

No. 4.

1912.

THE PARLIAMENT OF THE COMMONWEALTH.

HOUSE OF REPRESENTATIVES.

NAVIGATION BILL 1912.

MEMORANDUM SHOWING THE APPLICATION OF CERTAIN
OF THE MORE IMPORTANT PROVISIONS OF THE
NAVIGATION BILL TO THE VARIOUS CLASSES OF
SHIPS ENGAGED IN THE COASTING TRADE, AND IN
THE FOREIGN-GOING TRADE, RESPECTIVELY.

(Circulated by the Minister for Trade and Customs, the Honorable
F. G. Tudor.)

TABLE I.
THE COASTING-TRADE PROVISIONS.

British and Australian-registered Ships.		Foreign Ships.	
Clause.	Requirement.	Clause.	Requirement.
11	Certificated master and officers according to Schedule I.	287	The same number of officers and seamen as would be required in a British ship engaged in the coasting trade
41	Officers and crew according to Schedules I. and II.		
23	Officers (master, mates, and engineers) to be British subjects, and thoroughly conversant with English language		
117-118	Provisions according to Schedule III.	287	The same accommodation for officers and seamen as would be required in a British ship engaged in the coasting trade
121	Certificated cook to be carried		
135	Accommodation for officers		
136	Accommodation for crew		
171-177	Official and Engineers' Logs to be carried		

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NOTICE OF PROPOSED AMENDMENTS.

NAVIGATION BILL.

*New Clauses proposed to be inserted.**Mr. Glynn.*

416A.—(1.) The agents in Australia of any ship not registered therein shall be deemed to be the legal representatives of the master and owner of the ship after the departure of the ship from the port at which she was discharging for the purpose of receiving and paying claims for short delivery or pillage of cargo, and the amount of any such claim may be recovered from such agents in any Federal or State Court of competent jurisdiction.

Representative
of master or
owner.
N.Z., 1908, No.
96, s. 302.

(2.) Provided that it shall be lawful for such agents, by notice in writing delivered to the collector not later than twenty-four hours before the departure of any ship, to decline to accept any responsibility under this section in respect of that ship, in which case the master shall, before the ship is allowed her clearance, give security to the satisfaction of the Minister for the payment of any sum which, together with costs, may be recovered against the agents of such ship.

Agents may
decline to accept
responsibility.

(3.) No proceedings for the recovery of any claim under this section shall be taken unless notice thereof is given to the agents not later than seven days after the delivery of the cargo in respect of which the claim is made.

Notice of
proceedings to
be given in
seven days.

Mr. Archibald.

Notwithstanding anything to the contrary contained in this Act or the *Commonwealth Public Service Act 1902*, no pilot shall be compulsorily retired before the age at which he would have been retired had he remained in the service of his State.

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TABLE II.

PROVISIONS OF THE NAVIGATION BILL APPLICABLE TO AUSTRALIAN-REGISTERED SHIPS ENGAGED IN OVERSEA (FOREIGN-GOING) TRADE, BUT NOT TO BRITISH OR FOREIGN SHIPS SIMILARLY ENGAGED.

Clause.	Requirement.	Remarks.
11	Officers to be carried in accordance with manning scale, Schedule I.	The manning scales under the Bill do not apply to British or foreign ships. These must, however, be "in a fit state as regards number and qualifications of crew, including officers, to encounter the ordinary perils of the voyage then entered upon", or they will be regarded as unseaworthy (Clause 211).
41	Crew to be carried in accordance with manning scale, Schedule II.	
117-118	Provisions to be provided according to Schedule III.	British ships are subject to Merchant Shipping Act, and must observe the scale prescribed thereunder.
121	Certificated cook to be carried by ships over 500 tons gross register	The Merchant Shipping Act 1906, s. 27, requires British ships of 1,000 tons and upwards gross register to carry certificated cooks.
134	Supply of clothing, blankets, and tobacco to be carried for sale to crew	
135	Accommodation for officers.—Separate room for each, up to four, having cubic contents of not less than 180 feet	Merchant Shipping Acts, 1894, s. 210, and 1906, s. 64, require British ships to provide for each seaman (which term includes officers) and apprentices a space of not less than 120 cubic feet, with 15 superficial feet of floor space, inclusive of space occupied by mess rooms, bathrooms, and washing places appropriated exclusively to the use of the seamen and apprentices; provided that the sleeping space must not in any case be less than 72 cubic feet, with 12 superficial feet of floor space.
136	Accommodation for crew.—Space of not less than 120 cubic feet, with 18 superficial feet floor space per man, situated above winter load line; together with mess-room accommodation, on an open deck, also sanitary, hospital, and lavatory accommodation (including bathrooms) with supply of hot fresh water for members of crew employed in connexion with the engines	
149-160	(Procedure in regard to property of deceased seamen)	British ships are subject to the Merchant Shipping Act, the provisions of which in this regard are practically identical with those of the Bill.
171-177	Official Log and Engineer's Log to be carried	The Merchant Shipping Act requires British ships to carry Official Logs, but not Engineers' Logs. Both are, however, required to be carried by New Zealand ships (N.Z. Shipping and Seaman Act 1908, s. 156).