetoImprovedProvisionalGuidelinesonTest

Procedures for PrimaryDeckCoverings,adoptedbytheOrganizationby Resolution A.214 (VII).
*Reference is made to GuidelinesontheEvaluationofFireHazard Properties of Materials, adopted by theOrganizationbyResolutionA.166 (ES.IV).
(The following ranges of visibilities of the light might be expected in given atmospheric conditions.

Atmospheric transmissivity factor	Meteorological range of visibility (miles)	Range of visibility of the light (miles)
0.3	2.4	0.96
0.4	3.3	1.05
0.5	4.3	1.15
0.6	5.8	1.24
0.7	8.4	1.34
0.8	13.4	1.45
0.9	28.9	1.57

(Such ships are subject to special requirements relative toradiofor safety purposes, as contained in the relevant agreement betweenCanadaand the United States of America.
(In the absence of a directmeasurementofthefieldstrengththe following data may be used as aguideforapproximatelydeterminingthe normal range:

Normal range in miles	Metre-amperes 1	Total antenna power (watts) 2
200	128	200
175	102	125
150	76	71
125	58	41
100	45	25
75	34	14

1This figure represents the product of themaximumheightofthe antenna above the deepest load water-line in metres and theantenna current in amperes (R.M.S. value). The values giveninthesecond column of the table correspond to an average value of the ratio
[pic]
This ratio varies with local conditions of the antenna and mayvary between about 0.3 and 0.7.
2The values given in the third column of the table correspond toan average value of the ratio
[pic]
This ratio varies considerably according to thevaluesofeffective antenna height and antenna resistance.
(For the purpose of determining the electrical load to be supplied bythe reserve source of energy, the following formula is recommended as a guide:

1/2 of the transmitter current consumption with the key down (mark)
+ 1/2 of the transmitter current consumption with the key up (space)

+ current consumption of receiver and additional circuits connectedto the reserve source of energy.
(In the absence of a measurement ofthefieldstrength,itmaybe assumed that this range will be obtained if the productoftheheightof the antenna above the water-line and the antenna current (R.M.S.value)is 10 metre-amperes.
(It may be assumedthatthepurposesofthisRegulationwillbe satisfied by the following performance:
At least 10 watts input to the anode ofthefinalstageoraradio-frequency output of at least 2.0 watts (A2 emission)at500kHzintoan artificial antenna having an effective resistance of 15 ohms and 100x10-12 farads capacitance in series. The depth of modulation shall beatleast 70 per cent.
(In the absence of field strength measurements, it may be assumedthat this range willbeobtainedbyapowerintheantennaof15watts (unmodulated carrier) with an antenna efficiency of 27 per cent.
(For the purpose of determining the electricalloadtobesuppliedby batteries required to havesixhoursreservecapacity,thefollowing formula is recommended as a guide:
1/2 of the current consumption necessary for speech transmission
+current consumption of receiver
+current consumption of all additional loads to which the batteries may supply energy in time of distress or emergency.
(For guidance purposes, it is assumed that each ship wouldbefitted with a vertically polarized unity gain antenna at a nominal height of 9.15 metres (30 feet) above water, a transmitter R.F. power output of 10 watts, and a receiver sensitivity of 2 microvolts across the input terminalsfor 20 db signal-to-noise ratio.
(For example, the permissible angle of heel might be limited to the angle of heel at which the edge of the weather deck would be immersed in still water.
1For the purpose of convertingtheaboveloadsintoBritishunits (ton/ft) 1 kg per metre length shall be taken tobeequivalentto0.0003 ton per foot length.
[1] Where the distance from a division to a feeder or hatchway is 1 metre or less, the height-h-shall be taken to the level of the grainwithinthat hatchway or feeder. In all cases the height shall be taken totheoverhead deck in way of the division.
[2] For the purpose of converting theaboveloadsintoBritishunits (ton/ft) 1 kg per metre length shall be taken tobeequivalentto0.0003 ton per foot length.
[3] Where the distance from a division to a feeder or hatchway is 1 metre or less, the height-h-shall be taken to the level of the grainwithinthat hatchway or feeder. In all cases the height shall be taken totheoverhead deck in way of the division.
("Inflammable" has the same meaning as "flammable".

Volume 4 includes:Note 1
Table of Acts
Act Notes
Table of Amendments
Notes 2 and 3
Table A

The text of any of those amendments not in force
on that date is appended in the Notes section

The operation of amendments that have been incorporated may be
affected by application provisions that are set out in the Notes section

Notes to the Navigation Act 1912

Note 1

The Navigation Act 1912 as shown in this compilation comprises Act No. 4,
1913 amended as indicated in the Tables below.

The Navigation Act 1912 was amended by the Workplace Relations Amendment
(Work Choices) (Consequential Amendments) Regulations 2006 (No. 1)
(SLI 2006 No. 50). The amendments are incorporated in this compilation.

For miscellaneous provisions affecting the operation of the Merchant
Shipping Act, 1894, as amended, refer to sections 103-106 of the Navigation
Amendment Act 1979 (No. 98, 1979) and sections 46 and 47 of the Admiralty
Act 1988 (No. 34, 1988).

All relevant information pertaining to application, saving or transitional
provisions prior to 24 November 2000 is not included in this compilation.
For subsequent information see Table A.

Table of Acts

Act	Number	Date	Date of	Applicati
		of Assent	commenceme	on,
		and		nt	saving or
		year			transitio
					nal
					provision
					s
Navigation Act	4, 1913	24 Oct	(a)	
1912		1913		
Navigation Act	32,	20 Dec	(a)	-
1919	1919	1919		
Navigation Act	1, 1921	3 Mar	(a)	Ss. 3 and
1920		1921		4
Navigation Act	8, 1925	13 Aug	(a)	-
1925		1925		
Navigation Act	8, 1926	1 Mar	(a)	-

|1926| |1926| ||
|Navigation|49, |5 Dec |(a) |-|
|(Maritime |1934|1934| ||
|Conventions) Act| || ||
|1934| || ||
Navigation Act	30,	11 July	(a)	-
1935	1935	1935		
Navigation Act	1, 1943	10 Feb	(a)	-
1942		1943		
Statute Law	80,	16 Dec	31 Dec	Ss. 16
Revision Act	1950	1950	1950	and 17
1950				
Navigation Act	109,	8 Dec	(a)	Ss. 2(3)
1952	1952	1952		and 39
Navigation Act	96,	24 Dec	(a)	Ss. 2(3),
1953	1953	1953		40 and 41
Navigation Act	46,	30 June	14 Aug	-
1956	1956	1956	1956 (see	
			s. 2 and	
			Gazette	
			1956,	
			p. 2489)	
Navigation Act	36,	27 May	(a)	Ss. 2(2),
1958	1958	1958		9(2),
				48(2),
				67(2),
				70(2),
				78(2),
				81(2),
				93(2),
				96(2),
				98(2),
				99(2),
				110(2),
				136(2),
				157(2),
				161(2),
				163(2),
				167(2),
				173(2),
				176(2),
				177(2),
				183(2),
				188(2),
				197(2)
				and 208
as amended by				
Navigation Act	96,	30 Oct	(see 96,	(see 96,
1961	1961	1961	1961	1961
			below)	below)
Navigation Act	1, 1965	31 Mar	(see 1,	(see 1,
1965		1965	1965	1965
			below)	below)
Navigation	98,	22 Oct	(see 98,	(see 98,
Amendment Act	1979	1979	1979	1979

|1979| ||below) |below)|
Navigation Act	96,	30 Oct	(a)	Ss. 2(2),
1961	1961	1961		30(2) and
				36
Navigation Act	1, 1965	31 Mar	(a)	Ss. 2(2)
1965		1965		and 57
Statute Law	93,	29 Oct	1 Dec 1966	-
Revision	1966	1966		
(Decimal				
Currency) Act				
1966				
Navigation Act	60,	18 Sept	(a)	Ss. 2(2),
1967	1967	1967		45 and 46
Navigation Act	62,	27 June	(a)	Ss. 14
1968	1968	1968		and 15
Navigation Act	1, 1970	20 Mar	20 Mar	-
1970		1970	1970	
Navigation Act	117,	11 Nov	11 Nov	-
(No. 2) 1970	1970	1970	1970	
Navigation Act	28,	17 May	Ss. 5-7	S. 10
1972	1972	1972	and 9:	
			1 Dec 1976	
			(see	
			Gazette	
			1976, No.	
			G46, p. 2)	
			Remainder:	
			Royal	
			Assent	
Statute Law	216,	19 Dec	31 Dec	Ss. 9(1)
Revision Act	1973	1973	1973	and 10
1973				
as amended by				
Statute Law	20,	25 July	31 Dec	S. 6(3)
Revision Act	1974	1974	1973	
1974				
Administrative	91,	20 Sept	S. 3: (b)	S. 4
Changes	1976	1976		
(Consequential				
Provisions) Act				
1976				
Federal Court of	157,	9 Dec	1 Feb 1977	-
Australia	1976	1976	(see s. 2	
(Consequential			and	
Provisions) Act			Gazette	
1976			1977, No.	
			S3)	
Navigation	98,	22 Oct	Ss. 4(2),	Ss. 2(3),
Amendment Act	1979	1979	(3), 5, 7	
1979			and 101:	107-108,
			18 Nov	110 and
			1983 (see	111
			Gazette	S. 109
			1983, No.	(rs. by

			S244)	39, 1983,
			Ss. 4(4),	s. 3;
			8, 9,	rep. by
			10(1),	57, 1988,
			11(1),	s. 3)
			12-15, 19,	Ss. 8(2),
			26(1), 36,	10(2),
			53, 66-68,	11(2),
			70, 72(1),	26(2),
			75, 87(1),	65(2),
			89(2) and	(3),
			92: 1 Jan	72(2),
			1982 (see	73(2),
			Gazette	78(2),
			1981, No.	(3),
			S272)	81(2),
			Ss. 16,	82(2),
			65(1),	83(2),
			(2), 96,	(3) and
			104(3),	87(2) (c)
			(4) and	
			(5): 31	
			Jan 1981	
			(see	
			s. 2(5)	
			and	
			Gazette	
			1981, No.	
			S7)	
			S. 20: 1	
			Feb 1982	
			(see	
			Gazette	
			1982, No.	
			S18)	
			Ss. 31,	
			32(3),	
			33-35, 37,	
			39-42, 44,	
			46, 47,	
			51(2), 93	
			and 110:	
			18 Nov	
			1983 (see	
			s. 2(6)	
			and	
			Gazette	
			1983, No.	
			S244)	
			Ss. 32(2),	
			38(1),	
			49(2), 50	
			and 94: 2	
			Apr 1980	

			(see s.	
			2(4) and	
			Gazette	
			1980, No.	
			G13, p. 2)	
			Ss. 32(4),	
			38(2), 48	
			and 95: 23	
			Feb 1981	
			(see s.	
			2(7) and	
			Gazette	
			1981, No.	
			G5, p. 2)	
			S. 52: 1	
			Apr 1982	
			(see	
			Gazette	
			1982, No.	
			G13, p. 3)	
			S. 55: 5	
			Feb 1984	
			(see	
			Gazette	
			1984, No.	
			S32)	
Navigation			Ss. 57,	
Amendment Act			58, 61 and	
1979-continued			64: 15 Dec	
			1976 (see	
			s. 2(3))	
			Ss. 63,	
			81(2),	
			83(2) and	
			99: 1 Dec	
			1976 (see	
			s. 2(2)	
			and	
			Gazette	
			1976, No.	
			G46, p. 2)	
			S. 73(1):	
			1 Nov 1979	
			(see	
			s. 2(9)	
			and	
			Gazette	
			1979, No.	
			S219)	
			Ss. 80,	
			81(1),	
			82(1),	

				83(1), 84,
				97 and
				111:
				22 Aug
				1982 (see
				s. 2(8)
				and
				Gazette
				1982, No.
				S163)
				Remainder:
				Royal
				Assent
as amended by				
Statute Law (Miscellaneous Provisions) Act (No. 1) 1983	39, 1983	20 June 1983	S. 3: 18 July 1983 (d)	S. 7(1)
Transport Legislation Amendment Act 1988	57, 1988	15 June 1988	(see 57, below)	-
Australian Federal Police (Consequential Amendments) Act 1979	155, 1979	28 Nov 1979	19 Oct 1979 (see s. 2 and Gazette 1979, No. S206)	-
Australian Federal Police (Consequential Amendments) Act 1980	70, 1980	28 May 1980	28 May 1980	-
Navigation Amendment Act 1980	87, 1980	29 May 1980	Ss. 1, 2, 4, 5(1), (4), 35, 39, 46, 52, 53(1), 78-88, 90, 91, 97, 98, 100-103 and Ss. 106-111: Royal Assent	Ss. 5(4), 110 and 111 (e)
				109
				(am. by 10, 1981, s. 46; rep. by 57, 1988, s. 25)
				82(2), 97(2) and 98(2)
				Ss. 3, 5(3), 13(1), 14, 17(1), 23(1), 30(1), 49(1), 56, 60, 64,

			65(1), 66,	
			68, 70,	
			73, 77,	
			89, 92-96,	
			104 and	
			105: 1 Feb	
			1981 (see	
			Gazette	
			1980, No.	
			S282)	
			Ss. 8 and	
			9: 1 Jan	
			1981 (see	
			Gazette	
			1980, No.	
			S282)	
			Ss. 69 and	
			71: 1 Dec	
			1989 (see	
			Gazette	
			1989, No.	
			S366)	
			S. 76: 1	
			Feb 1983	
			(see	
			Gazette	
			1983, No.	
			G3, p.	
			220)	
			Remainder:	
			(f)	
as amended by				
Navigation	10,	25 Mar	(see 10,	(see 10,
Amendment Act	1981	1981	1981	1981
1981			below)	below)
Commonwealth	74,	18 June	S. 224:	S. 264
Functions	1981	1981	Royal	
(Statutes			Assent (g)	
Review) Act 1981				
			Ss.	
			225-228:	
			(g)	
Migration	84,	14 Nov	Part VII	-
(Miscellaneous	1983	1983	(ss. 23,	
Amendments) Act			24): (h)	
1983				
Transport	57,	15 June	(see 57,	-
Legislation	1988	1988	1988	
Amendment Act			below)	
1988				
Transport and	23,	17 Jan	Part 12	-
Communications	1990	1990	(ss. 48,	
Legislation			49): Royal	
Amendment Act			Assent (i)	
(No. 2) 1989				

Navigation	10,	25 Mar	Part I	Ss. 2(5),
Amendment Act	1981	1981	(ss. 1,	6(2),
1981			2), ss.	8(2),
			6(2),	9(2),
			24(2) and	(3), 10,
			40: Royal	11(2),
			Assent	12-17,
			Ss.	21(2),
			3(1)(a),	(3), 23,
			19(1),	26(3),
			22(1)(c),	27(3),
			24(1),	29(2),
			26(1) and	33(2),
			27(1): (j)	36(2),
				37, 41
			Ss.	and 45
			3(1)(b),	(k)
			(3), 4, 5,	Ss. 3(3),
			6(1),	19(2),
			8-18,	22(2),
			19(2), 20,	24(2),
			21,	26(2),
			22(1)(a),	27(2) and
			(b), (2),	46 (rep.
			23-25,	by 57,
			26(2),	1988,
			(3),	s. 27)
			27(2),	
			(3), 30-39	
			and	
			41-43: 26	
			Jan 1982	
			(see	
			s. 2(3)	
			and	
			Gazette	
			1981, No.	
			G51, p. 2)	
			Ss. 3(2)	
			and 7:	
			1 Feb 1983	
			(see s.	
			2(2) and	
			Gazette	
			1983, No.	
			G3, p.	
			220)	
			S. 28 and	
			Part III	
			(ss.	
			44-46): 22	
			Apr 1981	
as amended by				
Commonwealth	74,	18 June	S. 229:	S. 264

|Functions |1981|1981|Royal||
|(Statutes | ||Assent (l)||
|Review) Act 1981| || ||
			S. 230:	
			(l)	
Transport	57,	15 June	(see 57,	-
Legislation	1988	1988	1988	
Amendment Act			below)	
1988				
Navigation	36,	14 Apr	Ss. 1, 2	S. 6(2)
(Protection of	1981	1981	and 8:	
the Sea)			Royal	
Amendment Act			Assent	
1981			Ss. 3-5	
			and 7: (m)	
			S. 6: 5	
			Feb 1984	
			(see s.	
			2(3) and	
			Gazette	
			1984, No.	
			S31)	
as amended by				
Navigation	40,	20 June	(see 40,	-
(Protection of	1983	1983	1983	
the Sea)			below)	
Amendment Act				
1983				
Statute Law	61,	12 June	S. 115:	-
Revision Act	1981	1981	Royal	
1981			Assent (n)	
Commonwealth	74,	18 June	S. 219:	S. 264
Functions	1981	1981	Royal	
(Statutes			Assent (o)	
Review) Act 1981				
			Ss.	
			220-223:	
			1 Feb 1982	
			(see	
			Gazette	
			1982, No.	
			S18) (o)	
Statute Law	80,	22 Sept	S. 166:	S. 181(2)
(Miscellaneous	1982	1982	Royal	and (3)
Amendments) Act			Assent (p)	
(No. 2) 1982				
			Ss.	
			167-177	
			and	
			179-187:	
			20 Oct	
			1982 (p)	
			S. 178: 3	
			Dec 1985	

			(see	
			Gazette	
			1985, No.	
			S498) (p)	
as amended by				
Statute Law	39,	20 June	S. 3: (q)	-
(Miscellaneous	1983	1983		
Provisions) Act				
(No. 1) 1983				
Statute Law	39,	20 June	S. 3:	S. 7(1)
(Miscellaneous	1983	1983	18 July	
Provisions) Act			1983 (r)	
(No. 1) 1983				
Navigation	40,	20 June	Ss. 1, 2	-
(Protection of	1983	1983	and	
the Sea)			Part III	
Amendment Act			(ss.	
1983			11-13):	
			Royal	
			Assent	
			Remainder:	
			14 Jan	
			1988 (see	
			Gazette	
			1988, No.	
			S8)	
as amended by				
Statute Law	91,	22 Nov	S. 3: (s)	Ss. 2(14)
(Miscellaneous	1983	1983		and 6(1)
Provisions) Act				
(No. 2) 1983				
Migration	84,	14 Nov	Part VI	-
(Miscellaneous	1983	1983	(ss. 21,	
Amendments) Act			22): 2 Apr	
1983			1984 (see	
			Gazette	
			1984, No.	
			S119) (t)	
Radiocommunicati	136,	11 Dec	27 Aug	-
ons	1983	1983	1985 (see	
(Transitional			s. 2 and	
Provisions and			Gazette	
Consequential			1985, No.	
Amendments) Act			S322)	
1983				
Statute Law	72,	25 June	S. 3: (u)	-
(Miscellaneous	1984	1984		
Provisions) Act				
(No. 1) 1984				
as amended by				
Statute Law	165,	25 Oct	S. 3: (v)	Ss. 2(32)
(Miscellaneous	1984	1984		and 6(1)
Provisions) Act				
(No. 2) 1984				
Statute Law	65,	5 June	S. 3: (w)	-

(Miscellaneous	1985	1985		
Provisions) Act				
(No. 1) 1985				
Statute Law	193,	16 Dec	S. 3:	Ss. 12
(Miscellaneous	1985	1985	Royal	and 16
Provisions) Act			Assent (x)	
(No. 2) 1985				
Statute Law	76,	24 June	S. 3: (y)	Ss. 5 and
(Miscellaneous	1986	1986		9
Provisions) Act				
(No. 1) 1986				
Navigation	132,	9 Dec	1 Jan 1987	-
Amendment Act	1986	1986	(see	
1986			Gazette	
			1986, No.	
			S665)	
Sex	163,	18 Dec	15 Jan	-
Discrimination	1986	1986	1987	
(Consequential				
Amendments) Act				
1986				
Protection of	167,	18 Dec	Ss. 3 and	-
the Sea	1986	1986	13: Royal	
Legislation			Assent (z)	
Amendment Act				
1986			Ss. 4-10,	
			12(1), (2)	
			and 15:	
			14 Jan	
			1988 (see	
			Gazette	
			1988, No.	
			S8) (z)	
			S. 11: 10	
			Jan 1995	
			(see	
			Gazette	
			1994, No.	
			S462) (z)	
			Ss. 12(3)	
			and 14:	
			(z)	
as amended by				
Statute Law	141,	18 Dec	S. 3: (za)	S. 5(1)
(Miscellaneous	1987	1987		
Provisions) Act				
1987				
Statute Law	8, 2007	15 Mar	Schedule 2	-
Revision Act		2007	(items 12,	
2007			13): (zaa)	
Statute Law	141,	18 Dec	S. 3:	S. 5(1),
(Miscellaneous	1987	1987	Royal	(15) and
Provisions) Act			Assent	(16)
1987			(zb)	
Admiralty Act	34,	22 May	1 Jan 1989	Ss. 48,

1988	1988	1988	(see	50,
			Gazette	52(2),
			1988, No.	54(2) and
			S359)	55(2)
Transport	57,	15 June	Ss. 3(1),	S.
Legislation	1988	1988	(2), 5, 6,	3(1)-(3)
Amendment Act			17 and 18:	
1988			1 July	
			1988 (see	
			Gazette	
			1988, No.	
			S193)	
			S. 7:	
			1 May 1989	
			(see	
			Gazette	
			1989, No.	
			S150)	
			Ss. 10-12,	
			14 and 15:	
			13 June	
			1986 (see	
			s. 2(2)	
			and	
			Gazette	
			1986, No.	
			S269)	
			Remainder:	
			Royal	
			Assent	
Industrial	87,	8 Nov	Ss. 1 and	-
Relations	1988	1988	2: Royal	
(Consequential			Assent	
Provisions) Act			Remainder:	
1988			1 Mar 1989	
			(see s.	
			2(2) and	
			Gazette	
			1989, No.	
			S53)	
Statutory	99,	2 Dec	2 Dec 1988	-
Instruments	1988	1988		
(Tabling and				
Disallowance)				
Legislation				
Amendment Act				
1988				
ANL (Conversion	127,	14 Dec	Ss. 6,	-
into Public	1988	1988	7(2), 9	
Company) Act			and 11:	
1988			1 July	
			1989 (see	
			Gazette	
			1989, No.	
			S210)	

			S. 7(1):	
			10 June	
			1989 (zc)	
			S. 7(3):	
			1 July	
			1989 (see	
			s. 2(4))	
			Remainder:	
			Royal	
			Assent	
Transport	6, 1989	16 Mar	Ss. 3-5:	-
Legislation		1989	Royal	
Amendment Act			Assent	
1989			(zd)	
			S. 8: 10	
			Jan 1995	
			(see	
			Gazette	
			1994, No.	
			S462) (zd)	
Telecommunicatio	63,	19 June	Ss. 1 and	-
ns and Postal	1989	1989	2: Royal	
Services			Assent	
(Transitional			Part 5	
Provisions and			(ss. 17,	
Consequential			18):	
Amendments) Act			30 June	
1989			1989 (see	
			s. 2(3)	
			and	
			Gazette	
			1989, No.	
			S216)	
			Remainder:	
			1 July	
			1989 (see	
			Gazette	
			1989, No.	
			S230)	
Banking	129,	7 Nov	Part I	Ss. 28
Legislation	1989	1989	(ss. 1,	and 38
Amendment Act			2), ss. 3,	
1989			26,	
			29-33, 35,	
			38 and 40:	
			Royal	
			Assent	
			S. 23(1):	
			4 May 1989	
			S. 39: 23	
			Jan 1988	
			Remainder:	
			28 Dec	
			1989 (see	

			Gazette	
			1989, No.	
			S383)	
Limitation of	151,	30 Nov	30 May	-
Liability for	1989	1989	1991	
Maritime Claims				
Act 1989				
Transport and	23,	17 Jan	Ss. 38-41,	Ss.
Communications	1990	1990	44 and 47:	42(2)-(4)
Legislation			Royal	and 45(2)
Amendment Act			Assent	
(No. 2) 1989			(ze)	
			Ss. 42, 43	
			and 46:	
			(ze)	
			S. 45(1):	
			3 Sept	
			1990 (zea)	
			S. 45(2):	
			(ze)	
as amended by				
Tansport and	173,	25 Nov	S. 38:	-
Communications	1991	1991	(see 173,	
Legislation			1991	
Amendment Act			below)	
1991				
Australian	78,	22 Oct	Ss. 35,	S. 63
Maritime Safety	1990	1990	48, 62 and	
Authority Act			63: 1 Jan	
1990			1991	
			Remainder:	
			Royal	
			Assent	
Transport and	11,	21 Jan	Part 8	S. 32(2)
Communications	1991	1991	(ss.	
Legislation			31-33):	
Amendment Act			Royal	
1990			Assent	
			(zf)	
Fisheries	163,	10 Nov	Ss. 1 and	-
Legislation	1991	1991	2: Royal	
(Consequential			Assent	
Provisions) Act			Remainder:	
1991			3 Feb 1992	
			(see	
			Gazette	
			1992, No.	
			GN1)	
Transport and	173,	25 Nov	Ss. 31-35,	S. 38
Communications	1991	1991	38 and 56:	
Legislation			Royal	
Amendment Act			Assent	
1991			(zg)	
			Ss. 36 and	

			37: 1 May	
			1989 (zg)	
			Schedule	
			(in part):	
			(zg)	
Industrial	7, 1992	15 Jan	Part 2	-
Relations		1992	(ss.	
Legislation			3-27):	
Amendment Act			22 June	
(No. 3) 1991			1992 (see	
			Gazette	
			1992, No.	
			S159)	
			Part 5	
			(ss. 38,	
			39): 8 Apr	
			1992 (see	
			Gazette	
			1992, No.	
			S92)	
			Remainder:	
			Royal	
			Assent	
Transport and	71,	26 June	Part 7	-
Communications	1992	1992	(ss. 24,	
Legislation			25): (zh)	
Amendment Act				
(No. 2) 1992				
Radiocommunicati	167,	11 Dec	1 July	-
ons	1992	1992	1993	
(Transitional				
Provisions and				
Consequential				
Amendments) Act				
1992				
International	220,	24 Dec	24 Dec	-
Labour	1992	1992	1992	
Organisation				
(Compliance with				
Conventions) Act				
1992				
Seafarers	233,	24 Dec	24 June	-
Rehabilitation	1992	1992	1993 (see	
and Compensation			s. 2)	
(Transitional				
Provisions and				
Consequential				
Amendments) Act				
1992				
Transport and	5, 1994	18 Jan	Schedule	-
Communications		1994	(items 52-	
Legislation			67): Royal	
Amendment Act			Assent	
(No. 2) 1993			(zi)	
Transport and	64,	30 May	Ss. 3(1)	S. 4

|Communications|1994|1994|and 4: ||
|Legislation| ||Royal||
|Amendment Act| ||Assent ||
|1994| ||(zj)||
|as amended by| || ||
|Statute Law|43, |25 Oct|Schedule 3|-|
|Revision Act |1996|1996|(item 124)||
|1996| ||: 30 May||
			1994 (zk)	
Transport	95,	27 July	S. 9 and	S. 9
Legislation	1995	1995	Schedule 1	
Amendment Act			(Part H	
1995				[items	
			1-3, 13,	
			55-57])	
			and	
			Schedule 4	
			: Royal	
			Assent	
			(zl)	
			Schedule 1	
			(Part H	
			[items	
			4-12,	
			14-36]):	
			1 Sept	
			1997 (see	
			Gazette	
			1997, No.	
			GN34) (zl)	
			Schedule 1	
			(Part H	
			[items	
			37-54,	
			58]):	
			9 June	
			1997 (see	
			Gazette	
			1997, No.	
			S186) (zl)	
as amended by				
Statute Law	43,	25 Oct	Schedule 3	-
Revision Act	1996	1996	(item 126)	
1996			: 27 July	
			1995 (zm)	
Statute Law	8, 2007	15 Mar	Schedule 2	-
Revision Act		2007	(item 16):	
2007			(zma)	
ANL Sale Act	136,	5 Dec	(zn)	-
1995	1995	1995		
Statute Law	43,	25 Oct	Schedule 4	-
Revision Act	1996	1996	(items	
1996			111, 112):	
			Royal	

			Assent	
			(zo)	
Workplace	60,	25 Nov	Schedule 1	-
Relations and	1996	1996	9	
Other			(item 33):	
Legislation			Royal	
Amendment Act			Assent	
1996			(zp)	
Financial Sector	48,	29 June	Schedule 1	-
Reform	1998	1998	(item 122)	
(Consequential			: 1 July	
Amendments) Act			1998 (see	
1998			Gazette	
			1998, No.	
			S216) (zq)	
Statute	118,	22 Sept	22 Sept	-
Stocktake Act	1999	1999	1999	
1999				
Criminal Code	137,	24 Nov	Ss. 1-3	Sch. 2
Amendment	2000	2000	and	(items 41
(Theft, Fraud,			Schedule 1	8, 419)
Bribery and			(items 1,	[see
Related			4, 6, 7,	Table A]
Offences) Act			9-11, 32):	
2000			Royal	
			Assent	
			Remainder:	
			24 May	
			2001	
Transport and	143,	1 Oct	2 Oct 2001	S. 4 [see
Regional	2001	2001		Table A]
Services				
Legislation				
Amendment				
(Application of				
Criminal Code)				
Act 2001				
as amended by				
Statute Law	63,	3 July	Schedule 2	-
Revision Act	2002	2002	(items 33,	
2002			34): (zr)	
International	149,	1 Oct	Schedule 1	-
Maritime	2001	2001	(item 4):	
Conventions			13 May	
Legislation			2004 (see	
Amendment Act			Gazette	
2001			2004, No.	
			S157)	
Workplace	105,	14 Nov	Schedule 3	-
Relations	2002	2002	(item	
Legislation			58):	
Amendment			12 May	
(Registration			2003 (see	
and			s. 2(1))	
Accountability				

|of| || ||
|Organisations)| || ||
|(Consequential| || ||
|Provisions) Act | || ||
|2002| || ||
|Transport Safety|19, |11 Apr|Schedule 1|-|
|Investigation|2003|2003|: (zs) ||
|(Consequential| ||Remainder:||
|Amendments) Act | ||Royal||
|2003| ||Assent ||
Maritime	47,	26 June	Schedule 1	-
Legislation	2003	2003	(items 1-2	
Amendment			2): (zt)	
(Prevention of				
Pollution from				
Ships) Act 2003				
Financial	8, 2005	22 Feb	S. 4 and	S. 4 and
Framework		2005	Schedule 1	Sch. 1
Legislation			(items 264	(item
Amendment Act			-267,	496) [see
2005			496):	Table A]
			Royal	
			Assent	
Navigation	28,	21 Mar	Schedule 1	-
Amendment Act	2005	2005	: 18 Apr	
2005			2005	
			Remainder:	
			Royal	
			Assent	
Offshore	17,	29 Mar	Schedule 2	-
Petroleum	2006	2006	(items 52,	
(Repeals and			53): [see	
Consequential			s. 2(1)	
Amendments) Act			and Note	
2006			2]	
Maritime	24,	6 Apr	Schedule 2	Sch. 2
Legislation	2006	2006	(items 1,	(item 13)
Amendment Act			3-7,	[see
2006			9-15, 17,	Table A]
			18, 33-38,	
			43-46, 63,	
			64, 77-80,	
			100-102,	
			106-108):	
			7 Apr 2006	
			Schedule 2	
			(items 2,	
			8,	
			24-28, 32,	
			47-54, 60,	
			65-74,	
			81-99) :6	

			Oct 2006	
			Schedule 2	
			(items 16,	
			19-23,	
			29-31,	
			39-42,	
			55-59, 61,	
			62, 75,	
			76,	
			103-105):	
			4 May 2006	
Maritime	109,	27 Sept	Schedule 2	-
Transport and	2006	2006	(items 60-	
Offshore			67):	
Facilities			Royal	
Security			Assent	
Amendment				
(Security Plans				
and Other				
Measures) Act				
2006				
Maritime	138,	30 Nov	Schedules	Sch. 1
Legislation	2006	2006	1 and2:	(item 5)
Amendment			1 Jan 2007	[see
(Prevention of				Table A]
Pollution from			Remainder:	
Ships) Act 2006			Royal	
			Assent	
Maritime	24,	15 Mar	Schedule 1	-
Legislation	2007	2007	(items	
Amendment			1-4): [see	
(Prevention of			Note 3]	
Air Pollution			Schedule 2	
from Ships) Act			(items	
2007			1-4, 7,	
			8): 16 Mar	
			2007	
			Schedule 2	
			(items 5,	
			6): [see	
			Note 3]	

(a)Section 1 of the Navigation Act 1912 made provision for that Act to commence on a date to be fixed by Proclamation.

For details of the commencement of:

(i)the Navigation Act 1912 and that Act as amended; and

(ii)Navigation amendment Acts;

reference should be made to:

(iii) the provisions relating to commencement in each of those Acts; and

(iv)the particulars of Proclamations shown in relation to those Acts in the Tables below which have been extracted from the 1950 and 1968 Annual Volumes.

TABLE 1

EXTRACT FROM ANNUAL VOLUME OF ACTS 1950

Certain sections only of the Navigation Act 1912 were proclaimed to commence on 2nd March, 1920, but this proclamation was annulled by s. 3 of the Navigation Act 1920.

The following sections of the Navigation Act 1912-1935 have since been proclaimed to commence on the undermentioned dates:

Sections 1, 1A, 2, 3, 6-10, 14, 43, 44, 47A, 50, 77, 85, 88, 91, 92, 122A, 132, 135-138, 187, 204A, 259-265A, 269A, 284-293, 317A, 378-380, 384, 386, 387, 389, 391-396, 399-405, 407, 410A, 413, 414, 416, 418A, 422, 423, 423A, 424, 425 and Schedules I, II, IV and V:
To commence on 1st July, 1921. See Gazette, 1921, p. 489.

Sections 123 and 231:
To commence on 1st October, 1921. See Gazette, 1921, pp. 489 and 1230.

Sections 11-13, 26, 28-42, 45-47, 48, 49, 51-76, 78-84, 86, 87, 89, 90, 93, 94, 99-115, 127-131, 133, 134, 139, 140, 142-148, 164-176, 177-186, 388, 390, 397, 398, 406, 410, 411, 412, 415, 417, 418 and 419:
To commence on 1st March, 1922. See Gazettes, 1921, p. 1377 and 1922, p. 67.

Sections 116-120, 122, 124-126, 149-163, 294-317, 318-329, 381, 382, 383, 385, 408, 409 and Schedule III:
To commence on 1st February, 1923. See Gazette, 1922, p. 2757.

Section 235:
To commence on 1st March, 1923. See Gazette, 1923, p. 289.

Sections 4, 5, 15-25, 27, 187A, 188-201, 201A, 202-204, 205, 206, 206A, 207-217, 217A, 218-230, 232-234, 248-258, 258A, 268, 269, Part V (sections 270-283), Part IX (sections 356-367 and 369-377), sections 420 and 421:
To commence on 1st October, 1923. See Gazette, 1923, p. 990.

Sections 293A and 422A:
To commence on 31st August, 1925. See Gazette, 1925, p. 1285.

Sections 40A, 40B, 46A, 187A, 191, 191A, 191B, 192A, 215, 229, 230, 253A, 258B, 265, 351 and Schedules VI and VII:
To commence on 15th April, 1935. See Gazette, 1935, pp. 502, 533 and 536.

Section 231A:
To commence on 1st October, 1935. See Gazette, 1935, p. 997.

Sections 218, 218A, 219, 219A, 219B, 219C, 220, 220A, 221, 221A, 222, 222A, 223, 223A, 224, 224A, 225, 225A, 226, 226A and 227:
To commence on 30th March, 1936. See Gazette, 1935, p. 1060.

Sections 197A, 198A, 206B, 206C, 206D, 206E, 206F, 206G, 206H, 216 and 216A:
To commence on 31st October, 1935. See Gazette, 1935, p. 1225.

The remaining sections have not yet been proclaimed to commence.(a)

NOTE TO EXTRACT FROM ANNUAL VOLUME OF ACTS 1950

(a)Sections 236, 237, 237A, 238-245 and 247 (comprising Division 9 of Part IV) of the Navigation Act 1912 were to commence on dates to be fixed by Proclamation, but those sections were repealed by the Navigation Act 1965 before they came into operation.

TABLE 2

EXTRACT FROM ANNUAL VOLUME OF ACTS 1968

The Navigation Act 1952, other than sections 4(b), 13 and 30, commenced on the date of the Royal Assent. Section 4(b) was proclaimed

to commence on 1 March 1957, section 13 on 19 December 1952, and section 30 on 5 June 1953.
Sections 1, 2 and 30(2) of the Navigation Act 1953 commenced on the date of the Royal Assent; the remaining provisions commenced on the date fixed by Proclamation.
Sections 1 and 2 of the Navigation Act 1958 commenced on the date of the Royal Assent. Sections 3-11, 16, 17, 19, 21, 23-25, 28, 30-32, 34, 36-40, 42-44, 47, 49, 52-69, 71, 73-75, 77, 79-81, 83-103, 105, 107-109, 111-142, 144-159, 161-181, 183-197, 199, 201, 203, 205, 207 and 208 were proclaimed to commence on 27 June 1959. Sections 29, 72, 202 and 206 were proclaimed to commence on 30 August 1960. Sections 27, 78 and 82 were proclaimed to commence on 21 August 1962. Sections 33, 35, 41, 45, 48, 50, 51, 70, 104, 110 and 198 were proclaimed to commence on 25 October 1963. Sections 12-15, 18, 20, 22, 46 and 182 were proclaimed to commence on 6 March 1964. Section 160 was proclaimed to commence on 8 May 1964. Sections 26, 76 and 143 were proclaimed to commence on 16 August 1965.(b)
Sections 1, 2 and 36 of the Navigation Act 1961 commenced on the date of the Royal Assent. Sections 3, 5-13, 20, 29, 31, 33 and 34 were proclaimed to commence on 30 August 1962. Sections 28 and 30 were proclaimed to commence on 8 February 1963. Section 35 was proclaimed to commence on 24 October 1963. Section 14 was proclaimed to commence on 25 October 1963. Sections 4, 23, 27 and 32 were proclaimed to commence on 6 March 1964. Sections 15-19 and 24 were proclaimed to commence on 8 May 1964. Sections 21 and 22 were proclaimed to commence on 30 July 1965. Sections 25 and 26 were proclaimed to commence on 16 August 1965.
Sections 3-14 of the Navigation Act 1968 commenced on the date fixed by Proclamation. The remaining sections commenced on the date of the Royal Assent.
NOTE TO EXTRACT FROM ANNUAL VOLUME OF ACTS 1968
(b)Sections 106, 200 and 204 of the Navigation Act 1958 were to commence on dates to be fixed by Proclamation. Sections 106 and 200 were repealed by the Navigation Act 1961 and section 204 was repealed by the Navigation Amendment Act 1979 before they came into operation.
(b)The Navigation Act 1912 was amended by section 3 only of the Administrative Changes (Consequential Provisions) Act 1976, subsection 2(7) of which provides as follows:
(7)The amendments of each other Act specified in the Schedule made by this Act shall be deemed to have come into operation on 22 December 1975.
(c)The provisions marked (c) in the Table of Acts relate to the operation of amendments. For details of these provisions see the Navigation Amendment Act 1979 (No. 98, 1979).
(d)The Navigation Amendment Act 1979 was amended by section 3 only of the Statute Law (Miscellaneous Provisions) Act (No. 1) 1983, subsection 2(1) of which provides as follows:
(1)Subject to this section, this Act shall come into operation on the twenty-eighth day after the day on which it receives the Royal Assent.
(e)The provisions marked (e) in the Table of Acts relate to the operation of amendments. For details of these provisions see the Navigation Amendment Act 1980 (No. 87, 1980).
(f)Sections 5(2), 6, 10-12, 13(2), 15, 16, 17(2), 18-22, 23(2), 24-29, 30(2), 31-34, 36-38,

40-45, 47, 48, 49(2), 50, 51, 53(2), 54, 55, 57-59, 61-63, 65(2), 67, 72, 74, 75 and 99 of the Navigation Amendment Act 1980 were repealed by section 25 of the Transport Legislation Amendment Act 1988 before a date was fixed for their commencement.

Section 7 of the Navigation Amendment Act 1980 was repealed by section 49 of the Transport and Communications Legislation Amendment Act (No. 2) 1989 before a date was fixed for the commencement.

(g)The Navigation Amendment Act 1980 was amended by sections 224-228 only of the Commonwealth Functions (Statutes Review) Act 1981, subsections 2(1), (5), (6) and (7) of which provide as follows:

(1)Parts I, IV, IX, X, XI, XII, XIII, XV, XVII (other than sections 220, 221, 222, 223, 225, 226, 227, 228 and 230), XX, XXI, XXII and XXIII shall come into operation on the day on which this Act receives the Royal Assent.

(5)Section 225 shall come into operation on the day on which subsection 5(2) of the Navigation Amendment Act 1980 comes into operation.

(6)Sections 226, 227 and 230 shall come into operation on the day on which section 18 of the Navigation Amendment Act 1980 comes into operation.

(7)Section 228 shall come into operation on the day on which sections 61 and 62 of the Navigation Amendment Act 1980 come into operation.

In pursuance of subsections 2(5), (6) and (7) sections 5(2), 18, 23(2), 61 and 62 were repealed by section 25 of the Transport Legislation Amendment Act 1988 before a date was fixed for their commencement.

(h)The Navigation Amendment Act 1980 was amended by Part VII (sections 23 and 24) only of the Migration (Miscellaneous Amendments) Act 1983, subsection 2(2) of which provides as follows:

(2)Part VII shall come into operation on the day on which section 22 of the Navigation Amendment Act 1980 comes into operation or on the day on which the Migration Amendment Act 1983 comes into operation, whichever is the later.

In pursuance of subsection 2(2) section 22 was repealed by section 25 of the Transport Legislation Amendment Act 1988 before a date was fixed for its commencement.

(i)The Navigation Amendment Act 1980 was amended by Part 12 (sections 48 and 49) only of the Transport and Communications Legislation Amendment Act (No. 2) 1989, subsection 2(1) of which provides as follows:

(1)Subject to this section, this Act commences on the day on which it receives the Royal Assent.

(j)Subsections 3(1)(a), 19(1), 22(1)(c), 24(1), 26(1), 27(1), Schedule 1 and Schedule 3 (items 47A(3), (4), (8), 54(1), (3), 60, 61(2), 62(3), 62A(4A), (7), 66(2), 67(1), (2), 68, 75(2B), 76(2), 173(1A), 209(2) and 251(2)) of the Navigation Amendment Act 1981 were repealed by section 27 of the Transport Legislation Amendment Act 1988 before a date was fixed for their commencement.

(k)The provisions marked (k) in the Table of Acts relate to the operation of amendments. For details of these provisions see the Navigation Amendment Act 1981 (No. 10, 1981).

(l)The Navigation Amendment Act 1981 was amended by sections 229 and 230 only of the Commonwealth Functions (Statutes Review) Act 1981, subsections 2(1) and (6) of which provide as follows:

(1)Parts I, IV, IX, X, XI, XII, XIII, XV, XVII (other than

sections 220, 221, 222, 223, 225, 226, 227, 228 and 230), XX, XXI, XXII and XXIII shall come into operation on the day on which this Act receives the Royal Assent.

(6)Sections 226, 227 and 230 shall come into operation on the day on which section 18 of the Navigation Amendment Act 1980 comes into operation.

In pursuance of subsection 2(6) section 18 was repealed by section 25 of the Transport Legislation Amendment Act 1988 before a date was fixed for its commencement.

(m)Subsection 2(2) of the Navigation (Protection of the Sea) Amendment Act 1981 provides as follows:

(2)Sections 3, 4, 5 and 7 shall come into operation on a date to be fixed by Proclamation for the purposes of this subsection, being a date not earlier than the date on which the amendments to the International Convention for the Prevention of Pollution of the Sea by Oil, 1954 concerning tank arrangements and limitation of tank size that were adopted on 15 October 1971 by the Assembly of the Inter-Governmental Maritime Consultative Organization come into force.

In pursuance of subsection 2(2) sections 3-5 and 7 were repealed by sections 12 and 13 of the Navigation (Protection of the Sea) Amendment Act 1983 before a date was fixed for their commencement.

(n)The Navigation Act 1912 was amended by section 115 only of the Statute Law Revision Act 1981, subsection 2(1) of which provides as follows:

(1)Subject to this section, this Act shall come into operation on the day on which it receives the Royal Assent.

(o)The Navigation Act 1912 was amended by sections 219-223 only of the Commonwealth Functions (Statutes Review) Act 1981, subsections 2(1) and (10) of which provide as follows:

(1)Parts I, IV, IX, X, XI, XII, XIII, XV, XVII (other than sections 220, 221, 222, 223, 225, 226, 227, 228 and 230), XX, XXI, XXII and XXIII shall come into operation on the day on which this Act receives the Royal Assent.

(10)The remaining provisions of this Act shall come into operation on such respective dates as are fixed by Proclamation.

(p)The Navigation Act 1912 was amended by sections 166-187 only of the Statute Law (Miscellaneous Amendments) Act (No. 2) 1982, subsections 2(1), (10) and (16) of which provide as follows:

(1)Sections 1, 2, 166 and 195 and Parts III, VI, VII, XVI, XXXVI, XLIV, LI, LIII, LIV, LXI and LXXVII shall come into operation on the day on which this Act receives the Royal Assent.

(10)Section 178 shall come into operation on a date to be fixed by Proclamation, being a date not earlier than the date on which the Protocol amending the International Convention relating to the limitation of the liability of owners of sea-going ships signed at Brussels on 10 October 1957 enters into force for Australia.

(16)The remaining provisions of this Act shall come into operation on the twenty-eighth day after the day on which this Act receives the Royal Assent.

(q)The Statute Law (Miscellaneous Amendments) Act (No. 2) 1982 was amended by section 3 only of the Statute Law (Miscellaneous Provisions) Act (No. 1) 1983, subsection 2(21) of which provides as follows:

(21)The amendments of the Statue Law (Miscellaneous Amendments) Act (No. 2) 1982 made by this Act shall be deemed to have come into

operation on 20 October 1982.
(r)The Navigation Act 1912 was amended by section 3 only of the Statute Law (Miscellaneous Provisions) Act (No. 1) 1983, subsection 2(1) of which provides as follows:
(1)Subject to this section, this Act shall come into operation on the twenty-eighth day after the day on which it receives the Royal Assent.
(s)The Navigation (Protection of the Sea) Amendment Act 1983 was amended by section 3 only of the Statute Law (Miscellaneous Provisions) Act (No. 2) 1983, subsection 2(10) of which provides as follows:
(10)The amendment of the Navigation (Protection of the Sea) Amendment Act 1983 made by this Act shall come into operation, or be deemed to have come into operation, as the case requires, on the commencement of section 7 of that Act.
In pursuance of subsection 2(10) the date of commencement was 14 January 1988 (see Gazette 1988, No. S8).
(t)The Navigation Act 1912 was amended by Part VI (sections 21 and 22) only of the Migration (Miscellaneous Amendments) Act 1983, subsection 2(1) of which provides as follows:
(1)Subject to subsection (2), this Act shall come into operation on the day on which the Migration Amendment Act 1983 comes into operation.
(u)The Navigation Act 1912 was amended by section 3 only of the Statute Law (Miscellaneous Provisions) Act (No. 1) 1984, subsections 2(1) and (16) of which provide as follows:
(1)Subject to this section, this Act shall come into operation on the twenty-eighth day after the day on which it receives the Royal Assent.
(16)The amendments of paragraphs 283D(1)(a) and 283E(1)(a) and subsection 283J(1) of the Navigation Act 1912 made by this Act shall come into operation, or be deemed to have come into operation, as the case requires, on the commencement of section 76 of the Navigation Amendment Act 1980.
In pursuance of subsection 2(16) the date of commencement was 1 February 1983 (see Gazette 1983, No. G3, p. 220).
(v)The Statute Law (Miscellaneous Provisions) Act (No. 1) 1984 was amended by section 3 only of the Statute Law (Miscellaneous Provisions) Act (No. 2) 1984, subsection 2(25) of which provides as follows:
(25)The amendment of the Schedule to the Statute Law (Miscellaneous Provisions) Act (No. 1) 1984 made by this Act shall be deemed to have come into operation on 23 July 1984.
(w)The Navigation Act 1912 was amended by section 3 only of the Statute Law (Miscellaneous Provisions) Act (No. 1) 1985, subsections 2(1), (31) and (32) of which provide as follows:
(1)Subject to this section, this Act shall come into operation on the twenty-eighth day after the day on which it receives the Royal Assent.
(31)The amendments of section 6 of the Navigation Act 1912 made by this Act shall come into operation on a day to be fixed by Proclamation.
(32)The amendments of subsections 267(2) and 267A(1) of the Navigation Act 1912 made by this Act shall come into operation, or be deemed to have come into operation, as the case requires, immediately after the commencement of section 6 of the Navigation (Protection of the Sea) Amendment Act 1983.

In pursuance of subsection 2(1) the date of commencement was 3 July 1985.
In pursuance of subsection 2(31) the date of commencement was 17 March 1986 (see Gazette 1986, No. S114).
In pursuance of subsection 2(32) the date of commencement was 14 January 1988 (see Gazette 1988, No. S8).
(x)The Navigation Act 1912 was amended by section 3 only of the Statute Law (Miscellaneous Provisions) Act (No. 2) 1985, subsection 2(1) of which provides as follows:
(1)Subject to this section, this Act shall come into operation on the day on which it receives the Royal Assent.
(y)The Navigation Act 1912 was amended by section 3 only of the Statute Law (Miscellaneous Provisions) Act (No. 1) 1986, subsections 2(1) and (16) of which provide as follows:
(1)Subject to this section, this Act shall come into operation on the day on which it receives the Royal Assent.
(16)Section 5 of this Act and the amendments of sections 46, 148D and 424, and the repeal of sections 86, 87, 100, 105 to 107 (inclusive), 111, 112, 114, 115, 179, 181, 387B and 398, of the Navigation Act 1912 effected by this Act shall come into operation on a day to be fixed by Proclamation.
In pursuance of subsection 2(16) the date of commencement was 1 September 1986 (see Gazette 1986, No. S435).
(z)The Navigation Act 1912 was amended by sections 3-15 only of the Protection of the Sea Legislation Amendment Act 1986, subsections 2(1)-(4) of which provide as follows:
(1)Sections 1, 2, 3, 13, 16, 30, 31 and 32 and Part V shall come into operation on the day on which this Act receives the Royal Assent.
(2)Sections 5, 6 and 7, subsections 12(1), 15(1) and 17(1), sections 18 and 19 and subsections 20(1), 29(1) and 33(1) shall come into operation on the day on which Part II of the Protection of the Sea (Prevention of Pollution from Ships) Act 1983 comes into operation.
(3)Sections 8, 9 and 10, subsections 12(2), 15(2), 17(2) and 20(2), sections 21, 22, 23, 24 and 25 and subsections 29(2), 33(2) and 34(1) and (2) shall come into operation on the day on which Part III of the Protection of the Sea (Prevention of Pollution from Ships) Act 1983 comes into operation.
(4)The remaining provisions of this Act shall come into operation on such respective days as are fixed by Proclamation.
Section 394 of the Navigation Act 1912 was repealed by section 7 of the Transport Legislation Amendment Act 1988 before the commencement of the amendments made by subsection 12(3).
Section 424B of the Navigation Act 1912 was repealed by section 5 of the Transport Legislation Amendment Act 1989 before the commencement of the amendments made by section 14.
(za)The Protection of the Sea Legislation Amendment Act 1986 was amended by section 3 only of the Statute Law (Miscellaneous Provisions) Act 1987, subsection 2(26) of which provides as follows:
(26)The amendments of paragraph 20(2)(b) of, and Schedules 1, 2 and 8 to, the Protection of the Sea Legislation Amendment Act 1986 made by this Act shall respectively come into operation or be deemed to have come into operation, as the case requires, on the commencement of subsection 20(2), subsection 15(1), subsection 15(2) and

section 40 of the first-mentioned Act.
The date fixed in pursuance of subsection 2(26) on the commencement of subsections 15(1) and (2) was 14 January 1988 (see Gazette 1988, No. S8).
(zaa) Subsection 2(1) (items 37 and 38) of the Statute Law Revision Act 2007 provides as follows:
(1)Each provision of this Act specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

|Commencement information |
Column 1	Column 2	Column 3
Provision(s)	Commencement	Date/Detail
		s
37.	Immediately after the	1 May 1989
Schedule 2,	commencement of section 7 of	
item 12	the Transport Legislation	
	Amendment Act 1988.	
38.	Immediately after the	16 March
Schedule 2,	commencement of section 5 of	1989
item 13	the Transport Legislation	
	Amendment Act 1989.	

(zb)The Navigation Act 1912 was amended by section 3 only of the Statute Law (Miscellaneous Provisions) Act 1987, subsection 2(1) of which provides as follows:
(1)Subject to this section, this Act shall come into operation on the day on which it receives the Royal Assent.
(zc)The Navigation Act 1912 was amended by the ANL (Conversion into Public Company) Act 1988, subsection 2(2) of which provides as follows:
(2)Subsection 7(1) commences on the day immediately after the day on which subsection 39(3) of the Principal Act as amended by this Act is complied with.
The date on which the Australian Shipping Commission certified that the requirements of subsection 39(3) had been complied with was 9 June 1989.
(zd)The Navigation Act 1912 was amended by sections 3-5 and 8 only of the Transport Legislation Amendment Act 1989, subsections 2(1) and (4) of which provide as follows:
(1)Subject to this section, this Act commences on the day on which it receives the Royal Assent.
(4)The amendment of the Navigation Act 1912 set out in Schedule 2 commences at the commencement of section 11 of the Protection of the Sea Legislation Amendment Act 1986.
Section 11 commenced on 10 January 1995.
(ze)The Navigation Act 1912 was amended by sections 38-47 only of the Transport and Communications Legislation Amendment Act (No. 2) 1989, subsections 2(1) and (4)-(6) of which provide as follows:
(1)Subject to this section, this Act commences on the day on which it receives the Royal Assent.
(4)Subject to subsections (5) and (6), the following amendments of the Navigation Act 1912 made by this Act commence on a day or days to be fixed by Proclamation:

(a)the amendments of sections 138, 138B and 424;
(b)the repeal of Part IX.
(5)If an amendment referred to in paragraph (4)(a) does not commence under subsection (4) within the period of 6 months beginning on the day on which this Act receives the Royal Assent, it commences on the first day after the end of that period.
(6)If the commencement of the amendment referred to in paragraph (4)(b) is not fixed by Proclamation published in the Gazette within the period of 6 months beginning on the day on which this Act receives the Royal Assent, the amendment is repealed on the first day after the end of that period.
The date fixed in pursuance of subsection 2(4)(a) was 1 June 1990 (see Gazette 1990, No. S131).
(zea) Section 38 of the Transport and Communications Legislation Amendment Act 1991 provides as follows:
Commencement of repeal of Part IX
38 Subsection 45(1) of the Transport and Communications Legislation Amendment Act (No. 2) 1989 is taken to have commenced on 3 September 1990.
(zf)The Navigation Act 1912 was amended by Part 8 (sections 31-33) only of the Transport and Communications Legislation Amendment Act 1990, subsection 2(1) of which provides as follows:
(1)Subject to this section, this Act commences on the day on which it receives the Royal Assent.
(zg)The Navigation Act 1912 was amended by sections 31-37 and 56 only of the Transport and Communications Legislation Amendment Act 1991, subsections 2(1), (7) and (10)-(12) of which provide as follows:
(1)Subject to this section, this Act commences on the day on which it receives the Royal Assent.
(7)Sections 36 and 37 are taken to have commenced on 1 May 1989.
(10)The amendment of section 221 of the Navigation Act 1912 in the Schedule is taken to have commenced on 18 December 1987.
(11)The amendments of sections 405N and 405P of the Navigation Act 1912 in the Schedule are taken to have commenced on 1 January 1991.
(12)The amendment of section 425 of the Navigation Act 1912 in the Schedule is taken to have commenced on 3 September 1990.
(zh)The Navigation Act 1912 was amended by Part 7 (sections 24 and 25) only of the Transport and Communications Legislation Amendment Act (No. 2) 1992, subsection 2(4) of which provides as follows:
(4)Part 7 is taken to have commenced immediately after the commencement of Part 5 of the Industrial Relations Legislation Amendment Act (No. 3) 1991.
Part 5 commenced on 8 April 1992 (see Gazette 1992, No. S92).
(zi)The Navigation Act 1912 was amended by the Schedule (items 52-67) only of the Transport and Communications Legislation Amendment Act (No. 2) 1993, subsection 2(1) of which provides as follows:
(1)Subject to subsections (2) to (10) (inclusive), this Act commences on the day on which it receives the Royal Assent.
(zj)The Navigation Act 1912 was amended by subsection 3(1) only of the Transport and Communications Legislation Amendment Act 1994, subsection 2(1) of which provides as follows:
(1)Subject to subsections (2) and (3), this Act commences on the day on which it receives the Royal Assent.
(zk)The Transport and Communications Legislation Amendment Act 1994 was amended by Schedule 3 (item 124) only of the Statute Law Revision Act

1996, subsection 2(3) of which provides as follows:
(3)Each item in Schedule 3 is taken to have commenced when the Act containing the provision amended by the item received the Royal Assent.
(zl)The Navigation Act 1912 was amended by Schedule 1 (Part H [items 1-58]) and Schedule 4 only of the Transport Legislation Amendment Act 1995, subsections 2(1) and (6)-(8) of which provide as follows:
(1)Subject to this section, this Act commences on the day on which it receives the Royal Assent.
(6)Items 4 and 28 to 36 of Part H of Schedule 1 commence on a day or days to be fixed by Proclamation, not earlier than the day on which the instrument of acceptance of the Protocol of 1988 relating to the International Convention on Load Lines, 1966, is lodged by Australia with the Secretary-General of the International Maritime Organization.
(7)Items 5 to 12 and 14 to 27 of Part H of Schedule 1 commence on a day or days to be fixed by Proclamation, not earlier than the day on which the instrument of acceptance of the Protocol of 1988 relating to the International Convention for the Safety of Life at Sea, 1974, is lodged by Australia with the Secretary-General of the International Maritime Organization.
(8)Subject to subsection (10), items 37 to 54 and 58 of Part H of Schedule 1 commence on a day to be fixed by Proclamation.
(zm)The Transport Legislation Amendment Act 1995 was amended by Schedule 3 (item 126) only of the Statute Law Revision Act 1996, subsection 2(3) of which provides as follows:
(3)Each item in Schedule 3 is taken to have commenced when the Act containing the provision amended by the item received the Royal Assent.
(zma) Subsection 2(1) (item 41) of the Statute Law Revision Act 2007 provides as follows:
(1)Each provision of this Act specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Provision(s)	Commencement	Date/Detail
		s
41.	Immediately after the time	9 June 1997
Schedule 2,	specified in the Transport	
item 16	Legislation Amendment Act	
	1995 for the commencement of	
	item 50 of Part H of
	Schedule 1 to that Act.	

(zn)The ANL Sale Act 1995 was repealed by section 79 of that Act before coming into operation.
(zo)The Navigation Act 1912 was amended by Schedule 4 (items 111 and 112) only of the Statute Law Revision Act 1996, subsection 2(1) of which provides as follows:
(1)Subject to subsections (2) and (3), this Act commences on the day on which it receives the Royal Assent.
(zp)The Navigation Act 1912 was amended by Schedule 19 (item 33) only of the Workplace Relations and Other Legislation Amendment Act 1996,

subsection 2(1) of which provides as follows:
(1)Subject to this section, this Act commences on the day on which it receives the Royal Assent.
(zq)The Navigation Act 1912 was amended by Schedule 1 (item 122) only of the Financial Sector Reform (Consequential Amendments) Act 1998, subsection 2(2) of which provides as follows:
(2)Subject to subsections (3) to (14), Schedules 1, 2 and 3 commence on the commencement of the Australian Prudential Regulation Authority Act 1998.
(zr)Subsection 2(1) (items 62 and 63) of the Statute Law Revision Act 2002 provides as follows:
(1)Each provision of this Act specified in column 1 of the table commences, or is taken to have commenced, on the day or at the time specified in column 2 of the table.

Provision(s)	Commencement	Date/Detail
		s
62.	Immediately after the time	2 October
Schedule 2,	specified in the Transport	2001
item 33	and Regional Services	
	Legislation Amendment	
	(Application of Criminal	
	Code) Act 2001 for the	
	commencement of item 28 of	
	Schedule 2 to that Act	
63.	Immediately after the time	2 October
Schedule 2,	specified in the Transport	2001
item 34	and Regional Services	
	Legislation Amendment	
	(Application of Criminal	
	Code) Act 2001 for the	
	commencement of item 44 of	
	Schedule 2 to that Act	

(zs)Subsection 2(1) (item 2) of the Transport Safety Investigation (Consequential Amendments) Act 2003 provides as follows:
(1)Each provision of this Act specified in column 1 of the table commences, or is taken to have commenced, on the day or at the time specified in column 2 of the table.

Provision(s)	Commencement	Date/Detail
		s
2.	Immediately after the	1 July 2003
Schedule 1	commencement of section 3 of	
	the Transport Safety	
	Investigation Act 2003	

(zt)Subsection 2(1) (item 2) of the Maritime Legislation Amendment (Prevention of Pollution from Ships) Act 2003 provides as follows:
(1)Each provision of this Act specified in column 1 of the table commences, or is taken to have commenced, on the day or at the time specified in column 2 of the table.

Provision(s)	Commencement	Date/Detail
		s
2.	Immediately after the	27 May 2004
Schedule 1,	commencement of Division 12C	(see
items 1 to	of Part IV of the Navigation	Gazette
22	Act 1912	2004,
		No. GN17)

Table of Amendments

|ad. = added or insertedam. = amendedrep. =|
|repealedrs. = repealed and substituted|
Provision	How affected
affected	
Part I	
S. 1	am. No. 32, 1919; No. 1, 1921
	rs. No. 98, 1979
S. 1A	ad. No. 1, 1921
	rep. No. 36, 1958
S. 2	am. No. 32, 1919; No. 36, 1958;
	No. 1, 1965; No. 216, 1973; No. 98,
	1979
	rs. No. 87, 1980
	am. No. 173, 1991
S. 2A	ad. No. 36, 1958
	am. No. 216, 1973
	rs. No. 87, 1980
S. 3	rs. No. 36, 1958; No. 96, 1961
	am. No. 98, 1979; No. 87, 1980
	rs. No. 24, 2006
S. 5	am. No. 1, 1921; No. 80, 1950;
	No. 109, 1952; No. 46, 1956
	rs. No. 36, 1958
	am. No. 96, 1961; No. 1, 1965;
	No. 60, 1967; No. 62, 1968; Nos. 1
	and 117, 1970
	rep. No. 216, 1973
	ad. No. 143, 2001
S. 6	am. No. 32, 1919; No. 1, 1921;
	No. 49, 1934; No. 80, 1950; No. 109,
	1952; No. 96, 1953
	rs. No. 36, 1958
	am. No. 96, 1961; No. 1, 1965;
	No. 60, 1967; No. 117, 1970; No. 216,
	1973; Nos. 98 and 155, 1979; Nos. 70
	and 87, 1980; Nos. 10 and 74, 1981;
	No. 80, 1982; No. 65, 1985; No. 76,
	1986; No. 141, 1987; Nos. 57 and 127,
	1988; No. 78, 1990; Nos. 163 and 173,
	1991; No. 5, 1994; No. 95, 1995;
	No. 48, 1998; No. 118, 1999; No. 143,
	2001; No. 24, 2006
S. 6A	ad. No. 36, 1958
	am. No. 95, 1995
S. 6B	ad. No. 36, 1958
	am. No. 98, 1979; No. 57, 1988;

	No. 95, 1995
S. 6C	ad. No. 36, 1958
	am. No. 96, 1961; No. 95, 1995
S. 6D	ad. No. 36, 1958
	am. No. 1, 1965; No. 98, 1979
S. 6E	ad. No. 36, 1958
	am. No. 98, 1979; No. 57, 1988;
	No. 95, 1995
S. 6F	ad. No. 36, 1958
	am. No. 60, 1967
	rep. No. 98, 1979
S. 7	am. No. 32, 1919; No. 1, 1921;
	No. 30, 1935; No. 96, 1953; No. 36,
	1958; No. 216, 1973; No. 98, 1979;
	No. 87, 1980; No. 10, 1981; No. 95,
	1995
S. 7A	ad. No. 10, 1981
S. 8	rep. No. 49, 1934
	ad. No. 98, 1979
	am. No. 87, 1980
	rs. No. 87, 1980
	am. No. 76, 1986; No. 24, 2006
S. 8A	ad. No. 87, 1980
	rs. No. 57, 1988
	am. No. 78, 1990; No. 24, 2006
S. 8AA	ad. No. 23, 1990
	am. No. 78, 1990; No. 24, 2006
S. 8AB	ad. No. 173, 1991
	am. No. 24, 2006
S. 8AC	ad. No. 24, 2006
S. 8B	ad. No. 87, 1980
	am. No. 10, 1981; No. 57, 1988;
	No. 78, 1990; No. 143, 2001
S. 9	rs. No. 109, 1952; No. 36, 1958;
	No. 87, 1980
	am. No. 10, 1981; No. 95, 1995
Part II	
List of Div.	am. No. 1, 1921; No. 109, 1952
headings to	rep. No. 36, 1958
Part II	
Division 1	
S. 9A	ad. No. 10, 1981
	rs. No. 24, 2006
S. 10	am. No. 98, 1979
	rs. No. 10, 1981
	am. No. 95, 1995
S. 11	rep. No. 36, 1958
S. 12	rep. No. 57, 1988
Division 2	
Heading to Div. 2	am. No. 57, 1988
of Part II	
Div. 2 of Part II	rs. No. 1, 1965
S. 13	rs. No. 1, 1965; No. 57, 1988
	am. No. 78, 1990
S. 13A	ad. No. 1, 1965

	rs. No. 98, 1979
	rep. No. 57, 1988
Division 2A	
Div. 2A of	ad. No. 98, 1979
Part II	
S. 14	rs. No. 109, 1952; No. 36, 1958 (as
	am. by No. 96, 1961)
	am. No. 93, 1966; No. 98, 1979
	rs. No. 98, 1979
	am. No. 10, 1981; No. 57, 1988;
	No. 78, 1990; No. 143, 2001; No. 24,
	2006
Division 3	
Div. 3 of Part II	rs. No. 98, 1979
S. 14A	ad. No. 109, 1952
	rs. No. 36, 1958 (as am. by No. 96,
	1961)
	am. No. 98, 1979
	rep. No. 98, 1979
Heading to s. 15	rs. No. 24, 2006
S. 15	am. No. 1, 1921
	rs. No. 36, 1958
	am. No. 1, 1965
	rs. No. 98, 1979
	am. No. 78, 1990; No. 173, 1991;
	No. 5, 1994; No. 24, 2006
S. 16	rs. No. 98, 1979
	am. No. 10, 1981
	rs. No. 57, 1988
	am. No. 24, 2006
S. 17	rs. No. 36, 1958
	am. No. 60, 1967
	rs. No. 98, 1979
	am. No. 95, 1995; No. 143, 2001
S. 18	am. No. 36, 1958; No. 1, 1965;
	No. 98, 1979
	rs. No. 98, 1979
	rep. No. 57, 1988
Ss. 18A, 18B	ad. No. 36, 1958
	am. No. 1, 1965; No. 98, 1979
	rep. No. 98, 1979
S. 19	rs. No. 36, 1958
	am. No. 98, 1979
	rs. No. 98, 1979
	rep. No. 10, 1981
S. 20	am. No. 80, 1950; No. 36, 1958;
	No. 93, 1966; No. 98, 1979
	rep. No. 98, 1979
S. 21	rs. No. 36, 1958
	rep. No. 98, 1979
S. 22	am. No. 80, 1950
	rs. No. 36, 1958
	rep. No. 98, 1979
S. 23	rep. No. 36, 1958
S. 24	rep. No. 98, 1979

S. 25	am. No. 93, 1966; No. 98, 1979
	rep. No. 98, 1979
S. 26	rs. No. 36, 1958
	rep. No. 98, 1979
S. 27	am. No. 1, 1921
	rep. No. 36, 1958
Division 4	
Div. 4 of Part II	rs. No. 36, 1958
S. 28	rs. No. 36, 1958
	rep. No. 57, 1988
S. 28A	ad. No. 1, 1921
	rep. No. 36, 1958
S. 29	rs. No. 36, 1958
	am. No. 93, 1966; No. 98, 1979;
	No. 10, 1981
	rep. No. 57, 1988
S. 30	rs. No. 36, 1958
	rep. No. 57, 1988
S. 31	rs. No. 36, 1958
	am. No. 93, 1966; No. 98, 1979;
	No. 10, 1981
	rep. No. 57, 1988
S. 32	rs. No. 36, 1958
	am. No. 93, 1966; No. 98, 1979;
	No. 10, 1981; No. 39, 1983; No. 57,
	1988
S. 33	rep. No. 36, 1958
Div. 5 of Part II	rep. No. 57, 1988
S. 34	rep. No. 57, 1988
S. 35	am. No. 36, 1958; No. 28, 1972;
	No. 98, 1979
	rep. No. 57, 1988
S. 36	rs. No. 36, 1958; No. 10, 1981
	rep. No. 57, 1988
S. 37	am. No. 36, 1958; No. 98, 1979;
	No. 87, 1980; No. 10, 1981
	rep. No. 57, 1988
S. 38	am. No. 36, 1958; No. 98, 1979
	rep. No. 57, 1988
Div. 6 of Part II	rep. No. 98, 1979
S. 39	am. No. 1, 1921; No. 109, 1952;
	No. 96, 1953
	rs. No. 36, 1958 (as am. by No. 1,
	1965)
	rep. No. 98, 1979
S. 39A	ad. No. 36, 1958
	rep. No. 98, 1979
S. 39B	ad. No. 36, 1958
	am. No. 98, 1979
	rep. No. 98, 1979
Ss. 39C, 39D	ad. No. 36, 1958
	rep. No. 98, 1979
S. 40	
Renumbered s. 41	No. 1, 1921
S. 40	ad. No. 1, 1921

	rs. No. 36, 1958
	rep. No. 98, 1979
S. 40A	ad. No. 49, 1934
	am. No. 109, 1952; No. 96, 1961;
	No. 28, 1972; No. 98, 1979
	rep. No. 98, 1979
S. 40B	ad. No. 49, 1934
	rep. No. 36, 1958
S. 41	rep. No. 1, 1921
S. 41	am. No. 1, 1921; No. 98, 1979
formerly s. 40	rep. No. 98, 1979
S. 42	am. No. 36, 1958; No. 98, 1979
	rep. No. 98, 1979
Division 7	
Heading to Div. 7	rs. No. 98, 1979
of Part II	
S. 43	rs. No. 109, 1952; No. 36, 1958
	am. No. 96, 1961; No. 93, 1966;
	No. 98, 1979
	rep. No. 98, 1979
S. 44	am. No. 1, 1921
	rs. No. 109, 1952; No. 36, 1958
	am. No. 96, 1961; No. 98, 1979
	rep. No. 98, 1979
S. 45	am. No. 1, 1921; No. 36, 1958;
	No. 93, 1966; No. 98, 1979; No. 87,
	1980; No. 10, 1981; No. 57, 1988
Div. 7A of	ad. No. 109, 1952
Part II	rep. No. 57, 1988
S. 45A	ad. No. 109, 1952
	am. No. 36, 1958; No. 1, 1965;
	No. 98, 1979; No. 10, 1981
	rep. No. 57, 1988
S. 45B	ad. No. 109, 1952
	am. No. 46, 1956; No. 1, 1965;
	No. 98, 1979; No. 87, 1988
	rep. No. 57, 1988
S. 45C	ad. No. 36, 1958
	am. No. 10, 1981
	rep. No. 57, 1988
Division 8	
Heading to Div. 8	rs. No. 57, 1988
of Part II	
S. 46	am. No. 1, 1921; No. 109, 1952
	rs. No. 36, 1958
	am. No. 1, 1965; No. 62, 1968;
	No. 98, 1979; No. 87, 1980; No. 10,
	1981; No. 76, 1986; No. 57, 1988;
	No. 78, 1990
S. 46A	ad. No. 49, 1934
	rep. No. 36, 1958
S. 47	rs. No. 36, 1958
	am. No. 98, 1979
	rs. No. 57, 1988
	am. No. 6, 1989; No. 23, 1990;

	No. 11, 1991
S. 47A	ad. No. 1, 1921
	am. No. 109, 1952
	rep. No. 36, 1958
S. 48	am. No. 1, 1921
	rs. No. 36, 1958
	am. No. 98, 1979; No. 10, 1981
	rs. No. 57, 1988
S. 48A	ad. No. 98, 1979
	am. No. 10, 1981; No. 57, 1988
S. 48B	ad. No. 98, 1979
	rep. No. 57, 1988
S. 49	rs. No. 36, 1958
	am. No. 93, 1966; No. 98, 1979;
	No. 10, 1981; No. 84, 1983
	rep. No. 57, 1988
S. 50	am. No. 1, 1921; No. 36, 1958;
	No. 93, 1966; No. 98, 1979; No. 95,
	1995
S. 51	rep. No. 36, 1958
S. 52	am. No. 36, 1958; No. 1, 1965;
	No. 10, 1981
	rs. No. 74, 1981
	am. No. 57, 1988; No. 78, 1990;
	No. 143, 2001
S. 53	rs. No. 36, 1958
	am. No. 98, 1979; No. 10, 1981;
	No. 57, 1988; No. 143, 2001
S. 54	am. No. 109, 1952; No. 93, 1966;
	No. 98, 1979
	rs. No. 57, 1988
S. 55	am. No. 36, 1958; No. 57, 1988
S. 56	am. No. 10, 1981; No. 57, 1988
S. 57	am. No. 95, 1995
S. 58	am. No. 36, 1958
	rep. No. 98, 1979
S. 59	am. No. 98, 1979; No. 57, 1988
S. 59A	ad. No. 36, 1958
	am. Nos. 34 and 57, 1988
S. 59B	ad. No. 98, 1979
	rs. No. 151, 1989
	am. No. 149, 2001
S. 60	rs. No. 36, 1958
	rep. No. 57, 1988
S. 60A	ad. No. 36, 1958
	am. No. 1, 1965; No. 93, 1966;
	No. 60, 1967; No. 98, 1979; No. 10,
	1981
	rep. No. 57, 1988
Division 9	
S. 61	am. No. 1, 1921
	rs. No. 36, 1958
	am. No. 98, 1979; No. 87, 1980;
	No. 10, 1981; No. 57, 1988
S. 62	am. No. 36, 1958; No. 60, 1967;

	No. 216, 1973
	rep. No. 57, 1988
S. 62A	ad. No. 36, 1958
	am. No. 93, 1966; No. 98, 1979;
	No. 10, 1981; No. 57, 1988; No. 95,
	1995
S. 63	am. No. 93, 1966; No. 98, 1979;
	No. 10, 1981; No. 57, 1988; No. 95,
	1995
S. 64	am. No. 36, 1958
	rep. No. 57, 1988
S. 65	rep. No. 36, 1958
S. 66	rs. No. 36, 1958
	am. No. 93, 1966; No. 98, 1979
	rs. No. 98, 1979
	am. No. 10, 1981
	rep. No. 57, 1988
S. 67	am. No. 1, 1921; No. 98, 1979
	rep. No. 57, 1988
S. 68	rs. No. 36, 1958
	am. No. 93, 1966; No. 98, 1979
	rs. No. 57, 1988
	am. No. 143, 2001
Division 10	
S. 69	rep. No. 1, 1965
S. 70	am. No. 1, 1921; No. 109, 1952
	rs. No. 36, 1958
	am. No. 1, 1965; No. 98, 1979;
	No. 10, 1981; No. 163, 1986; No. 78,
	1990; No. 95, 1995
S. 71	am. No. 10, 1981; No. 57, 1988;
	No. 95, 1995
S. 72	am. No. 98, 1979
S. 73	am. No. 109, 1952
S. 74	am. No. 109, 1952
	rep. No. 36, 1958
S. 75	rs. No. 36, 1958
	am. No. 93, 1966
	rs. No. 98, 1979
	am. No. 10, 1981; No. 57, 1988;
	No. 95, 1995
S. 75A	ad. No. 109, 1952
	am. No. 96, 1961
S. 76	am. No. 36, 1958; No. 98, 1979;
	No. 10, 1981; No. 57, 1988; No. 78,
	1990
S. 77	am. No. 1, 1921; No. 109, 1952
	rs. No. 36, 1958
	am. No. 98, 1979; No. 10, 1981;
	No. 129, 1989; No. 95, 1995
S. 78	rs. No. 36, 1958
	am. No. 98, 1979; No. 95, 1995
S. 79	rep. No. 57, 1988
S. 80	am. No. 36, 1958; No. 1, 1965;
	No. 98, 1979; No. 10, 1981

	rep. No. 57, 1988
S. 81	rs. No. 36, 1958
	am. No. 98, 1979; No. 57, 1988;
	No. 95, 1995
S. 82	rs. No. 36, 1958
	am. No. 95, 1995
Ss. 83, 84	am. No. 57, 1988; No. 95, 1995
S. 85	am. No. 1, 1921; No. 49, 1934
	rs. No. 109, 1952
	am. No. 36, 1958; No. 98, 1979;
	No. 87, 1980; No. 10, 1981; No. 95,
	1995
S. 86	am. No. 109, 1952
	rep. No. 76, 1986
S. 87	am. No. 93, 1966; No. 98, 1979
	rep. No. 76, 1986
S. 88	am. No. 1, 1921; No. 36, 1958;
	No. 98, 1979; No. 95, 1995
S. 89	rep. No. 36, 1958
S. 90	rep. No. 96, 1961
S. 91	am. No. 36, 1958; No. 87, 1980; Nos.
	34 and 57, 1988; No. 95, 1995
S. 92	rep. No. 36, 1958
Ss. 93, 94	am. No. 95, 1995
Div. 11 of	rep. No. 36, 1958
Part II	
Ss. 95-98	rep. No. 36, 1958
Division 12	
S. 99	am. No. 10, 1981; No. 57, 1988;
	No. 95, 1995
	rs. No. 143, 2001
	rep. No. 24, 2006
S. 100	am. No. 109, 1952
	rs. No. 36, 1958
	am. No. 93, 1966; No. 98, 1979;
	No. 10, 1981
	rep. No. 76, 1986
S. 101	am. No. 57, 1988; No. 95, 1995
S. 102	am. No. 36, 1958; No. 93, 1966;
	No. 98, 1979
	rep. No. 10, 1981
S. 103	rep. No. 109, 1952
S. 104	am. No. 36, 1958; No. 93, 1966;
	No. 98, 1979; No. 10, 1981; No. 57,
	1988; No. 95, 1995
S. 105	rs. No. 96, 1961
	am. No. 93, 1966; No. 98, 1979
	rep. No. 76, 1986
S. 106	am. No. 1, 1921; No. 36, 1958;
	No. 98, 1979
	rep. No. 76, 1986
S. 106A	ad. No. 1, 1921
	rep. No. 36, 1958
S. 107	am. No. 1, 1965; No. 10, 1981
	rep. No. 76, 1986

S. 108	rep. No. 1, 1965
S. 109	rep. No. 109, 1952
Heading to s. 110	rs. No. 95, 1995
S. 110	am. No. 98, 1979; No. 87, 1980;
	No. 78, 1990; No. 95, 1995
S. 111	am. No. 109, 1952
	rs. No. 36, 1958
	am. No. 93, 1966; No. 98, 1979;
	No. 10, 1981
	rep. No. 76, 1986
S. 112	am. No. 36, 1958; No. 98, 1979
	rep. No. 76, 1986
S. 113	am. No. 36, 1958; No. 141, 1987;
	No. 57, 1988
S. 114	rep. No. 76, 1986
S. 115	am. No. 1, 1921
	rs. No. 109, 1952; No. 36, 1958
	am. No. 93, 1966; No. 98, 1979;
	No. 10, 1981
	rep. No. 76, 1986
Division 13	
S. 116	am. No. 1, 1921; No. 36, 1958;
	No. 96, 1961; No. 93, 1966; No. 98,
	1979; No. 10, 1981; No. 78, 1990;
	No. 95, 1995
S. 117	rs. No. 36, 1958
	am. No. 93, 1966; No. 10, 1981;
	No. 57, 1988
	rs. No. 220, 1992
S. 117A	ad. No. 220, 1992
S. 118	am. No. 36, 1958; No. 93, 1966;
	No. 98, 1979; No. 10, 1981
	rep. No. 220, 1992
S. 119	am. No. 36, 1958; No. 10, 1981
S. 120	am. No. 80, 1950; No. 36, 1958;
	No. 93, 1966; No. 98, 1979; No. 10,
	1981; No. 57, 1988; No. 78, 1990;
	No. 95, 1995
S. 121	am. No. 1, 1921; No. 80, 1950
	rs. No. 36, 1958 (as am. by No. 1,
	1965)
	am. No. 98, 1979
	rep. No. 98, 1979
S. 122	am. No. 78, 1990
S. 122A	ad. No. 1, 1921
	rep. No. 36, 1958
Division 14	
S. 123	rs. No. 36, 1958
	am. No. 78, 1990
S. 124	am. No. 80, 1950
	rs. No. 36, 1958
	am. No. 98, 1979; No. 39, 1983;
	No. 57, 1988; No. 78, 1990; No. 95,
	1995
S. 125	rs. No. 36, 1958

	am. No. 93, 1966; No. 98, 1979;
	No. 10, 1981; No. 57, 1988; No. 95,
	1995
S. 126	am. No. 36, 1958; No. 93, 1966;
	No. 98, 1979; No. 10, 1981; No. 78,
	1990
S. 127	am. No. 1, 1921; No. 109, 1952
	rs. No. 36, 1958
	am. No. 98, 1979; No. 10, 1981;
	No. 57, 1988; No. 233, 1992; No. 95,
	1995
S. 128	am. No. 1, 1921; No. 98, 1979;
	No. 57, 1988
Ss. 129-131	am. No. 1, 1921
	rep. No. 36, 1958
S. 132	rs. No. 1, 1921
	am. No. 109, 1952
	rs. No. 36, 1958
	am. No. 1, 1965; No. 93, 1966;
	No. 98, 1979; No. 10, 1981; No. 57,
	1988; No. 233, 1992; No. 64, 1994;
	No. 95, 1995; No. 143, 2001
S. 132A	ad. No. 36, 1958
	am. No. 93, 1966; No. 98, 1979;
	No. 10, 1981; No. 57, 1988; No. 95,
	1995; No. 143, 2001
S. 132B	ad. No. 36, 1958
	am. No. 98, 1979; No. 57, 1988;
	No. 95, 1995
S. 133	am. No. 36, 1958; No. 93, 1966;
	No. 98, 1979; No. 87, 1980; No. 10,
	1981; No. 57, 1988
S. 134	rep. No. 36, 1958
	ad. No. 220, 1992
Division 15	
Div. 15 of	rs. No. 109, 1952
Part II	
S. 135	am. No. 1, 1921
	rs. No. 109, 1952
	am. No. 46, 1956
	rs. No. 87, 1988
	am. No. 60, 1996; SLI 2006 No. 50
S. 136	am. No. 1, 1921
	rs. No. 109, 1952
	am. No. 96, 1961; No. 98, 1979;
	No. 23, 1990; Nos. 7 and 71, 1992
S. 137	am. No. 1, 1921
	rs. No. 109, 1952
	am. No. 96, 1961; No. 10, 1981;
	No. 78, 1990
S. 138	rs. No. 109, 1952
	am. No. 96, 1961; No. 1, 1965;
	No. 98, 1979; No. 87, 1988
	rs. No. 23, 1990
	am. No. 60, 1996; No. 105, 2002; SLI

	2006 No. 50; No. 109, 2006
S. 138A	ad. No. 109, 1952
	am. No. 93, 1966; No. 98, 1979;
	No. 10, 1981; No. 57, 1988
S. 138B	ad. No. 109, 1952
	rs. No. 36, 1958
	am. No. 98, 1979; No. 23, 1990
Division 16	
S. 139	rs. No. 36, 1958
	am. No. 93, 1966; No. 98, 1979;
	No. 10, 1981; No. 57, 1988; No. 5,
	1994; No. 95, 1995
S. 140	am. No. 57, 1988
S. 141	rep. No. 36, 1958
Ss. 142, 143	am. No. 36, 1958
	rep. No. 10, 1981
S. 144	am. No. 93, 1966; No. 98, 1979
	rep. No. 10, 1981
S. 145	am. No. 36, 1958; No. 1, 1965;
	No. 93, 1966; No. 98, 1979; No. 10,
	1981; No. 95, 1995
S. 146	rep. No. 36, 1958
S. 147	am. No. 1, 1965; No. 216, 1973 (as
	am. by No. 20, 1974); No. 10, 1981
S. 148	am. No. 57, 1988
S. 148A	ad. No. 36, 1958
	am. No. 10, 1981; No. 57, 1988
S. 148B	ad. No. 36, 1958
	am. No. 98, 1979; Nos. 10 and 74,
	1981
	rep. No. 57, 1988
S. 148C	ad. No. 36, 1958
	am. No. 93, 1966; No. 98, 1979; Nos.
	10 and 74, 1981; No. 57, 1988;
	No. 78, 1990; No. 95, 1995; No. 143,
	2001
S. 148D	ad. No. 36, 1958
	am. No. 96, 1961; No. 98, 1979;
	No. 76, 1986; No. 141, 1987; No. 57,
	1988; No. 78, 1990; No. 8, 2005
Division 17	
S. 149	am. No. 1, 1921
	rs. No. 36, 1958
	am. No. 98, 1979; No. 10, 1981;
	No. 57, 1988; No. 95, 1995
S. 150	am. No. 1, 1921
	rs. No. 36, 1958
	am. No. 57, 1988; No. 95, 1995
S. 151	am. No. 36, 1958; No. 98, 1979;
	No. 57, 1988; No. 95, 1995
S. 152	am. No. 36, 1958; No. 93, 1966;
	No. 98, 1979; No. 10, 1981; No. 57,
	1988; No. 78, 1990; No. 95, 1995;
	No. 143, 2001
S. 153	am. No. 1, 1921

	rs. No. 36, 1958
	am. No. 98, 1979; No. 57, 1988;
	No. 95, 1995
S. 154	am. No. 36, 1958; No. 98, 1979;
	No. 57, 1988; No. 78, 1990; No. 95,
	1995
S. 155	rs. No. 36, 1958
	am. No. 93, 1966; No. 98, 1979;
	No. 10, 1981; No. 57, 1988
S. 155A	ad. No. 36, 1958
	am. No. 98, 1979; No. 57, 1988;
	No. 78, 1990; No. 95, 1995
S. 156	am. No. 1, 1921; No. 36, 1958;
	No. 93, 1966; No. 98, 1979; No. 10,
	1981; No. 163, 1986; No. 57, 1988;
	No. 78, 1990; No. 95, 1995
S. 157	am. No. 36, 1958; No. 96, 1961;
	No. 98, 1979; No. 57, 1988; No. 78,
	1990
S. 158	am. No. 1, 1921; No. 98, 1979;
	No. 163, 1986; No. 57, 1988; No. 78,
	1990; No. 95, 1995
S. 158A	ad. No. 36, 1958
	am. No. 98, 1979; No. 78, 1990
S. 159	am. No. 98, 1979; No. 78, 1990;
	No. 8, 2005
S. 160	am. No. 10, 1981; No. 57, 1988;
	No. 95, 1995
	rs. No. 137, 2000
Division 18	
S. 161	am. No. 98, 1979; No. 163, 1986;
	No. 95, 1995
S. 162	am. No. 36, 1958; No. 98, 1979;
	No. 78, 1990; No. 95, 1995
Division 19	
Div. 19 of	rs. No. 36, 1958
Part II	
S. 163	am. No. 1, 1921
	rs. No. 36, 1958
	am. No. 1, 1965; No. 87, 1980;
	No. 10, 1981; No. 57, 1988
S. 163A	ad. No. 36, 1958
	am. No. 98, 1979; No. 10, 1981;
	No. 57, 1988; No. 95, 1995
Division 20	
S. 164	am. No. 1, 1921; No. 36, 1958;
	No. 93, 1966; No. 98, 1979; No. 10,
	1981; No. 57, 1988; No. 78, 1990;
	No. 95, 1995; No. 143, 2001
S. 165	am. No. 1, 1921
	rs. No. 36, 1958
	am. No. 98, 1979; No. 10, 1981
	rep. No. 173, 1991
S. 166	am. No. 1, 1921
	rep. No. 36, 1958

S. 167	am. No. 1, 1921; No. 36, 1958;
	No. 93, 1966; No. 98, 1979; No. 87,
	1980; No. 10, 1981; No. 57, 1988;
	No. 95, 1995
S. 168	am. No. 96, 1953; No. 93, 1966;
	No. 98, 1979; No. 10, 1981; No. 57,
	1988; No. 95, 1995
S. 169	am. No. 1, 1921; No. 93, 1966;
	No. 98, 1979
	rep. No. 10, 1981
Division 21	
S. 170	rep. No. 10, 1981
S. 171	am. No. 1, 1921; No. 109, 1952;
	No. 36, 1958 (as am. by No. 96,
	1961); No. 1, 1965; No. 93, 1966;
	No. 98, 1979; No. 87, 1980; No. 10,
	1981; No. 24, 2006
S. 172	rs. No. 1, 1965
	am. No. 98, 1979; No. 10, 1981;
	No. 57, 1988; No. 143, 2001
S. 172A	ad. No. 95, 1995
S. 173	am. No. 109, 1952
	rs. No. 36, 1958
	am. No. 98, 1979; No. 10, 1981;
	No. 57, 1988; No. 78, 1990; No. 5,
	1994
S. 174	am. No. 1, 1921; No. 36, 1958;
	No. 93, 1966; No. 98, 1979; No. 10,
	1981; No. 57, 1988
S. 175	am. No. 1, 1921
	rs. No. 36, 1958
	am. No. 96, 1961; No. 98, 1979;
	No. 87, 1980; No. 10, 1981
	rep. No. 80, 1982
Div. 22 of	rep. No. 36, 1958
Part II	
S. 176	am. No. 1, 1921
	rep. No. 36, 1958
Part III	
S. 177	am. No. 98, 1979; No. 10, 1981
S. 178	am. No. 98, 1979; No. 95, 1995
S. 179	rs. No. 36, 1958
	am. No. 1, 1965; No. 93, 1966;
	No. 98, 1979; No. 10, 1981
	rep. No. 76, 1986
S. 180	am. No. 1, 1921; No. 98, 1979;
	No. 78, 1990; No. 95, 1995
S. 181	am. No. 10, 1981
	rep. No. 76, 1986
S. 182	am. No. 93, 1966; No. 98, 1979;
	No. 10, 1981
	rep. No. 57, 1988
S. 183	am. No. 36, 1958; No. 98, 1979;
	No. 78, 1990
Ss. 184, 185	am. No. 98, 1979

S. 186	rs. No. 36, 1958
	am. No. 10, 1981
Part IIIA	
Part IIIA	ad. No. 5, 1994
Division 1	
Heading to Div. 1	ad. No. 24, 2006
Ss. 186A, 186B	ad. No. 5, 1994
	am. No. 24, 2006
S. 186C	ad. No. 5, 1994
S. 186D	ad. No. 5, 1994
	am. No. 24, 2006
S. 186E	ad. No. 5, 1994
	rs. No. 143, 2001
	am. No. 24, 2006
S. 186F	ad. No. 5, 1994
Division 2	
S. 186G	ad. No. 24, 2006
	am. No. 24, 2007
S. 186H	ad. No. 24, 2006
Heading to s.	am. No. 24, 2007
186I	
S. 186I	ad. No. 24, 2006
	am. No. 24, 2007
Heading to s.	am. No. 24, 2007
186J	
S. 186J	ad. No. 24, 2006
	am. No. 24, 2007
Heading to s.	am. No. 24, 2007
186K	
S. 186K	ad. No. 24, 2006
	am. No. 24, 2007
S. 186L	ad. No. 24, 2006
Part IV	
List of Div.	rs. No. 1, 1921
headings to	am. No. 49, 1934; No. 80, 1950
Part IV	
	rs. No. 96, 1953
	rep. No. 36, 1958
Division 1	
S. 187	am. No. 49, 1934; No. 98, 1979;
	No. 87, 1980; No. 10, 1981; No. 24,
	2006
S. 187AA	ad. No. 87, 1980
	am. No. 78, 1990
S. 187A	ad. No. 1, 1921
	rs. No. 49, 1934
	am. No. 80, 1950
	rs. No. 96, 1953
	am. No. 36, 1958; No. 60, 1967;
	No. 62, 1968; No. 98, 1979; No. 80,
	1982; Nos. 39 and 40, 1983; No. 72,
	1984; No. 141, 1987; No. 78, 1990;
	No. 95, 1995; No. 24, 2006
S. 187B	ad. No. 60, 1967
	rs. No. 62, 1968

	am. No. 98, 1979; No. 78, 1990
S. 187BA	ad. No. 80, 1982
	rs. No. 39, 1983; No. 141, 1987
	am. No. 78, 1990
S. 187C	ad. No. 62, 1968
	am. No. 98, 1979; No. 80, 1982
S. 187D	ad. No. 62, 1968
	rs. No. 98, 1979
	am. No. 95, 1995
S. 187E	ad. No. 98, 1979
	am. No. 95, 1995
S. 188	am. No. 49, 1934
	rs. No. 96, 1953
	am. No. 60, 1967
	rs. No. 62, 1968
	am. No. 98, 1979; No. 80, 1982;
	No. 57, 1988; No. 78, 1990; No. 143,
	2001
S. 190	am. No. 1, 1921
	rs. No. 96, 1953
	am. No. 78, 1990
S. 190AA	ad. No. 62, 1968
	am. No. 98, 1979; No. 10, 1981;
	No. 80, 1982; No. 57, 1988; No. 78,
	1990; No. 95, 1995; No. 143, 2001;
	No. 24, 2006
S. 190AB	ad. No. 95, 1995
S. 190A	ad. No. 96, 1953
	am. No. 96, 1961; No. 93, 1966;
	No. 60, 1967; No. 98, 1979; No. 10,
	1981; No. 78, 1990; No. 173, 1991;
	No. 143, 2001
S. 190B	ad. No. 60, 1967
	am. No. 98, 1979
S. 191	am. No. 1, 1921
	rs. No. 49, 1934; No. 96, 1953
	am. No. 36, 1958
	rs. No. 60, 1967
	am. No. 98, 1979; No. 87, 1980;
	No. 24, 2006
S. 191A	ad. No. 49, 1934
	am. No. 96, 1953; No. 60, 1967;
	No. 98, 1979; No. 40, 1983; No. 72,
	1984; No. 78, 1990
S. 191AA	ad. No. 36, 1958
	am. No. 1, 1965; No. 93, 1966
	rep. No. 62, 1968
S. 191B	ad. No. 49, 1934
	rs. No. 96, 1953
	am. No. 36, 1958; No. 96, 1961
	rep. No. 60, 1967
	ad. No. 62, 1968
	am. No. 98, 1979; No. 10, 1981;
	No. 80, 1982; No. 57, 1988; No. 173,
	1991; No. 95, 1995; No. 143, 2001

S. 192	am. No. 1, 1921
	rs. No. 96, 1953
	rep. No. 6, 1989
S. 192A	ad. No. 49, 1934
	rs. No. 96, 1953
	am. No. 96, 1961; No. 98, 1979;
	No. 10, 1981; No. 80, 1982; No. 78,
	1990; No. 95, 1995; No. 24, 2006
S. 192B	ad. No. 96, 1953
	am. No. 96, 1961; No. 93, 1966
	rs. No. 60, 1967
S. 192C	ad. No. 60, 1967
	am. No. 98, 1979; No. 10, 1981;
	No. 57, 1988; No. 78, 1990; No. 95,
	1995
Division 2	
Heading to Div. 2	rs. No. 96, 1953
of Part IV	
S. 193	am. No. 49, 1934
	rs. No. 96, 1953; No. 96, 1961;
	No. 1, 1965
	am. No. 93, 1966; No. 60, 1967;
	No. 98, 1979; No. 10, 1981; No. 80,
	1982; No. 57, 1988
S. 194	rs. No. 96, 1953
	am. No. 96, 1961; No. 60, 1967;
	No. 98, 1979; No. 141, 1987; No. 78,
	1990; No. 95, 1995; No. 24, 2006
S. 195	am. No. 96, 1953
	rs. No. 96, 1961
	am. No. 60, 1967; No. 98, 1979;
	No. 78, 1990
S. 195A	ad. No. 98, 1979
S. 196	am. No. 96, 1953; No. 36, 1958
	rs. No. 96, 1961
	am. No. 60, 1967; No. 10, 1981;
	No. 57, 1988
	rs. No. 95, 1995
S. 197	rs. No. 1, 1921
	am. No. 49, 1934
	rs. No. 96, 1953
	am. No. 93, 1966
	rep. No. 60, 1967
S. 197A	ad. No. 49, 1934
	rep. No. 96, 1953
S. 198	am. No. 1, 1921; No. 49, 1934
	rs. No. 96, 1953
	am. No. 1, 1965
	rep. No. 60, 1967
S. 198A	ad. No. 49, 1934
	rep. No. 96, 1953
S. 199	am. No. 1, 1921; No. 93, 1966
	rep. No. 62, 1968
S. 200	am. No. 1, 1921; No. 49, 1934;
	No. 36, 1958

	rep. No. 60, 1967
S. 201	am. No. 49, 1934
	rep. No. 96, 1961
S. 201A	ad. No. 1, 1921
	rep. No. 49, 1934
S. 202	am. No. 1, 1921; No. 49, 1934
	rs. No. 96, 1953
	am. No. 93, 1966; No. 60, 1967;
	No. 98, 1979; No. 10, 1981; No. 57,
	1988; No. 78, 1990
S. 203	am. No. 60, 1967; No. 98, 1979;
	No. 78, 1990
S. 204	am. No. 1, 1921; No. 49, 1934;
	No. 80, 1950
	rs. No. 96, 1953
	am. No. 36, 1958; No. 60, 1967;
	No. 98, 1979; No. 78, 1990
S. 204A	ad. No. 1, 1921
	am. No. 80, 1950; No. 98, 1979;
	No. 80, 1982; No. 78, 1990
S. 205	am. No. 49, 1934; No. 93, 1966;
	No. 98, 1979
	rep. No. 10, 1981
S. 206	rs. No. 1, 1921; No. 96, 1953
	am. No. 93, 1966
	rs. No. 60, 1967
S. 206A	ad. No. 1, 1921
	rep. No. 96, 1953
Division 2A	
Div. 2A of	ad. No. 49, 1934
Part IV	
S. 206B	ad. No. 49, 1934
	am. No. 98, 1979; No. 10, 1981
Division 2B	
Div. 2B of	ad. No. 49, 1934
Part IV	
	rs. No. 96, 1953; No. 60, 1967
S. 206C	ad. No. 49, 1934
	rs. No. 96, 1953; No. 60, 1967
	am. No. 98, 1979; No. 72, 1984;
	No. 95, 1995
S. 206D	ad. No. 49, 1934
	rs. No. 96, 1953; No. 60, 1967
	am. No. 78, 1990; No. 24, 2006
S. 206E	ad. No. 49, 1934
	rs. No. 96, 1953; No. 60, 1967
	am. No. 78, 1990; No. 24, 2006
S. 206F	ad. No. 49, 1934
	rs. No. 96, 1953
	am. No. 93, 1966
	rs. No. 60, 1967
	am. No. 98, 1979; No. 78, 1990;
	No. 95, 1995; No. 24, 2006
Heading to s.	rs. No. 95, 1995
206G	

S. 206G	ad. No. 49, 1934
	rs. No. 96, 1953; No. 60, 1967
	am. No. 78, 1990; No. 95, 1995; No.
	24, 2006
S. 206GA	ad. No. 95, 1995
	am. No. 24, 2006
S. 206H	ad. No. 49, 1934
	rs. No. 96, 1953; No. 60, 1967
	am. No. 98, 1979; No. 80, 1982;
	No. 57, 1988; No. 78, 1990; No. 143,
	2001
Ss. 206J, 206K	ad. No. 96, 1953
	rs. No. 60, 1967
	am. No. 78, 1990
S. 206L	ad. No. 96, 1953
	rs. No. 60, 1967
	am. No. 78, 1990; No. 95, 1995
S. 206M	ad. No. 96, 1953
	am. No. 93, 1966
	rs. No. 60, 1967
	am. No. 78, 1990; No. 95, 1995
S. 206N	ad. No. 96, 1953
	am. No. 93, 1966
	rs. No. 60, 1967
	am. No. 98, 1979
	rs. No. 95, 1995
S. 206P	ad. No. 96, 1953
	rs. No. 60, 1967
	am. No. 98, 1979; No. 78, 1990
	rs. No. 95, 1995
S. 206PA	ad. No. 98, 1979
S. 206Q	ad. No. 96, 1953
	rs. No. 1, 1965; No. 60, 1967
	am. No. 10, 1981; No. 57, 1988
	rs. No. 95, 1995
Division 2C	
Div. 2C of	ad. No. 60, 1967
Part IV	
S. 206R	ad. No. 96, 1953
	rs. No. 1, 1965; No. 60, 1967
S. 206S	ad. No. 96, 1953
	rs. No. 60, 1967
	am. No. 57, 1988; No. 95, 1995
S. 206T	ad. No. 96, 1953
	rs. No. 60, 1967
	am. No. 98, 1979; No. 10, 1981;
	No. 141, 1987; No. 57, 1988; No. 173,
	1991; No. 95, 1995
S. 206U	ad. No. 96, 1953
	rs. No. 60, 1967
	am. No. 98, 1979; No. 10, 1981;
	No. 57, 1988
S. 206V	ad. No. 96, 1953
	rs. No. 60, 1967
	am. No. 98, 1979; No. 10, 1981;

	No. 141, 1987; No. 57, 1988; No. 78,
	1990
	rs. No. 24, 2006
Heading to s.	am. No. 24, 2006
206W	
S. 206W	ad. No. 60, 1967
	am. No. 98, 1979; No. 95, 1995;
	No. 24, 2006
S. 206X	ad. No. 60, 1967
Division 3	
Heading to Div. 3	am. No. 132, 1986
of Part IV	
S. 207	am. No. 49, 1934; No. 60, 1967;
	No. 216, 1973 (as am. by No. 20,
	1974); No. 98, 1979
	rs. No. 24, 2006
S. 207A	ad. No. 132, 1986
S. 208	am. No. 10, 1981; No. 57, 1988;
	No. 78, 1990; No. 95, 1995; No. 143,
	2001 (as am. by No. 63, 2002)
S. 209	am. No. 98, 1979; No. 10, 1981;
	No. 132, 1986; No. 95, 1995
S. 210	am. No. 1, 1921; No. 96, 1953;
	No. 62, 1968; No. 98, 1979; No. 132,
	1986
	rs. No. 6, 1989
	am. No. 78, 1990
S. 211	am. No. 49, 1934; No. 96, 1953;
	No. 132, 1986; No. 6, 1989; No. 78,
	1990; No. 95, 1995
S. 212	am. No. 98, 1979; No. 10, 1981;
	No. 57, 1988; No. 95, 1995
S. 213	am. No. 98, 1979; No. 132, 1986;
	No. 78, 1990
S. 214	am. No. 78, 1990
Division 4	
Heading to Div. 4	am. No. 1, 1921
of Part IV	
S. 215	rs. No. 49, 1934; No. 96, 1953;
	No. 60, 1967
	am. No. 98, 1979
S. 216	rs. No. 49, 1934
	am. No. 80, 1950
	rep. No. 96, 1953
S. 216A	ad. No. 49, 1934
	am. No. 96, 1953; No. 36, 1958;
	No. 60, 1967; No. 78, 1990
S. 217	am. No. 49, 1934; No. 36, 1958;
	No. 93, 1966; No. 98, 1979; No. 10,
	1981
	rs. No. 193, 1985
	am. No. 57, 1988; No. 143, 2001
S. 217A	ad. No. 1, 1921
	rep. No. 49, 1934
Division 5	

Div. 5 of Part IV	rs. No. 62, 1968
S. 218	rs. No. 49, 1934; No. 62, 1968
	am. No. 98, 1979; No. 95, 1995 (as
	am. by No. 43, 1996)
S. 218A	ad. No. 49, 1934
	rep. No. 62, 1968
S. 219	rs. No. 49, 1934; No. 62, 1968
	am. No. 78, 1990
S. 219A	ad. No. 49, 1934
	am. No. 80, 1950; No. 36, 1958;
	No. 93, 1966
	rep. No. 62, 1968
S. 219B	ad. No. 49, 1934
	am. No. 36, 1958; No. 96, 1961;
	No. 93, 1966
	rep. No. 62, 1968
S. 219C	ad. No. 49, 1934
	am. No. 93, 1966
	rep. No. 62, 1968
S. 220	rs. No. 49, 1934
	am. No. 60, 1967
	rs. No. 62, 1968
	am. No. 80, 1982
S. 220A	ad. No. 49, 1934
	am. No. 36, 1958; No. 60, 1967
	rep. No. 62, 1968
S. 221	rs. No. 49, 1934
	am. No. 1, 1965; No. 93, 1966;
	No. 60, 1967
	rs. No. 62, 1968
	am. No. 98, 1979; No. 10, 1981;
	No. 80, 1982; No. 141, 1987; No. 57,
	1988; No. 78, 1990; No. 173, 1991;
	No. 143, 2001; No. 24, 2006
S. 221A	ad. No. 49, 1934
	am. No. 36, 1958
	rep. No. 62, 1968
S. 222	am. No. 1, 1921
	rs. No. 49, 1934
	am. No. 36, 1958
	rs. No. 62, 1968
	am. No. 98, 1979; No. 80, 1982;
	No. 78, 1990; No. 95, 1995
S. 222A	ad. No. 49, 1934
	rep. No. 62, 1968
S. 223	rs. No. 49, 1934; No. 62, 1968
	am. No. 98, 1979; No. 80, 1982;
	No. 78, 1990
S. 223A	ad. No. 49, 1934
	rs. No. 1, 1965
	am. No. 60, 1967
	rep. No. 62, 1968
S. 224	am. No. 1, 1921
	rs. No. 49, 1934
	rep. No. 96, 1953

	ad. No. 62, 1968
	am. No. 98, 1979; No. 80, 1982;
	No. 78, 1990; No. 95, 1995
S. 224A	ad. No. 49, 1934
	rep. No. 62, 1968
Heading to s. 225	rs. No. 95, 1995
S. 225	rs. No. 49, 1934; No. 62, 1968
	am. No. 10, 1981; No. 57, 1988;
	No. 95, 1995
S. 225A	ad. No. 49, 1934
	rep. No. 62, 1968
S. 226	rs. No. 49, 1934
	am. No. 36, 1958
	rs. No. 62, 1968
	am. No. 78, 1990; No. 95, 1995
S. 226A	ad. No. 49, 1934
	rs. No. 1, 1965
	am. No. 60, 1967
	rep. No. 62, 1968
S. 227	rs. No. 49, 1934
	am. No. 93, 1966
	rs. No. 62, 1968
	am. No. 98, 1979; No. 78, 1990;
	No. 95, 1995
S. 227A	ad. No. 62, 1968
	am. No. 98, 1979; No. 10, 1981;
	No. 141, 1987; No. 57, 1988; No. 78,
	1990; No. 95, 1995
S. 227B	ad. No. 62, 1968
	am. No. 98, 1979; No. 10, 1981;
	No. 78, 1990; No. 143, 2001
Note to s. 227B	ad. No. 143, 2001
S. 227C	ad. No. 62, 1968
	am. No. 95, 1995
S. 227D	ad. No. 62, 1968
	am. No. 98, 1979; No. 10, 1981;
	No. 80, 1982; No. 57, 1988; No. 95,
	1995; No. 143, 2001
S. 227E	ad. No. 62, 1968
	am. No. 216, 1973; No. 98, 1979;
	No. 78, 1990; No. 95, 1995
Division 6	
S. 228	am. No. 49, 1934; No. 93, 1966;
	No. 98, 1979; No. 10, 1981; No. 57,
	1988
S. 229	am. No. 1, 1921
	rs. No. 49, 1934; No. 96, 1953
	am. No. 36, 1958; No. 96, 1961;
	No. 141, 1987
S. 230	am. No. 1, 1921
	rs. No. 49, 1934; No. 96, 1961
	am. No. 98, 1979; No. 80, 1982;
	No. 72, 1984; No. 34, 1988; No. 78,
	1990; No. 95, 1995
Division 6A	

Heading to Div.	ad. No. 1, 1921
6A of	
Part IV	
Div. 6A of	rs. No. 96, 1953
Part IV	
S. 231	rs. No. 1, 1921
	am. No. 49, 1934; No. 30, 1935
	rs. No. 96, 1953
	am. No. 98, 1979
	rs. No. 87, 1980
	am. No. 80, 1982; No. 78, 1990
S. 231A	ad. No. 49, 1934
	rs. No. 96, 1953
	am. No. 93, 1966; No. 98, 1979;
	No. 10, 1981; No. 80, 1982; No. 57,
	1988
S. 231B	ad. No. 96, 1953
	am. No. 93, 1966; No. 98, 1979;
	No. 10, 1981; No. 57, 1988
S. 231C	ad. No. 96, 1953
	am. No. 36, 1958; No. 93, 1966;
	No. 98, 1979; No. 10, 1981; No. 80,
	1982; No. 57, 1988
S. 231D	ad. No. 96, 1953
	am. No. 98, 1979; No. 78, 1990
S. 231E	ad. No. 96, 1953
	am. No. 93, 1966; No. 10, 1981;
	No. 80, 1982
S. 231F	ad. No. 96, 1953
	am. No. 36, 1958; No. 60, 1967;
	No. 98, 1979
Division 7	
Div. 7 of Part IV	rs. No. 36, 1958
S. 232	am. No. 49, 1934; No. 80, 1950
	rs. No. 36, 1958
	am. No. 98, 1979; No. 80, 1982;
	No. 78, 1990
S. 233	rs. No. 36, 1958
	am. No. 93, 1966; No. 98, 1979;
	No. 10, 1981; No. 80, 1982; No. 57,
	1988
S. 234	rs. No. 36, 1958
	am. No. 80, 1982
Division 8	
Heading to Div. 8	am. No. 1, 1921
of Part IV	
	rs. No. 98, 1979
S. 235	am. No. 1, 1921; No. 49, 1934;
	No. 36, 1958; No. 1, 1965; No. 93,
	1966; No. 98, 1979; No. 10, 1981;
	No. 80, 1982; No. 57, 1988; No. 95,
	1995
S. 236	rs. No. 1, 1921
	rep. No. 1, 1965
	ad. No. 98, 1979

Division 9	
Div. 9 of Part IV	rep. No. 1, 1965
	ad. No. 98, 1979
S. 237	rs. No. 1, 1921
	rep. No. 1, 1965
	ad. No. 98, 1979
S. 237A	ad. No. 1, 1921
	rep. No. 1, 1965
S. 238	rep. No. 1, 1965
	ad. No. 98, 1979
	am. No. 78, 1990
S. 239	rs. No. 1, 1921
	rep. No. 1, 1965
	ad. No. 98, 1979
	am. No. 95, 1995
S. 240	rs. No. 1, 1921
	rep. No. 1, 1965
	ad. No. 98, 1979
	am. No. 78, 1990
S. 241	rs. No. 1, 1921
	rep. No. 1, 1965
	ad. No. 98, 1979
S. 242	am. No. 1, 1921
	rep. No. 1, 1965
S. 243	rs. No. 1, 1921
	rep. No. 1, 1965
Ss. 244, 245	rep. No. 1, 1965
S. 246	rep. No. 1, 1921
S. 247	rep. No. 1, 1965
Division 10	
Heading to Div.	rs. No. 96, 1953
10 of	
Part IV	
S. 248	rs. No. 80, 1982
S. 249	am. No. 1, 1921
	rs. No. 96, 1953
	am. No. 1, 1965; No. 93, 1966;
	No. 98, 1979; No. 10, 1981; No. 57,
	1988
S. 250	am. No. 167, 1986
S. 251	am. No. 10, 1981; No. 57, 1988;
	No. 95, 1995
S. 252	am. No. 98, 1979; No. 34, 1988;
	No. 95, 1995
S. 253	rs. No. 1, 1965
	am. No. 93, 1966; No. 98, 1979;
	No. 10, 1981; No. 57, 1988; No. 143,
	2001
S. 253A	ad. No. 49, 1934
	am. No. 96, 1953; No. 93, 1966;
	No. 60, 1967; No. 98, 1979; No. 10,
	1981; No. 57, 1988; No. 78, 1990
S. 254	am. No. 1, 1965; No. 93, 1966;
	No. 98, 1979; No. 10, 1981; No. 57,
	1988; No. 78, 1990

S. 255	am. No. 1, 1965; No. 93, 1966;
	No. 98, 1979; No. 10, 1981; No. 57,
	1988
S. 256	am. No. 1, 1965; No. 93, 1966;
	No. 98, 1979; No. 10, 1981
	rep. No. 80, 1982
Heading to s. 257	rs. No. 24, 2006
S. 257	am. No. 1, 1921
	rs. No. 96, 1953; No. 36, 1958
	am. No. 1, 1965; No. 93, 1966
	rs. No. 60, 1967
	am. No. 98, 1979; No. 10, 1981;
	No. 57, 1988; No. 24, 2006
S. 257A	ad. No. 96, 1953
	rep. No. 36, 1958
Division 11	
Heading to Div.	am. No. 1, 1921
11	rs. No. 96, 1961
of Part IV	
S. 258	am. No. 1, 1921; No. 49, 1934
	rs. No. 96, 1953
	am. No. 93, 1966; No. 98, 1979;
	No. 87, 1980; No. 10, 1981; No. 80,
	1982; No. 72, 1984; No. 141, 1987;
	Nos. 23 and 78, 1990; No. 28, 2005
S. 258AA	ad. No. 98, 1979
	am. No. 95, 1995
S. 258A	ad. No. 1, 1921
	am. No. 93, 1966; No. 98, 1979;
	No. 10, 1981; No. 57, 1988; No. 95,
	1995; No. 28, 2005
S. 258B	ad. No. 49, 1934
	rep. No. 96, 1953
S. 259	am. No. 98, 1979; No. 87, 1980;
	No. 95, 1995
S. 260	am. No. 87, 1980; No. 95, 1995
S. 261	am. No. 98, 1979; No. 87, 1980;
	No. 95, 1995
Heading to s.	am. No. 24, 2006
261A	
S. 261A	ad. No. 36, 1958
	am. No. 98, 1979; No. 87, 1980;
	No. 24, 2006
S. 262	rep. No. 34, 1988
S. 263	am. No. 36, 1958; No. 98, 1979;
	No. 87, 1980; No. 118, 1999
S. 264	am. No. 1, 1921; No. 96, 1953;
	No. 36, 1958; No. 98, 1979; No. 87,
	1980; No. 10, 1981; No. 57, 1988;
	No. 95, 1995; No. 118, 1999; No. 143,
	2001; No. 28, 2005
S. 265	rs. No. 1, 1921; No. 49, 1934;
	No. 96, 1953
	am. No. 36, 1958; No. 93, 1966;
	No. 98, 1979; No. 87, 1980; No. 10,

	1981; No. 57, 1988; No. 95, 1995;
	No. 143, 2001 (as am. by No. 63,
	2002); No. 28, 2005
S. 265A	ad. No. 1, 1921
	am. No. 87, 1980
Division 12	
Div. 12 of	rep. No. 36, 1958
Part IV	
	ad. No. 40, 1983
S. 266	am. No. 1, 1921
	rep. No. 36, 1958
	ad. No. 40, 1983
	am. No. 138, 2006
S. 267	rep. No. 36, 1958
	ad. No. 40, 1983
	am. No. 65, 1985; No. 167, 1986;
	No. 138, 2006; No. 24, 2007
S. 267A	ad. No. 40, 1983
	am. No. 65, 1985; No. 78, 1990
	rs. No. 138, 2006
	am. No. 24, 2007
S. 267B	ad. No. 40, 1983
	am. No. 141, 1987; No. 78, 1990
S. 267C	ad. No. 40, 1983
	am. No. 78, 1990
S. 267D	ad. No. 40, 1983
	am. No. 167, 1986; No. 57, 1988;
	No. 78, 1990; No. 143, 2001
S. 267E	ad. No. 40, 1983
	am. No. 167, 1986; No. 57, 1988;
	No. 143, 2001
S. 267F	ad. No. 40, 1983
S. 267G	ad. No. 40, 1983
	am. No. 167, 1986; No. 57, 1988
S. 267H	ad. No. 40, 1983
	am. No. 167, 1986
S. 267J	ad. No. 40, 1983
	am. No. 167, 1986 (as am. by No. 141,
	1987); No. 57, 1988; No. 95, 1995
S. 267K	ad. No. 40, 1983
	am. No. 167, 1986; No. 57, 1988;
	No. 78, 1990; No. 143, 2001; No. 24,
	2006
S. 267L	ad. No. 40, 1983
	rep. No. 57, 1988
Division 12A	
Div. 12A of	ad. No. 40, 1983
Part IV)	
S. 267M	ad. No. 40, 1983
S. 267N	ad. No. 40, 1983
	am. No. 167, 1986; No. 138, 2006
S. 267P	ad. No. 40, 1983
	am. No. 78, 1990
	rs. No. 138, 2006
S. 267Q	ad. No. 40, 1983

	am. No. 141, 1987; No. 78, 1990
S. 267R	ad. No. 40, 1983
	am. No. 78, 1990
S. 267S	ad. No. 40, 1983
	am. No. 167, 1986; No. 57, 1988;
	No. 78, 1990; No. 173, 1991; No. 143,
	2001
S. 267T	ad. No. 40, 1983
	am. No. 167, 1986; No. 57, 1988;
	No. 143, 2001
S. 267U	ad. No. 40, 1983
S. 267V	ad. No. 40, 1983 (as am. by No. 91,
	1983)
	am. No. 167, 1986; No. 57, 1988;
	No. 138, 2006
S. 267W	ad. No. 40, 1983
	am. No. 167, 1986
S. 267X	ad. No. 40, 1983
	am. No. 167, 1986 (as am. by No. 141,
	1987); No. 57, 1988; No. 95, 1995
S. 267Y	ad. No. 40, 1983
	am. No. 167, 1986; No. 57, 1988;
	No. 78, 1990; No. 143, 2001; No. 24,
	2006
S. 267Z	ad. No. 40, 1983
	rep. No. 57, 1988
Division 12B	
Div. 12B of	ad. No. 167, 1986
Part IV	
Ss. 267ZA, 267ZB	ad. No. 167, 1986
S. 267ZC	ad. No. 167, 1986
	am. No. 109, 2006
Division 12C	
Div. 12C of	ad. No. 167, 1986
Part IV	
Ss. 267ZD, 267ZE	ad. No. 167, 1986
	am. No. 47, 2003
S. 267ZF	ad. No. 167, 1986
	rs. No. 47, 2003
Heading to s.	am. No. 47, 2003
267ZG	
S. 267ZG	ad. No. 167, 1986
	am. No. 47, 2003
Heading to s.	am. No. 47, 2003
267ZH	
S. 267ZH	ad. No. 167, 1986
	am. No. 47, 2003
S. 267ZJ	ad. No. 167, 1986
	am. No. 57, 1988; No. 143, 2001;
	No. 47, 2003
S. 267ZK	ad. No. 167, 1986
	am. No. 57, 1988; No. 143, 2001
S. 267ZL	ad. No. 167, 1986
	rs. No. 47, 2003
S. 267ZM	ad. No. 167, 1986

	am. No. 57, 1988
Ss. 267ZN, 267ZP	ad. No. 167, 1986
S. 267ZQ	ad. No. 167, 1986
	am. No. 57, 1988; No. 143, 2001;
	No. 47, 2003; No. 24, 2006
S. 267ZR	ad. No. 167, 1986
	rep. No. 57, 1989
S. 267ZS	ad. No. 6, 1989
Division 13	
Heading to Div.	am. No. 1, 1921
13 of	
Part IV	
S. 268	am. No. 36, 1958
	rs. No. 96, 1961
	am. No. 1, 1965; No. 93, 1966;
	No. 98, 1979; No. 10, 1981; No. 95,
	1995; No. 24, 2006
S. 269	rs. No. 36, 1958
	am. No. 93, 1966; No. 98, 1979;
	No. 10, 1981; No. 78, 1990; No. 95,
	1995; No. 24, 2006
S. 269A	ad. No. 1, 1921
	am. No. 49, 1934; No. 96, 1953;
	No. 93, 1966; No. 60, 1967; No. 216,
	1973; No. 98, 1979; No. 10, 1981;
	No. 136, 1983; No. 72, 1984; No. 78,
	1990; No. 167, 1992; No. 95, 1995
	rs. No. 24, 2006
Division 14	
Div. 14 of	ad. No. 98, 1979
Part IV	
	rs. No. 24, 2006
S. 269B	ad. No. 98, 1979
	am. No. 10, 1981; No. 78, 1990;
	No. 173, 1991
	rs. No. 24, 2006
Ss. 269C, 269D	ad. No. 98, 1979
	rs. No. 24, 2006
S. 269E	ad. No. 98, 1979
	rs. No. 78, 1990
	rep. No. 24, 2006
Ss. 269F, 269G	ad. No. 98, 1979
	am. No. 78, 1990; No. 95, 1995
	rep. No. 24, 2006
S. 269H	ad. No. 98, 1979
	am. No. 141, 1987; No. 78, 1990;
	No. 95, 1995
	rep. No. 24, 2006
S. 269J	ad. No. 98, 1979
	am. No. 78, 1990; No. 95, 1995
	rep. No. 24, 2006
S. 269K	ad. No. 98, 1979
	am. No. 95, 1995
	rep. No. 24, 2006
S. 269L	ad. No. 98, 1979

	am. No. 78, 1990
	rep. No. 24, 2006
S. 269M	ad. No. 98, 1979
	rep. No. 78, 1990
S. 269N	ad. No. 98, 1979
	am. No. 10, 1981; No. 57, 1988;
	No. 143, 2001
	rep. No. 24, 2006
Note to s. 269N	ad. No. 143, 2001
	rep. No. 24, 2006
Part V	
S. 270	am. No. 1, 1921; No. 96, 1953;
	No. 96, 1961; No. 98, 1979; No. 10,
	1981
S. 271	am. No. 1, 1921; No. 36, 1958 (as am.
	by No. 96, 1961)
	rep. No. 96, 1961
S. 272	am. No. 98, 1979; No. 95, 1995
S. 273	am. No. 98, 1979
S. 274	am. No. 1, 1921; No. 98, 1979;
	No. 95, 1995
S. 275	am. No. 93, 1966; No. 98, 1979;
	No. 10, 1981; No. 57, 1988; No. 95,
	1995
	rs. No. 143, 2001
S. 276	am. No. 98, 1979; No. 95, 1995
S. 277	am. No. 36, 1958; No. 93, 1966;
	No. 98, 1979
	rep. No. 10, 1981
S. 278	am. No. 36, 1958; No. 93, 1966;
	No. 98, 1979; No. 10, 1981; No. 57,
	1988; No. 95, 1995; No. 143, 2001
S. 279	am. No. 1, 1921; No. 95, 1995
S. 280	am. No. 93, 1966; No. 98, 1979;
	No. 10, 1981
S. 281	am. No. 1, 1921; No. 36, 1958;
	No. 98, 1979; No. 10, 1981; No. 95,
	1995
S. 282	am. No. 36, 1958; No. 98, 1979;
	No. 10, 1981; No. 95, 1995; No. 143,
	2001
Part VA	
Part VA	ad. No. 98, 1979
S. 283	am. No. 36, 1958
	rep. No. 1, 1965
	ad. No. 98, 1979
S. 283A	ad. No. 98, 1979
	am. No. 80, 1982; No. 78, 1990
S. 283B	ad. No. 98, 1979
Part VB	
Part VB	ad. No. 87, 1980
S. 283C	ad. No. 87, 1980
Ss. 283D, 283E	ad. No. 87, 1980
	am. No. 72, 1984; No. 78, 1990
Ss. 283F, 283G	ad. No. 87, 1980

	am. No. 57, 1988; No. 78, 1990;
	No. 143, 2001; No. 24, 2006
S. 283H	ad. No. 87, 1980
S. 283J	ad. No. 87, 1980
	am. No. 72, 1984
S. 283K	ad. No. 87, 1980
	am. No. 78, 1990
Part VI	
S. 284	am. No. 98, 1979; No. 10, 1981
S. 285	rep. No. 98, 1979
S. 286	rs. No. 1, 1921
	am. No. 8, 1926; No. 109, 1952;
	No. 36, 1958; No. 216, 1973; No. 98,
	1979; No. 10, 1981; No. 95, 1995;
	No. 24, 2006
S. 287	am. No. 36, 1958; No. 93, 1966;
	No. 98, 1979; No. 10, 1981; No. 57,
	1988; No. 143, 2001
S. 288	am. No. 1, 1921; No. 109, 1952;
	No. 36, 1958; No. 93, 1966; No. 216,
	1973; No. 98, 1979; No. 10, 1981;
	No. 57, 1988; No. 95, 1995; No. 143,
	2001
S. 289	am. No. 1, 1921; No. 36, 1958; No. 1,
	1965; No. 60, 1967; No. 98, 1979;
	No. 95, 1995
S. 290	am. No. 87, 1980; No. 10, 1981;
	No. 57, 1988; No. 95, 1995
S. 291	am. No. 98, 1979; No. 95, 1995
S. 292	rs. No. 46, 1956
	am. No. 87, 1988; No. 60, 1996
	rs. SLI 2006 No. 50
S. 293	am. No. 36, 1958; No. 93, 1966;
	No. 98, 1979; No. 143, 2001
S. 293A	ad. No. 8, 1925
	am. No. 98, 1979; No. 95, 1995
Part VII	
List of Div.	am. No. 1, 1921
headings to	rep. No. 36, 1958
Part VII	
Division 1	
S. 294	am. No. 117, 1970; No. 98, 1979;
	No. 78, 1990; No. 95, 1995
S. 295	am. No. 98, 1979
S. 295A	ad. No. 98, 1979
	am. No. 95, 1995
S. 295B	ad. No. 80, 1982
	am. No. 95, 1995
Division 2	
Subhead. to s.	rep. No. 87, 1980
296	
Ss. 296, 297	am. No. 93, 1966; No. 98, 1979;
	No. 10, 1981; No. 95, 1995; No. 143,
	2001
S. 298	am. No. 93, 1966; No. 98, 1979;

	No. 10, 1981; No. 143, 2001
S. 299	am. No. 95, 1995
S. 300	am. No. 1, 1965; No. 91, 1976;
	No. 98, 1979; No. 78, 1990; No. 95,
	1995
S. 301	am. No. 36, 1958; No. 98, 1979;
	No. 78, 1990
Subhead. to s.	rep. No. 87, 1980
302	
Ss. 302, 303	am. No. 93, 1966; No. 98, 1979;
	No. 10, 1981; No. 95, 1995
S. 304	am. No. 98, 1979; No. 95, 1995
S. 305	am. No. 10, 1981; No. 95, 1995
S. 306	am. No. 36, 1958; No. 93, 1966;
	No. 98, 1979; No. 95, 1995
S. 307	am. No. 78, 1990; No. 95, 1995
Subhead. to s.	rep. No. 87, 1980
308	
S. 309	am. No. 95, 1995; No. 8, 2005
S. 310	am. No. 98, 1979
S. 311	am. No. 95, 1995
Subhead. to s.	rep. No. 87, 1980
312	
S. 312	am. No. 10, 1981; No. 57, 1988
S. 313	am. No. 93, 1966; No. 98, 1979;
	No. 10, 1981; No. 143, 2001
S. 314	am. No. 93, 1966; No. 98, 1979;
	No. 10, 1981
	rs. No. 143, 2001
S. 314A	ad. No. 95, 1995
Division 3	
S. 315	am. No. 36, 1958
	rs. No. 95, 1995
S. 316	rep. No. 36, 1958
	ad. No. 95, 1995
S. 317	rs. No. 95, 1995
S. 317A	ad. No. 1, 1921
	am. No. 98, 1979; No. 87, 1980;
	No. 10, 1981; No. 57, 1988; No. 95,
	1995
Div. 4 of	rep. No. 95, 1995
Part VII	
S. 318	am. No. 93, 1966; No. 98, 1979;
	No. 87, 1980
	rep. No. 34, 1988
S. 319	am. No. 1, 1921; No. 98, 1979
	rep. No. 34, 1988
S. 320	am. No. 93, 1966; No. 98, 1979;
	No. 87, 1980
	rep. No. 34, 1988
S. 321	am. No. 98, 1979; No. 43, 1996
	rep. No. 95, 1995
S. 322	am. No. 87, 1980
	rep. No. 34, 1988
S. 323	am. No. 1, 1921; No. 98, 1979

	rep. No. 95, 1995
S. 324	am. No. 98, 1979; No. 87, 1980
	rep. No. 95, 1995
S. 325	am. No. 93, 1966; No. 98, 1979;
	No. 87, 1980; No. 95, 1995
	rep. No. 95, 1995
S. 326	am. No. 93, 1966; No. 98, 1979;
	No. 87, 1980
	rep. No. 34, 1988
S. 327	am. No. 36, 1958; No. 87, 1980;
	No. 10, 1981
	rep. No. 95, 1995
Div. 5 of	rep. No. 34, 1988
Part VII	
S. 328	am. No. 87, 1980
	rep. No. 34, 1988
Div. 6 of	rep. No. 95, 1995
Part VII	
S. 329	am. No. 98, 1979; No. 87, 1980;
	No. 80, 1982; No. 78, 1990
	rep. No. 95, 1995
Heading to Div. 7	rep. No. 95, 1995
of Part VII	
Div. 7 of	ad. No. 36, 1958
Part VII	
S. 329A	ad. No. 36, 1958
	am. No. 98, 1979
	rs. No. 63, 1989
	rep. No. 95, 1995
S. 329B	ad. No. 36, 1958
	am. No. 98, 1979; No. 87, 1980;
	No. 63, 1989; No. 5, 1994; No. 95,
	1995 (as am. by No. 8, 2007)
S. 329C	ad. No. 36, 1958
	am. No. 98, 1979; No. 87, 1980;
	No. 95, 1995
Part VIIA	ad. No. 1, 1970
	rs. No. 117, 1970
	rep. No. 36, 1981
S. 329D	ad. No. 1, 1970
	rs. No. 117, 1970
	am. No. 216, 1973 (as am. by No. 20,
	1974); No. 98, 1979
	rep. No. 36, 1981
Ss. 329E-329G	ad. No. 1, 1970
	rs. No. 117, 1970
	am. No. 98, 1979
	rep. No. 36, 1981
S. 329H	ad. No. 1, 1970
	rs. No. 117, 1970
	rep. No. 36, 1981
Ss. 329J, 329K	ad. No. 1, 1970
	rs. No. 117, 1970
	am. No. 98, 1979

	rep. No. 36, 1981
S. 329L	ad. No. 1, 1970
	rs. No. 117, 1970
	am. No. 216, 1973; No. 98, 1979
	rep. No. 36, 1981
Part VIII	
Heading to	am. No. 151, 1989
Part VIII	
Part VIII	rs. No. 98, 1979
Div. 1 of	rep. No. 151, 1989
Part VIII	
S. 330	am. No. 1, 1921
	rs. No. 36, 1958; No. 98, 1979
	am. No. 80, 1982
	rep. No. 151, 1989
S. 331	rs. No. 36, 1958; No. 98, 1979
	rep. No. 151, 1989
S. 332	rs. No. 36, 1958
	am. No. 98, 1979
	rs. No. 98, 1979
	am. No. 87, 1980
	rep. No. 151, 1989
S. 333	rs. No. 36, 1958
	am. No. 98, 1979
	rs. No. 98, 1979
	rep. No. 151, 1989
S. 334	rs. No. 36, 1958; No. 98, 1979;
	No. 87, 1980
	rep. No. 151, 1989
S. 335	am. No. 1, 1921
	rs. No. 36, 1958
	am. No. 96, 1961; No. 28, 1972;
	No. 98, 1979
	rs. No. 98, 1979
	rep. No. 151, 1989
S. 336	rs. No. 36, 1958; No. 98, 1979
	am. No. 80, 1982
	rep. No. 151, 1989
S. 337	rep. No. 36, 1958
	ad. No. 98, 1979
	rep. No. 151, 1989
Division 2	
S. 338	rep. No. 36, 1958
	ad. No. 98, 1979
	am. No. 10, 1981; No. 95, 1995
Ss. 339-341	am. No. 1, 1921
	rep. No. 36, 1958
Ss. 342-348	rep. No. 36, 1958
S. 349	am. No. 1, 1921
	rep. No. 36, 1958
S. 350	rep. No. 36, 1958
S. 351	am. No. 49, 1934
	rep. No. 36, 1958
Ss. 352-354	am. No. 1, 1921
	rep. No. 36, 1958

S. 355	rep. No. 36, 1958
Part IX	rep. No. 23, 1990
S. 355A	ad. No. 96, 1961
	am. No. 98, 1979
	rep. No. 98, 1979
S. 356	am. No. 36, 1958; No. 6, 1989
	rep. No. 23, 1990
S. 357	am. No. 36, 1958
	rep. No. 23, 1990
S. 358	rs. No. 87, 1980
	am. No. 61, 1981
	rep. No. 23, 1990
S. 359	am. No. 98, 1979
	rep. No. 23, 1990
S. 360	am. No. 1, 1943; No. 36, 1958;
	No. 98, 1979; No. 10, 1981
	rep. No. 23, 1990
S. 361	am. No. 36, 1958; No. 98, 1979
	rep. No. 98, 1979
S. 362	am. No. 36, 1958; No. 96, 1961
	rs. No. 98, 1979
	rep. No. 23, 1990
S. 363	am. No. 98, 1979
	rep. No. 23, 1990
S. 364	am. No. 1, 1921; No. 1, 1943; No. 36,
	1958; No. 98, 1979; No. 87, 1980;
	No. 10, 1981
	rep. No. 23, 1990
S. 365	am. No. 1, 1921
	rep. No. 23, 1990
S. 366	am. No. 1, 1943; No. 36, 1958;
	No. 98, 1979
	rep. No. 23, 1990
S. 367	rep. No. 23, 1990
S. 368	rep. No. 1, 1921
S. 369	rep. No. 23, 1990
S. 370	rs. No. 36, 1958
	am. No. 96, 1961; No. 98, 1979
	rep. No. 23, 1990
S. 370A	ad. No. 36, 1958
	am. No. 1, 1965; No. 87, 1980
	rep. No. 23, 1990
S. 370B	ad. No. 36, 1958
	am. No. 93, 1966; No. 98, 1979;
	No. 10, 1981
	rep. No. 23, 1990
S. 371	am. No. 1, 1921
	rep. No. 23, 1990
S. 372	rs. No. 1, 1943
	am. No. 36, 1958
	rep. No. 98, 1979
S. 373	rs. No. 1, 1943
	rep. No. 98, 1979
S. 374	am. No. 1, 1943; No. 36, 1958;
	No. 93, 1966; No. 98, 1979

	rep. No. 98, 1979
S. 375	rs. No. 36, 1958
	am. No. 93, 1966; No. 98, 1979
	rep. No. 98, 1979
S. 375A	ad. No. 1, 1943
	rep. No. 98, 1979
S. 375B	ad. No. 1, 1943
	rs. No. 36, 1958; No. 96, 1961
	am. No. 157, 1976; No. 98, 1979
	rep. No. 98, 1979
S. 376	rep. No. 36, 1958
S. 377	am. No. 1, 1921; No. 132, 1986
	rep. No. 6, 1989
S. 377A	ad. No. 1, 1943
	am. No. 96, 1961; No. 93, 1966;
	No. 98, 1979; No. 87, 1980; No. 10,
	1981
	rep. No. 23, 1990
Part IXA	
Part IXA	ad. No. 6, 1989
Ss. 377B, 377C	ad. No. 6, 1989
S. 377CA	ad. No. 24, 2006
Ss. 377D-377H	ad. No. 6, 1989
S. 377J	ad. No. 6, 1989
S. 377JA	ad. No. 24, 2006
S. 377K	ad. No. 6, 1989
S. 377L	ad. No. 6, 1989
	am. No. 64, 1994 (as am. by No. 43,
	1996)
S. 377M	ad. No. 6, 1989
Part X	
Division 1	
Heading to Div. 1	ad. No. 36, 1958
of Part X	
Subhead. before	rep. No. 36, 1958
s. 378	
S. 380	am. No. 87, 1980
Ss. 381, 382	am. No. 36, 1958
	rep. No. 98, 1979
S. 383	am. No. 1, 1921; No. 36, 1958;
	No. 60, 1967; No. 98, 1979; No. 87,
	1980; No. 10, 1981
	rep. No. 34, 1988
S. 384	am. No. 98, 1979
Division 2	
Heading to Div. 2	ad. No. 36, 1958
of Part X	
S. 385	am. No. 87, 1980
	rep. No. 34, 1988
	ad. No. 95, 1995
	am. No. 24, 2006
Subhead. before	rep. No. 36, 1958
s. 386	
S. 386	am. No. 93, 1966; No. 98, 1979;
	No. 10, 1981; No. 95, 1995; No. 137,

	2000
Heading to s.	rs. No. 95, 1995
386A	
S. 386A	ad. No. 11, 1991
	am. No. 24, 2006
S. 386B	ad. No. 95, 1995
	am. No. 143, 2001; No. 24, 2006
S. 386C	ad. No. 95, 1995
	am. No. 24, 2006
S. 386D	ad. No. 95, 1995
Heading to s.	rs. No. 24, 2006
386E	
S. 386E	ad. No. 95, 1995
	am. No. 143, 2001; No. 24, 2006
S. 386F	ad. No. 95, 1995
	am. No. 24, 2006
S. 386G	ad. No. 95, 1995
	am. No. 143, 2001
S. 386H	ad. No. 95, 1995
S. 386J	ad. No. 95, 1995
	am. No. 24, 2006
S. 387	rs. No. 109, 1952
	am. No. 10, 1981; No. 57, 1988;
	No. 95, 1995
	rs. No. 137, 2000
S. 387A	ad. No. 109, 1952
	am. No. 93, 1966; No. 98, 1979;
	No. 87, 1980; No. 10, 1981; No. 57,
	1988; No. 95, 1995
S. 387B	ad. No. 109, 1952
	am. No. 36, 1958; No. 10, 1981
	rep. No. 76, 1986
S. 388	am. No. 36, 1958; No. 1, 1965;
	No. 93, 1966; No. 98, 1979; No. 10,
	1981; No. 78, 1990; No. 143, 2001
S. 389	am. No. 1, 1921
	rs. No. 36, 1958 (as am. by No. 96,
	1961)
	am. No. 10, 1981; No. 57, 1988;
	No. 143, 2001
S. 389A	ad. No. 36, 1958
	am. No. 1, 1965; No. 93, 1966;
	No. 98, 1979; No. 10, 1981; No. 57,
	1988; No. 5, 1994; No. 95, 1995;
	No. 137, 2000; No. 143, 2001
S. 390	am. No. 1, 1965; No. 87, 1980
	rep. No. 10, 1981
S. 391	rs. No. 36, 1958
	am. No. 98, 1979; No. 95, 1995
Division 3	
Heading to Div. 3	ad. No. 36, 1958
of Part X	
Subhead. before	rep. No. 36, 1958
s. 392	
S. 392	am. No. 36, 1958; No. 93, 1966;

	No. 216, 1973; No. 98, 1979
	rs. No. 10, 1981
	am. No. 80, 1982; No. 72, 1984;
	No. 141, 1987
	rep. No. 57, 1988
S. 393	rs. No. 36, 1958
	am. No. 93, 1966; No. 98, 1979
	rs. No. 10, 1981
	rep. No. 57, 1988
S. 394	rs. No. 10, 1981
	am. No. 40, 1983; No. 72, 1984;
	No. 167, 1986; No. 141, 1987
	rep. No. 57, 1988
S. 395	rep. No. 98, 1979
	ad. No. 10, 1981
	rep. No. 57, 1988
S. 395A	ad. No. 167, 1986
S. 396	am. No. 36, 1958; No. 98, 1979;
	No. 87, 1980; No. 34, 1988; No. 95,
	1995
S. 397	am. No. 1, 1921
	rep. No. 36, 1958
	ad. No. 98, 1979
	am. No. 10, 1981; No. 141, 1987;
	No. 57, 1988; No. 5, 1994; No. 24,
	2006
S. 398	rep. No. 76, 1986
S. 399	am. No. 98, 1979
Division 4	
Heading to Div. 4	ad. No. 36, 1958
of Part X	
Subhead. before	rep. No. 36, 1958
s. 400	
S. 400	am. No. 36, 1958; No. 98, 1979;
	No. 87, 1980
S. 401	am. No. 98, 1979; No. 5, 1994;
	No. 95, 1995
S. 403	am. No. 109, 1952; No. 98, 1979;
	No. 95, 1995
S. 403A	ad. No. 193, 1985
S. 404	am. No. 87, 1980; No. 95, 1995
Division 5	
Div. 5 of Part X	ad. No. 36, 1958
S. 405A	ad. No. 109, 1952
	rep. No. 46, 1956
	ad. No. 36, 1958
	am. No. 87, 1980; No. 34, 1988
Part XA	
Part XA	ad. No. 109, 1952
	rep. No. 46, 1956
	ad. No. 98, 1979
S. 405B	ad. No. 109, 1952
	rep. No. 46, 1956
	ad. No. 98, 1979
	am. No. 141, 1987

S. 405C	ad. No. 109, 1952
	rep. No. 46, 1956
	ad. No. 98, 1979
	am. No. 78, 1990
S. 405D	ad. No. 109, 1952
	rep. No. 46, 1956
	ad. No. 98, 1979
	am. No. 95, 1995
S. 405E	ad. No. 109, 1952
	rep. No. 46, 1956
	ad. No. 98, 1979
	am. No. 80, 1982
Ss. 405F-405H	ad. No. 109, 1952
	rep. No. 46, 1956
	ad. No. 98, 1979
	am. No. 80, 1982; No. 78, 1990
S. 405J	ad. No. 109, 1952
	rep. No. 46, 1956
	ad. No. 98, 1979
	am. No. 78, 1990
S. 405K	ad. No. 109, 1952
	rep. No. 46, 1956
	ad. No. 98, 1979
	am. No. 10, 1981; No. 143, 2001
S. 405L	ad. No. 109, 1952
	rep. No. 46, 1956
	ad. No. 98, 1979
	am. No. 80, 1982
	rep. No. 6, 1989
S. 405M	ad. No. 109, 1952
	rep. No. 46, 1956
	ad. No. 98, 1979
	am. No. 78, 1990
Ss. 405N, 405P	ad. No. 109, 1952
	rep. No. 46, 1956
	ad. No. 98, 1979
	am. No. 80, 1982; No. 173, 1991
S. 405PA	ad. No. 80, 1982 (as am. by No. 39,
	1983)
	rep. No. 78, 1990
S. 405Q	ad. No. 109, 1952
	rep. No. 46, 1956
Part XI	
S. 406	am. No. 216, 1973; No. 98, 1979
	rep. No. 10, 1981
S. 407	am. No. 60, 1967; No. 98, 1979;
	No. 78, 1990; No. 8, 2005
S. 407A	ad. No. 28, 1972
	am. No. 98, 1979; No. 10, 1981
	S. 407A (1), (2) and (4)
	omitted by No. 98, 1979
	S. 407A (3)
	omitted by No. 10, 1981
S. 407B	ad. No. 28, 1972
	am. No. 98, 1979; No. 10, 1981

	rep. No. 98, 1979
S. 408	am. No. 36, 1958
	rep. No. 98, 1979
S. 409	am. No. 1, 1921; No. 28, 1972;
	No. 98, 1979
	rep. No. 98, 1979
S. 410	rs. No. 36, 1958
	am. No. 98, 1979; No. 10, 1981;
	No. 5, 1994
S. 410A	ad. No. 1, 1921
	am. No. 36, 1958; No. 93, 1966;
	No. 98, 1979; No. 10, 1981; No. 57,
	1988; No. 24, 2006
Heading to s.	am. No. 24, 2006
410B	
S. 410B	ad. No. 36, 1958
	am. No. 216, 1973; No. 87, 1980;
	No. 95, 1995; No. 24, 2006
S. 411	rep. No. 10, 1981
	ad. No. 24, 2006
S. 412	am. No. 87, 1980
	rs. No. 78, 1990
S. 413	am. No. 1, 1921; No. 36, 1958;
	No. 93, 1966; No. 98, 1979; No. 10,
	1981; No. 78, 1990; No. 95, 1995;
	No. 143, 2001
S. 414	am. No. 36, 1958; No. 96, 1961;
	No. 93, 1966; No. 98, 1979; No. 10,
	1981; No. 57, 1988; No. 24, 2006
S. 415	am. No. 93, 1966; No. 98, 1979;
	No. 10, 1981; No. 57, 1988; No. 95,
	1995; No. 143, 2001; No. 24, 2006
S. 416	am. No. 98, 1979
S. 417	rs. No. 36, 1958 (as am. by No. 96,
	1961)
	am. No. 1, 1965; No. 93, 1966;
	No. 98, 1979; No. 10, 1981; No. 57,
	1988; No. 78, 1990; No. 95, 1995
S. 418	rep. No. 36, 1958
S. 418A	ad. No. 1, 1921
	am. No. 80, 1950; No. 36, 1958;
	No. 96, 1961; No. 98, 1979; No. 78,
	1990
S. 419	rs. No. 1, 1921
	am. No. 49, 1934
	rs. No. 96, 1961
	am. No. 98, 1979
S. 420	rs. No. 36, 1958 (as am. by No. 96,
	1961); No. 96, 1961
	am. No. 93, 1966; No. 98, 1979
	rep. No. 98, 1979
S. 421	am. No. 80, 1950
	rep. No. 36, 1958
	ad. No. 96, 1961
	am. No. 98, 1979; No. 78, 1990

	rs. No. 64, 1994
	am. No. 143, 2001
S. 422	am. No. 98, 1979
	rep. No. 64, 1994
S. 422A	ad. No. 8, 1925
	rep. No. 64, 1994
S. 423	am. No. 1, 1921; No. 87, 1980
	rep. No. 64, 1994
S. 423A	ad. No. 1, 1921
	rep. No. 28, 1972
	ad. No. 87, 1980
	am. No. 78, 1990
	rep. No. 64, 1994
S. 423B	ad. No. 10, 1981
	am. No. 57, 1988; No. 78, 1990
	rep. No. 64, 1994
S. 424	rs. No. 36, 1958
	am. No. 96, 1961; No. 91, 1976;
	No. 98, 1979; No. 76, 1986; Nos. 23
	and 78, 1990; No. 95, 1995; No. 43,
	1996
S. 424AA	ad. No. 57, 1988
	rep. No. 6, 1989
Ss. 424A, 424B	ad. No. 40, 1983
	rep. No. 6, 1989
S. 425	am. No. 1, 1921; No. 109, 1952;
	No. 96, 1953; No. 36, 1958; No. 93,
	1966; No. 98, 1979; No. 87, 1980;
	Nos. 10 and 36, 1981; No. 80, 1982;
	No. 72, 1984 (as am. by No. 165,
	1984); No. 193, 1985; No. 132, 1986;
	No. 57, 1988; Nos. 23 and 78, 1990;
	No. 173, 1991; No. 5, 1994; No. 19,
	2003; Nos. 24 and 109, 2006
S. 426	ad. No. 98, 1979
	am. No. 80, 1982; No. 72, 1984;
	No. 65, 1985; No. 99, 1988
	rep. No. 78, 1990
S. 426A	ad. No. 6, 1989
	am. No. 78, 1990
Heading to s. 427	rs. No. 24, 2006
S. 427	ad. No. 98, 1979
	am. No. 87, 1980; No. 141, 1987;
	No. 78, 1990; No. 24, 2006
Schedules	
Schedule I	am. No. 1, 1921; No. 98, 1979
Renumbered	No. 98, 1979
Schedule IA	
Schedule IA	rep. No. 98, 1979
Schedule II	am. No. 1, 1921; No. 36, 1958; No. 1,
	1965; No. 98, 1979
Renumbered	No. 98, 1979
Schedule IIA	
Schedule IIA	rep. No. 98, 1979
Schedule III	am. No. 1, 1921

	rep. No. 36, 1958
Schedule IV	ad. No. 1, 1921
	rep. No. 49, 1934
Schedule V	ad. No. 1, 1921
	am. No. 36, 1958
	rep. No. 98, 1979
Schedule VI	ad. No. 49, 1934
	rs. No. 96, 1953; No. 60, 1967
Renumbered	No. 98, 1979
Schedule 1	
Schedule 1	rs. No. 98, 1979
Schedules 2, 3	ad. No. 98, 1979
Schedule VII	ad. No. 49, 1934
	rs. No. 62, 1968
Renumbered	No. 98, 1979
Schedule 4	
Schedule 4	am. No. 98, 1979
Schedule 5	ad. No. 98, 1979
Schedule 5A	ad. No. 80, 1982
Schedule 6	ad. No. 98, 1979
	rep. No. 151, 1989
Schedule 6A	ad. No. 80, 1982
	rep. No. 151, 1989
Schedule VIII	ad. No. 28, 1972
Renumbered	No. 98, 1979
Schedule 7	
Schedule 7	rep. No. 10, 1981
Schedule 8	ad. No. 98, 1979
Schedule 9	ad. No. 95, 1995
Note 2

Offshore Petroleum (Repeals and Consequential Amendments) Act 2006 (No. 17, 2006)

The following amendments commence on proclamation:

Schedule 2

52Subsection 283K(1)
Omit "Petroleum (Submerged Lands) Act 1967", substitute "Offshore Petroleum Act 2006".

Note: The heading to section 283K is altered by omitting "Petroleum (Submerged Lands) Act 1967" and substituting "Offshore Petroleum Act 2006".

53Subsection 283K(1)
Omit "101", substitute "305".

As at 3 April 2007 the amendments are not incorporated in this compilation.

Note 3

Maritime Legislation Amendment (Prevention of Air Pollution from Ships) Act 2007 (No. 24, 2007)

The following amendments commence on proclamation or 6 months after the day on which the Protocol of 1997 to amend the Convention (within the meaning of the Protection of the Sea (Prevention of Pollution from Ships) Act 1983) to add Annex VI enters into force for Australia (see s. 2(1)):

Schedule 1

1Subsection 6(1)
Insert:

approved form means a form approved by the Authority under section 6F.

2After section 6E
Insert:

6FAuthority may approve form

The Authority may, in writing, approve a form for the purposes of a provision of this Act.

3After Division 12C of Part IV
Insert:

Division 12D-Air pollution

267ZTDefinitions

(1)In this Division:

air pollution prevention certificate means an air pollution prevention certificate issued under subsection 267ZW(1) or (2) and includes an International Air Pollution Prevention Certificate issued for the purposes of:
(a)regulation 7 of Annex VI; or
(b)the law of a foreign country giving effect to that regulation for an Australian ship.

Annex VI means Annex VI to the Prevention of Pollution from Ships Convention.

Australian ship means:
(a)a ship registered in Australia; or
(b)an unregistered ship having Australian nationality.

foreign ship means a ship that is not an Australian ship.

(2)An expression that is used:
(a)in this Division; and
(b)in the Prevention of Pollution from Ships Convention, including

Annex VI but not including any other Annex to that Convention; has, in this Division, the same meaning as in that Convention (whether or not a particular meaning is assigned to it by that Convention).

(3)For the purposes of this Division, a ship is taken not to comply with Annex VI if it does not comply with the regulations and orders made for the purposes of section 267ZV.

267ZUApplication of Division

(1)Section 2 does not have effect in relation to this Division.

(2)This Division does not apply in relation to a ship referred to in subsection 2(1) so far as a law of a State or Territory gives effect to Regulations 5, 6, 8, 9, 13 and 16 of Annex VI in relation to that ship.

(3)A reference in this section to this Division includes a reference to any regulations or orders made for the purposes of section 267ZV.

267ZVRegulations to give effect to Regulations 5, 6, 8, 9, 13 and 16 of Annex VI

The regulations may make provision for and in relation to giving effect to Regulations 5, 6, 8, 9, 13 and 16 of Annex VI.

267ZWAir pollution prevention certificates for Australian ships

(1)The Authority must issue an air pollution prevention certificate for an Australian ship of 400 gross tonnage or above, in the approved form, if, on the basis of declarations of survey in respect of the ship, the Authority is satisfied that the ship is constructed in accordance with Annex VI.

(2)A survey authority may issue an air pollution prevention certificate for an Australian ship of 400 gross tonnage or above, in the approved form, if:
(a)the survey authority surveys the ship; and
(b)on the basis of the survey, the survey authority is satisfied that the ship is constructed in accordance with Annex VI.

(3)For the purposes of subsections (1) and (2), it does not matter whether the ship is required by Annex VI to comply with that Annex.

(4)An air pollution prevention certificate issued under subsection (1) or (2) is not a legislative instrument.

267ZXInternational Air Pollution Prevention Certificates for foreign ships

(1)The Authority may issue an International Air Pollution Prevention Certificate for a foreign ship, in the approved form, if:

(a)the ship is not a ship that is entitled to fly the flag of a State that is not a Party to the Prevention of Pollution from Ships Convention; and
(b)the Authority has caused the ship to be surveyed; and
(c)the survey was carried out at the request of the government of the State under whose authority the ship is operating; and
(d)on the basis of the declarations of survey in respect of the ship, the Authority is satisfied that that ship is constructed in accordance with Annex VI.

(2)For the purposes of subsection (1), it does not matter whether the ship is required by Annex VI to comply with that Annex.

(3)An air pollution prevention certificate issued under subsection (1) is not a legislative instrument.

267ZYObligation to report damage etc. to ship

(1)If:
(a)an Australian ship has a current air pollution prevention certificate; and
(b)something happens to the ship that affects its compliance with Annex VI; and
(c)notice of the happening is not given in accordance with the regulations within 7 days after the happening;
then the master and the owner each commit an offence for each subsequent day that passes without the notice having been given.

Penalty: 60 penalty units.

(2)An offence against subsection (1) is an offence of strict liability.

Note: For strict liability, see section 6.1 of the Criminal Code.

267ZZAuthority may cancel certificates

(1)The Authority may cancel an air pollution prevention certificate that is in force for an Australian ship if the Authority has reason to believe that:
(a)the report of a surveyor in respect of the ship was fraudulently or erroneously made or obtained; or
(b)the certificate was issued upon false or erroneous information; or
(c)the construction of the ship has been altered, or damaged, in a manner that affects the ship's compliance with Annex VI; or
(d)the owner of the ship has failed to comply with section 267ZZA in respect of the ship.

(2)The Authority may cancel an air pollution prevention certificate under subsection (1) whether or not the certificate was issued by the Authority.

(3)The cancellation takes effect when the Authority gives written

notice of the cancellation:
(a)addressed to the owner, agent or master of the ship; and
(b)served in accordance with the regulations.

(4)If an air pollution prevention certificate for a ship is cancelled, the Authority may:
(a)require the certificate to be given to a specified person; and
(b)detain the ship until the requirement is complied with.

(5)The requirement under paragraph (4)(a) must be:
(a)made by notice in writing; and
(b)addressed to the owner, agent or master of the ship; and
(c)served in accordance with the regulations.

(6)A notice under paragraph (5)(a) is not a legislative instrument.

267ZZAShips to be surveyed periodically

(1)A person commits an offence if:
(a)an air pollution prevention certificate is in force for an Australian ship; and
(b)the person is the owner of the ship; and
(c)the person does not, at least once in each prescribed period in relation to the ship, cause the ship to be surveyed to ensure it complies with Annex VI.

Penalty: 60 penalty units.

(2)An offence under subsection (1) is an offence of strict liability.

Note: For strict liability, see section 6.1 of the Criminal Code.

267ZZBCertificate lapses if ship ceases to be Australian ship

An air pollution prevention certificate issued for an Australian ship ceases to have effect if the ship ceases to be an Australian ship.

267ZZCCertificates required for Australian ships

(1)A person commits an offence if:
(a)the person takes a ship to sea; and
(b)the ship is an Australian ship that is of 400 gross tonnage or above; and
(c)the person is the master of the ship; and
(d)an air pollution prevention certificate is not in force for the ship.

Penalty: 100 penalty units.

(2)A person commits an offence if:
(a)the person permits a ship to be taken to sea; and

(b)the ship is an Australian ship that is of 400 gross tonnage or above; and
(c)the person is the owner of the ship; and
(d)an air pollution prevention certificate is not in force for the ship.

Penalty: 100 penalty units.

(3)If the ship was constructed before the commencement of this section, subsections (1) and (2) apply to the ship from the earlier of the following:
(a)the first scheduled dry-docking of the ship after that commencement;
(b)19 May 2008.

267ZZDCertificates to be carried on board Australian ships

A person commits an offence if:
(a)the person is the owner of a ship; and
(b)the ship is an Australian ship of 400 gross tonnage or above; and
(c)an air pollution prevention certificate is in force for the ship; and
(d)the person fails to ensure that the certificate is carried on board the ship.

Penalty: 100 penalty units.

267ZZEProduction of certificate

(1)This section applies if application is made to an officer of Customs in respect of an Australian ship that is of 400 gross tonnage or above for a clearance under the Customs Act for a voyage from a port in Australia.

(2)The officer of Customs may:
(a)require the master of the ship to produce to him or her an air pollution prevention certificate for the ship; and
(b)do either or both of the following until the requirement is complied with:
(i)refuse to grant the clearance;
(ii)detain the ship.

267ZZFDirections in relation to foreign ships

(1)If the Authority considers that a foreign ship is not constructed in accordance with Annex VI, the Authority may give one or more of the following directions in relation to the ship:
(a)that the ship not enter any port, or one or more specified ports, in Australia;
(b)that the ship not use any off-shore terminal, or one or more specified off-shore terminals, in Australia;
(c)that the ship comply with specified requirements while it is entering, is in or is leaving any port, or is in one or more specified ports, in Australia;

(d)that the ship comply with specified requirements while it is approaching, using or leaving any off-shore terminal, or one or more specified off-shore terminals, in Australia.

(2)A direction must:
(a)be given by written notice addressed to the master or the owner of the ship; and
(b)be served in accordance with the regulations.

(3)A notice given under paragraph (2)(a) is not a legislative instrument.

(4)For the purposes of subsection (1), it does not matter whether the ship is required by Annex VI to be constructed in accordance with that Annex.

(5)The Authority may give a direction only to the extent that it appears to it necessary or expedient to do so to protect the environment.

(6)If:
(a)the master or owner of a ship is served with a notice under subsection (2); and
(b)the master or owner does not comply with any direction contained in that notice;
the master and the owner each commit an offence.

Penalty: 100 penalty units.

(7)An offence under subsection (6) is an offence of strict liability.

Note: For strict liability, see section 6.1 of the Criminal Code.

(8)If:
(a)the master or owner of a ship is served with a notice under subsection (2); and
(b)the master or owner does not comply with any direction contained in that notice; and
(c)the master or owner is reckless as to whether there is a failure to comply with that direction;
the master and the owner each commit an offence.

Penalty: 500 penalty units.

(9)In proceedings for an offence against subsection (6) or (8) in relation to a failure to comply with a direction, it is a defence if it is proved:
(a)that the failure to comply with the direction resulted from the need to save life at sea or was due to an emergency involving a threat to a person's life; or
(b)that compliance with the direction was not possible.

Note: A defendant bears a legal burden in relation to the matter

in subsection (9) (see subsection 13.4 of the Criminal Code).

4Section 377H
Omit "or 267ZQ(1)", substitute ", 267ZQ(1) or 267ZZF(1)".

Note: The heading to section 377H is altered by omitting "and 12C" and substituting ", 12C and 12D".

The following amendments commence on 1 August 2007:

Schedule 2

5Subsection 267(2)
After "12,", insert "12A,".

6Section 267A
After "12,", insert "12A,".

As at 3 April 2007 the amendments are not incorporated in this compilation.
Table A

Application, saving or transitional provisions

Criminal Code Amendment (Theft, Fraud, Bribery and Related Offences) Act 2000 (No. 137, 2000)

Schedule 2

418Transitional-pre-commencement offences

(1)Despite the amendment or repeal of a provision by this Schedule, that provision continues to apply, after the commencement of this item, in relation to:
(a)an offence committed before the commencement of this item; or
(b)proceedings for an offence alleged to have been committed before the commencement of this item; or
(c)any matter connected with, or arising out of, such proceedings;
as if the amendment or repeal had not been made.

(2)Subitem (1) does not limit the operation of section 8 of the Acts Interpretation Act 1901.

419Transitional-pre-commencement notices
If:
(a)a provision in force immediately before the commencement of this item required that a notice set out the effect of one or more other provisions; and
(b)any or all of those other provisions are repealed by this Schedule; and
(c)the first-mentioned provision is amended by this Schedule;
the amendment of the first-mentioned provision by this Schedule does

not affect the validity of such a notice that was given before the commencement of this item.

Transport and Regional Services Legislation Amendment (Application of Criminal Code) Act 2001 (No. 143, 2001)

4Application of Amendments

(1)Each amendment made by this Act applies to acts and omissions that take place after the amendment commences.

(2)For the purposes of this section, if an act or omission is alleged to have taken place between 2 dates, one before and one on or after the day on which a particular amendment commences, the act or omission is alleged to have taken place before the amendment commences.

Financial Framework Legislation Amendment Act 2005 (No. 8, 2005)

4Saving of matters in Part 2 of Schedule 1

(1)If:
(a)a decision or action is taken or another thing is made, given or done; and
(b)the thing is taken, made, given or done under a provision of a Part 2 Act that had effect immediately before the commencement of this Act;
then the thing has the corresponding effect, for the purposes of the Part 2 Act as amended by this Act, as if it had been taken, made, given or done under the Part 2 Act as so amended.

(2)In this section:

Part 2 Act means an Act that is amended by an item in Part 2 of Schedule 1.

Schedule 1

496Saving provision-Finance Minister's determinations
If a determination under subsection 20(1) of the Financial Management and Accountability Act 1997 is in force immediately before the commencement of this item, the determination continues in force as if it were made under subsection 20(1) of that Act as amended by this Act.

Maritime Legislation Amendment Act 2006 (No. 24, 2006)

Schedule 2

13Transitional provision
A declaration of the Minister in force under subsection 8AB(1) of the Navigation Act 1912 immediately before the day on which items 11 and 12 commence continues in force, on and after that day, as if it were a declaration made by the Authority under subsection 8AB(1A) of the Navigation Act 1912 as amended by this Act.

Maritime Legislation Amendment (Prevention of Pollution from Ships) Act 2006 (No. 138, 2006)

Schedule 1

5Transitional provision
If a ship construction certificate issued in respect of an Australian ship was in force under section 267B of the Navigation Act 1912 immediately before the commencement of this item, the certificate:
(a)is taken to be a certificate issued in respect of that ship under that section immediately after that commencement; and
(b)remains in force until it expires, unless it is cancelled or ceases to have effect sooner.