

New South Wales.



ANNO TERTIO DECIMO

GEORGII VI REGIS.

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Act No. 9, 1949.

An Act to amend the Navigation Act, 1901-1941, in certain respects; and for purposes connected therewith. [Assented to, 12th May, 1949.]

**B**E it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Navigation (Amendment) Act, 1949."

Short title, citation and commencement.

(2) The Navigation Act, 1901, as amended by subsequent Acts and by this Act, may be cited as the Navigation Act, 1901-1949.



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*Navigation (Amendment).*


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(3) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

Amendment  
of Act No.  
60, 1901.

Sec. 42.

(Steamship  
not to  
proceed on  
her voyage  
without cer-  
tificate.)

2. The Navigation Act, 1901-1941, is amended—

(a) by inserting at the end of subsection one of section forty-two the following words “If any steamship proceeds to sea or on any voyage or excursion in contravention of this subsection, the owner or master shall for every such offence incur the following penalties, namely,—the owner a penalty not exceeding one hundred pounds, and the master a penalty not exceeding twenty pounds”;

Subst.  
sec. 59.

(b) by omitting section fifty-nine and by inserting in lieu thereof the following section:—

Pilotage  
rates.

59. (1) There shall be paid upon every ship, not hereinafter in this Act exempted, on her arrival at and on her departure from any port within the jurisdiction where there is a pilot establishment, pilotage rates of such amount per ton as may be prescribed by the regulations.

(2) The regulations may provide that such pilotage rates shall be calculated on the net register tonnage or on the gross register tonnage.

(3) The regulations may provide that pilotage rates prescribed therein shall be applicable uniformly in respect of ports generally within the jurisdiction, or may provide that different pilotage rates prescribed therein shall be applicable in respect of different ports; and in relation to ports generally or to any particular port specified in the regulations, the regulations may provide that different rates prescribed therein shall be applicable in respect of different ships, having regard to differences in the purposes for which ships visit or resort to or use or depart from the port, or differences in



*Navigation (Amendment).*

in the conditions or circumstances under which ships arrive at or use or depart from the port, or such other differences as may be prescribed.

(4) The regulations may prescribe the maximum amount and the minimum amount which shall be payable by way of pilotage rates in respect of ships generally or may provide that different maximum and minimum amounts prescribed therein shall be payable by way of pilotage rates in respect of different ships.

(5) In this section "regulations" means regulations made under this Act.

- (c) (i) by omitting from subsection one of section sixty-one the words "of four-pence per ton" and by inserting in lieu thereof the words "of such amount per ton as may be prescribed by the regulations"; Sec. 61.  
(Harbour  
and light  
rates.)
- (ii) by omitting from subsection two of the same section the words "to the Collector of Customs at such port";
- (iii) by omitting subsection four of the same section and by inserting in lieu thereof the following subsections:—

(4) The regulations may provide that the harbour and light rate under this section shall be calculated on the net register tonnage or on the gross register tonnage.

(5) The regulations may provide that harbour and light rates prescribed therein shall be applicable uniformly in respect of ports generally within the jurisdiction, or may provide that different harbour and light rates prescribed therein shall be applicable in respect of different ports; and in relation to ports generally or to any particular port specified in the regulations, the regulations may provide that different rates prescribed therein shall be applicable  
in



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*Navigation (Amendment).*


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in respect of different ships, having regard to differences in the purposes for which ships visit or resort to or use or depart from the port, or differences in the conditions or circumstances under which ships arrive at or use or depart from the port, or such other differences as may be prescribed.

(6) The regulations may prescribe the maximum amount and the minimum amount which shall be payable by way of half-yearly harbour and light rates in respect of ships generally or may provide that different maximum and minimum amounts prescribed therein shall be payable by way of harbour and light rates in respect of different ships.

(7) In this section "regulations" means regulations made under this Act.

Subst.  
sec. 62.

- (d) by omitting section sixty-two and by inserting in lieu thereof the following section:—

To whom  
rates, etc.,  
to be paid.

62. All rates, dues and charges authorised by this Act shall be paid to the Board or to a person authorised by the Board to receive them, and where paid to a person so authorised shall be accounted for and paid to the Board.

All rates and dues paid to the Board under this section shall be paid by it into the Treasury to the Consolidated Revenue Fund.

Sec. 64.  
(Fees to  
pilots  
detained  
in ships  
longer  
than  
twenty-four  
hours.)

- (e) (i) by omitting from subsection one of section sixty-four the words "the sum of ten shillings" and by inserting in lieu thereof the words "the prescribed sum;"
- (ii) by inserting after the word "Act" in subsection two of the same section the words "Any sum of money so received or recovered by the pilot shall be accounted for and paid by him to the Board, and by it paid into the Treasury to the Consolidated Revenue Fund."

(f)



*Navigation (Amendment).*

- (f) (i) by omitting from section sixty-five the words "the sum of ten shillings" and by inserting in lieu thereof the words "the prescribed sum;" Sec. 65.  
(Outward bound ship not requiring pilot.)
- (ii) by inserting at the end of the same section the following words:—  
 "Any sum of money paid to the pilot in pursuance of this section shall be accounted for and paid by him to the Board and by it paid into the Treasury to the Consolidated Revenue Fund."
- (g) (i) by inserting after the word "pilotage" in paragraph (a) of section seventy-three the words "or an official copy of such certificate"; Sec. 73.  
(Penalties for forging or fraudulently using or lending a certificate of pilotage.)
- (ii) by inserting after the word "certificate" in paragraph (d) of the same section the words "or an official copy of such certificate";
- (h) (i) by inserting after the word "service" in paragraph (a) of section eighty-nine the words "or an official copy of such certificate"; Sec. 89.  
(Penalties for false representation, forging, altering, fraudulently using, or lending any certificate.)
- (ii) by inserting after the word "certificate" in paragraph (d) of the same section the words "or an official copy of such certificate";
- (i) (i) by omitting from subsection three of section one hundred and forty-five the words "the several fees and charges set forth in figures in the Ninth Schedule hereto" and by inserting in lieu thereof the words "such dues as are prescribed by regulations made under this Act"; Sec. 145 (3).  
(Harbour master's fees.)

(ii)



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*Navigation (Amendment).*


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(ii) by inserting at the end of the same subsection the words "The regulations prescribing dues payable under this subsection may provide that such dues shall be calculated on a sliding scale by reference to the tonnage of the ship;"

Sec. 149  
(4).

(j) by omitting subsection four of section one hundred and forty-nine and by inserting in lieu thereof the following subsection:—

Pilotage  
dues.

(4) A licensed pilot removing any ship in pursuance of this section shall be entitled to receive such dues as are prescribed by regulations made under this Act and such dues shall be accounted for and paid by him to the Board and by it paid into the Treasury to the Consolidated Revenue Fund.

The regulations prescribing dues payable under this subsection may provide that such dues shall be calculated on a sliding scale by reference to the tonnage of the ship.

Ninth  
Schedule.

(k) by omitting the Ninth Schedule.

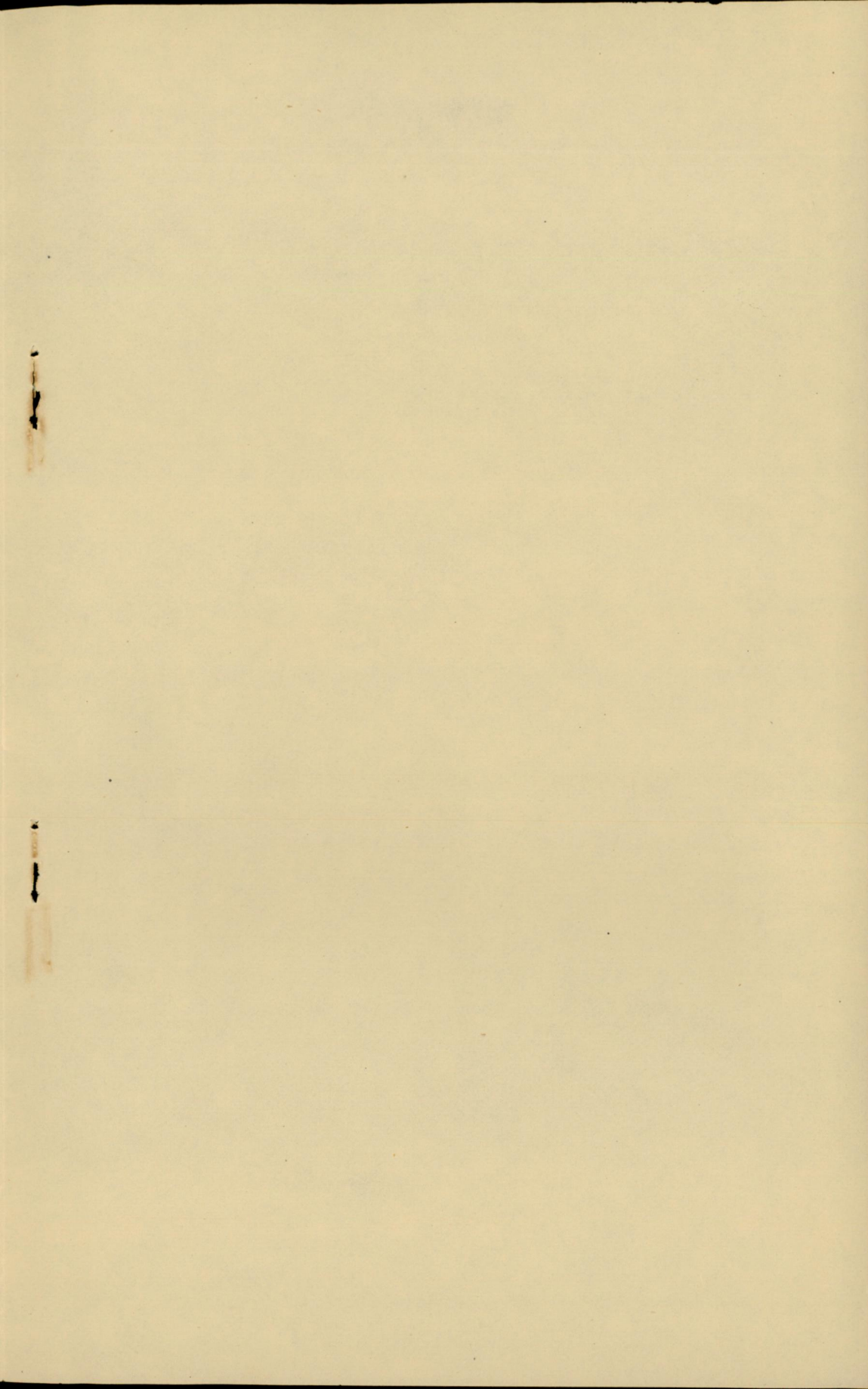
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By Authority:

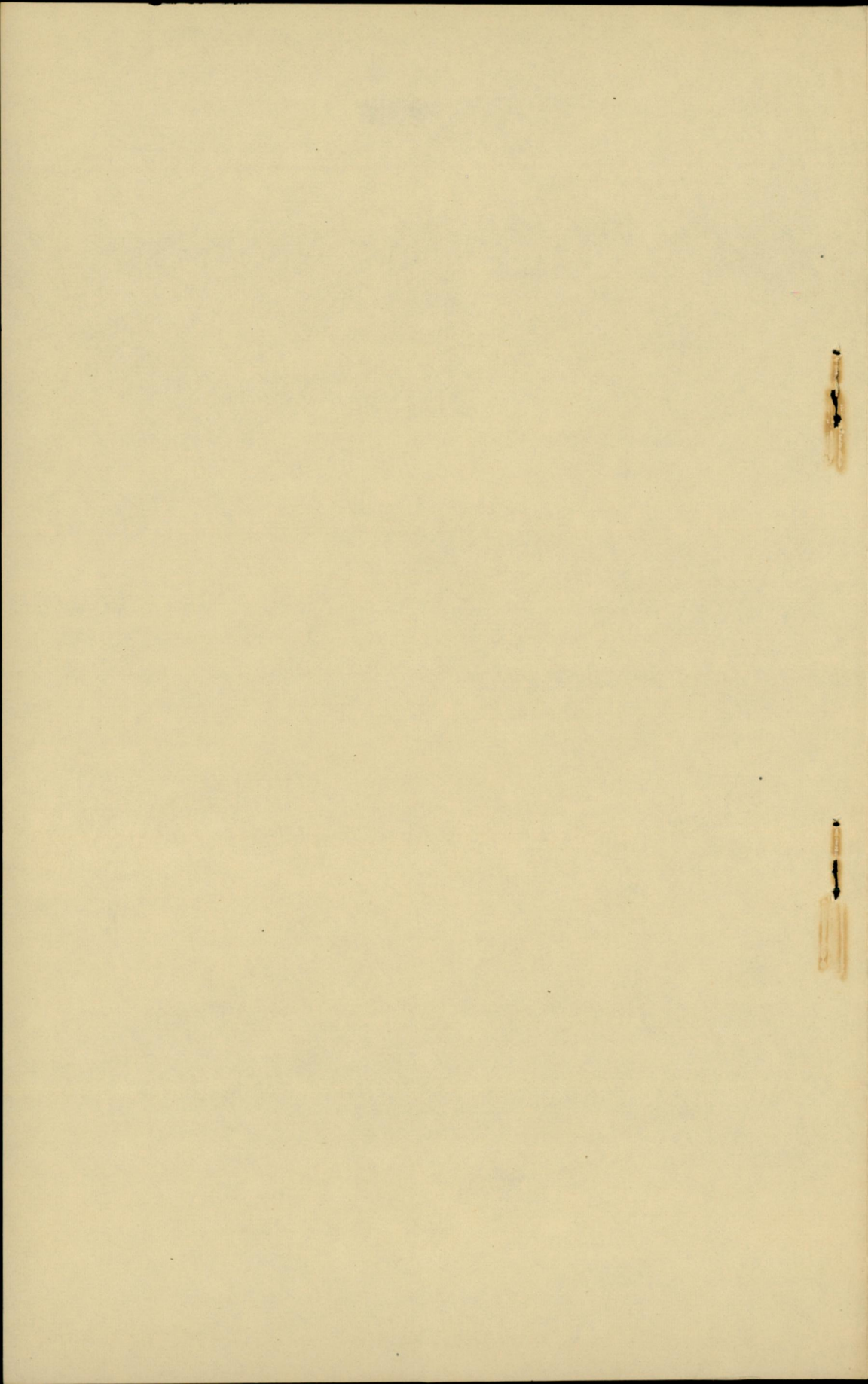
ALFRED HENRY PETTIFER, Government Printer, Sydney, 1949.

[3d.]











*I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of New South WALES.*

H. ROBBINS,  
*Clerk of the Legislative Assembly.*

*Legislative Assembly Chamber,  
Sydney, 14 April, 1949, a.m.*

## New South Wales.



ANNO TERTIO DECIMO

GEORGII VI REGIS.

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Act No. 9, 1949.

An Act to amend the Navigation Act, 1901-1941, in certain respects; and for purposes connected therewith. [Assented to, 12th May, 1949.]

**B**E it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Navigation (Amendment) Act, 1949."

Short title,  
citation and  
commence-  
ment.

(2) The Navigation Act, 1901, as amended by subsequent Acts and by this Act, may be cited as the Navigation Act, 1901-1949.

(3)

*I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.*

ROBERT DOUGLAS GORMAN,  
*Acting Chairman of Committees of the Legislative Assembly.*



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*Navigation (Amendment).*


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(3) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

Amendment  
of Act No.  
60, 1901.

Sec. 42.  
(Steamship  
not to  
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tificate.)

2. The Navigation Act, 1901-1941, is amended—

(a) by inserting at the end of subsection one of section forty-two the following words “If any steamship proceeds to sea or on any voyage or excursion in contravention of this subsection, the owner or master shall for every such offence incur the following penalties, namely,—the owner a penalty not exceeding one hundred pounds, and the master a penalty not exceeding twenty pounds”;

Subst.  
sec. 59.

(b) by omitting section fifty-nine and by inserting in lieu thereof the following section:—

Pilotage  
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59. (1) There shall be paid upon every ship, not hereinafter in this Act exempted, on her arrival at and on her departure from any port within the jurisdiction where there is a pilot establishment, pilotage rates of such amount per ton as may be prescribed by the regulations.

(2) The regulations may provide that such pilotage rates shall be calculated on the net register tonnage or on the gross register tonnage.

(3) The regulations may provide that pilotage rates prescribed therein shall be applicable uniformly in respect of ports generally within the jurisdiction, or may provide that different pilotage rates prescribed therein shall be applicable in respect of different ports; and in relation to ports generally or to any particular port specified in the regulations, the regulations may provide that different rates prescribed therein shall be applicable in respect of different ships, having regard to differences in the purposes for which ships visit or resort to or use or depart from the port, or differences  
in



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*Navigation (Amendment).*

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in the conditions or circumstances under which ships arrive at or use or depart from the port, or such other differences as may be prescribed.

(4) The regulations may prescribe the maximum amount and the minimum amount which shall be payable by way of pilotage rates in respect of ships generally or may provide that different maximum and minimum amounts prescribed therein shall be payable by way of pilotage rates in respect of different ships.

(5) In this section "regulations" means regulations made under this Act.

- (c) (i) by omitting from subsection one of section Sec. 61. sixty-one the words "of four-pence per ton" (Harbour and light rates.) and by inserting in lieu thereof the words "of such amount per ton as may be prescribed by the regulations";
- (ii) by omitting from subsection two of the same section the words "to the Collector of Customs at such port";
- (iii) by omitting subsection four of the same section and by inserting in lieu thereof the following subsections:—

(4) The regulations may provide that the harbour and light rate under this section shall be calculated on the net register tonnage or on the gross register tonnage.

(5) The regulations may provide that harbour and light rates prescribed therein shall be applicable uniformly in respect of ports generally within the jurisdiction, or may provide that different harbour and light rates prescribed therein shall be applicable in respect of different ports; and in relation to ports generally or to any particular port specified in the regulations, the regulations may provide that different rates prescribed therein shall be applicable

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*Navigation (Amendment).*


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(6) The regulations may prescribe the maximum amount and the minimum amount which shall be payable by way of half-yearly harbour and light rates in respect of ships generally or may provide that different maximum and minimum amounts prescribed therein shall be payable by way of harbour and light rates in respect of different ships.

(7) In this section "regulations" means regulations made under this Act.

Subst.  
sec. 62.

- (d) by omitting section sixty-two and by inserting in lieu thereof the following section:—

To whom  
rates, etc.,  
to be paid.

62. All rates, dues and charges authorised by this Act shall be paid to the Board or to a person authorised by the Board to receive them, and where paid to a person so authorised shall be accounted for and paid to the Board.

All rates and dues paid to the Board under this section shall be paid by it into the Treasury to the Consolidated Revenue Fund.

Sec. 64.  
(Fees to  
pilots  
detained  
in ships  
longer  
than  
twenty-four  
hours.)

- (e) (i) by omitting from subsection one of section sixty-four the words "the sum of ten shillings" and by inserting in lieu thereof the words "the prescribed sum;"
- (ii) by inserting after the word "Act" in subsection two of the same section the words "Any sum of money so received or recovered by the pilot shall be accounted for and paid by him to the Board, and by it paid into the Treasury to the Consolidated Revenue Fund."

(f)



*Navigation (Amendment).*

- (f) (i) by omitting from section sixty-five the words "the sum of ten shillings" and by inserting in lieu thereof the words "the prescribed sum;" Sec. 65.  
(Outward bound ship not requiring pilot.)
- (ii) by inserting at the end of the same section the following words:—  
 "Any sum of money paid to the pilot in pursuance of this section shall be accounted for and paid by him to the Board and by it paid into the Treasury to the Consolidated Revenue Fund."
- (g) (i) by inserting after the word "pilotage" in paragraph (a) of section seventy-three the words "or an official copy of such certificate"; Sec. 73.  
(Penalties for forging or fraudulently using or lending a certificate of pilotage.)
- (ii) by inserting after the word "certificate" in paragraph (d) of the same section the words "or an official copy of such certificate";
- (h) (i) by inserting after the word "service" in paragraph (a) of section eighty-nine the words "or an official copy of such certificate"; Sec. 89.  
(Penalties for false representation, forging, altering, fraudulently using, or lending any certificate.)
- (ii) by inserting after the word "certificate" in paragraph (d) of the same section the words "or an official copy of such certificate";
- (i) (i) by omitting from subsection three of section one hundred and forty-five the words "the several fees and charges set forth in figures in the Ninth Schedule hereto" and by inserting in lieu thereof the words "such dues as are prescribed by regulations made under this Act"; Sec. 145 (3).  
(Harbour master's fees.)

(ii)



Act No. 9, 1949.

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*Navigation (Amendment).*

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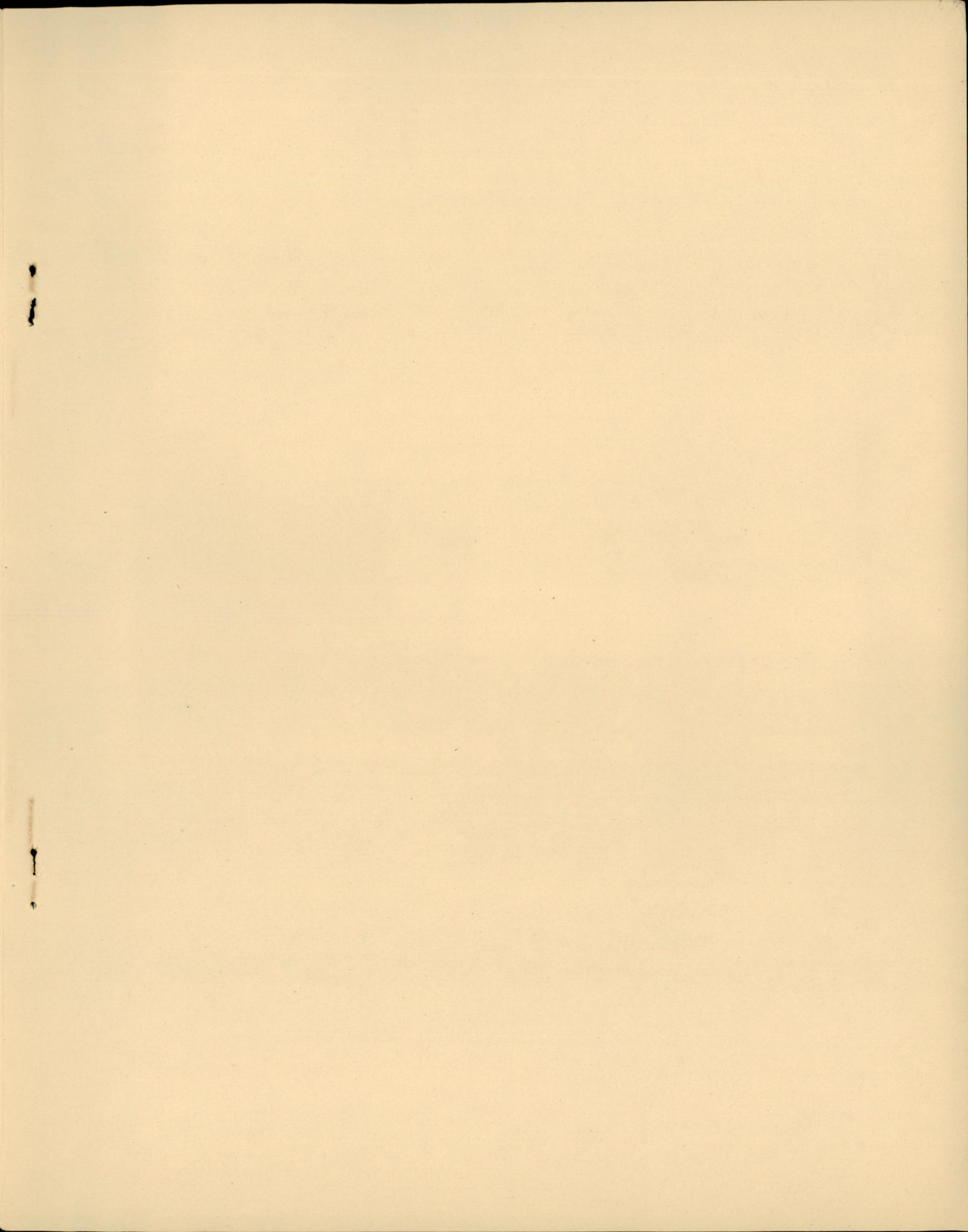
- (ii) by inserting at the end of the same subsection the words "The regulations prescribing dues payable under this subsection may provide that such dues shall be calculated on a sliding scale by reference to the tonnage of the ship;"
- Sec. 149  
(4). Pilotage dues.
- (j) by omitting subsection four of section one hundred and forty-nine and by inserting in lieu thereof the following subsection:—
- (4) A licensed pilot removing any ship in pursuance of this section shall be entitled to receive such dues as are prescribed by regulations made under this Act and such dues shall be accounted for and paid by him to the Board and by it paid into the Treasury to the Consolidated Revenue Fund.
- The regulations prescribing dues payable under this subsection may provide that such dues shall be calculated on a sliding scale by reference to the tonnage of the ship.
- Ninth Schedule.
- (k) by omitting the Ninth Schedule.

*In the name and on behalf of His Majesty I assent to this Act.*

J. NORTHCOTT,  
*Governor.*

*Government House,  
Sydney, 12th May, 1949.*











*This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.*

H. ROBBINS,  
*Clerk of the Legislative Assembly.*

*Legislative Assembly Chamber,  
Sydney, 7 April, 1949.*

## New South Wales.



ANNO TERTIO DECIMO

# GEORGII VI REGIS.

\*\*\*\*\*

Act No. , 1949.

An Act to amend the Navigation Act, 1901-1941, in certain respects; and for purposes connected therewith.

**B**E it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of  
5 the same, as follows:—

1. (1) This Act may be cited as the "Navigation (Amendment) Act, 1949."

Short title,  
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(2) The Navigation Act, 1901, as amended by subsequent Acts and by this Act, may be cited as the  
10 Navigation Act, 1901-1949.



*Navigation (Amendment).*

(3) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

2. The Navigation Act, 1901-1941, is amended—

Amendment of Act No. 60, 1901.

5 (a) by inserting at the end of subsection one of section forty-two the following words "If any steamship proceeds to sea or on any voyage or excursion in contravention of this subsection, the owner or master shall for every such offence incur the following penalties, namely,—the  
10 owner a penalty not exceeding one hundred pounds, and the master a penalty not exceeding twenty pounds";

Sec. 42. (Steamship not to proceed on her voyage without certificate.)

15 (b) by omitting section fifty-nine and by inserting in lieu thereof the following section:—

Subst. sec. 59.

20 59. (1) There shall be paid upon every ship, not hereinafter in this Act exempted, on her arrival at and on her departure from any port within the jurisdiction where there is a pilot establishment, pilotage rates of such amount per ton as may be prescribed by the regulations.

Pilotage rates.

25 (2) The regulations may provide that such pilotage rates shall be calculated on the net register tonnage or on the gross register tonnage.

30 (3) The regulations may provide that pilotage rates prescribed therein shall be applicable uniformly in respect of ports generally within the jurisdiction, or may provide that different pilotage rates prescribed therein shall be applicable in respect of different ports; and in relation to ports generally or to any particular port specified in the regulations, the regulations may provide that different rates  
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*Navigation (Amendment).*

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in the conditions or circumstances under which ships arrive at or use or depart from the port, or such other differences as may be prescribed.

5 (4) The regulations may prescribe the maximum amount and the minimum amount which shall be payable by way of pilotage rates in respect of ships generally or may provide that different maximum and minimum amounts  
10 prescribed therein shall be payable by way of pilotage rates in respect of different ships.

(5) In this section "regulations" means regulations made under this Act.

(c) (i) by omitting from subsection one of section  
15 sixty-one the words "of four-pence per ton" and by inserting in lieu thereof the words "of such amount per ton as may be prescribed by the regulations";

Sec. 61.  
(Harbour  
and light  
rates.)

(ii) by omitting from subsection two of the same  
20 section the words "to the Collector of Customs at such port";

(iii) by omitting subsection four of the same  
section and by inserting in lieu thereof the following subsections:—

25 (4) The regulations may provide that the harbour and light rate under this section shall be calculated on the net register tonnage or on the gross register tonnage.

30 (5) The regulations may provide that harbour and light rates prescribed therein shall be applicable uniformly in respect of ports generally within the jurisdiction, or may provide that different harbour and light rates prescribed therein shall be  
35 applicable in respect of different ports; and in relation to ports generally or to any particular port specified in the regulations, the regulations may provide that different rates prescribed therein shall be applicable

in



*Navigation (Amendment).*

5 in respect of different ships, having regard to differences in the purposes for which ships visit or resort to or use or depart from the port, or differences in the conditions or circumstances under which ships arrive at or use or depart from the port, or such other differences as may be prescribed.

10 (6) The regulations may prescribe the maximum amount and the minimum amount which shall be payable by way of half-yearly harbour and light rates in respect of ships generally or may provide that different maximum and minimum amounts prescribed therein shall be payable by way of harbour and light rates in respect of different ships.

(7) In this section "regulations" means regulations made under this Act.

(d) by omitting section sixty-two and by inserting in lieu thereof the following section:— Subst. sec. 62.

20 62. All rates, dues and charges authorised by this Act shall be paid to the Board or to a person authorised by the Board to receive them, and where paid to a person so authorised shall be accounted for and paid to the Board. To whom rates, etc., to be paid.

25 All rates and dues paid to the Board under this section shall be paid by it into the Treasury to the Consolidated Revenue Fund.

30 (e) (i) by omitting from subsection one of section sixty-four the words "the sum of ten shillings" and by inserting in lieu thereof the words "the prescribed sum;" Sec. 64. (Fees to pilots detained in ships longer than twenty-four hours.)

35 (ii) by inserting after the word "Act" in subsection two of the same section the words "Any sum of money so received or recovered by the pilot shall be accounted for and paid by him to the Board, and by it paid into the Treasury to the Consolidated Revenue Fund."

(f)



*Navigation (Amendment).*

- (f) (i) by omitting from section sixty-five the words "the sum of ten shillings" and by inserting in lieu thereof the words "the prescribed sum;"
- 5 (ii) by inserting at the end of the same section the following words:—
- 10 "Any sum of money paid to the pilot in pursuance of this section shall be accounted for and paid by him to the Board and by it paid into the Treasury to the Consolidated Revenue Fund."
- (g) (i) by inserting after the word "pilotage" in paragraph (a) of section seventy-three the words "or an official copy of such certificate";
- 15 (ii) by inserting after the word "certificate" in paragraph (d) of the same section the words "or an official copy of such certificate";
- 20 (h) (i) by inserting after the word "service" in paragraph (a) of section eighty-nine the words "or an official copy of such certificate";
- 25 (ii) by inserting after the word "certificate" in paragraph (d) of the same section the words "or an official copy of such certificate";
- 30 (i) (i) by omitting from subsection three of section one hundred and forty-five the words "the several fees and charges set forth in figures in the Ninth Schedule hereto" and by inserting in lieu thereof the words "such dues as are prescribed by regulations made under this Act";

Sec. 65.  
(Outward bound ship not requiring pilot.)

Sec. 73.  
(Penalties for forging or fraudulently using or lending a certificate of pilotage.)

Sec. 89.  
(Penalties for false representation, forging, altering, fraudulently using, or lending any certificate.)

Sec. 145 (3).  
(Harbour master's fees.)

(ii)



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*Navigation (Amendment).*

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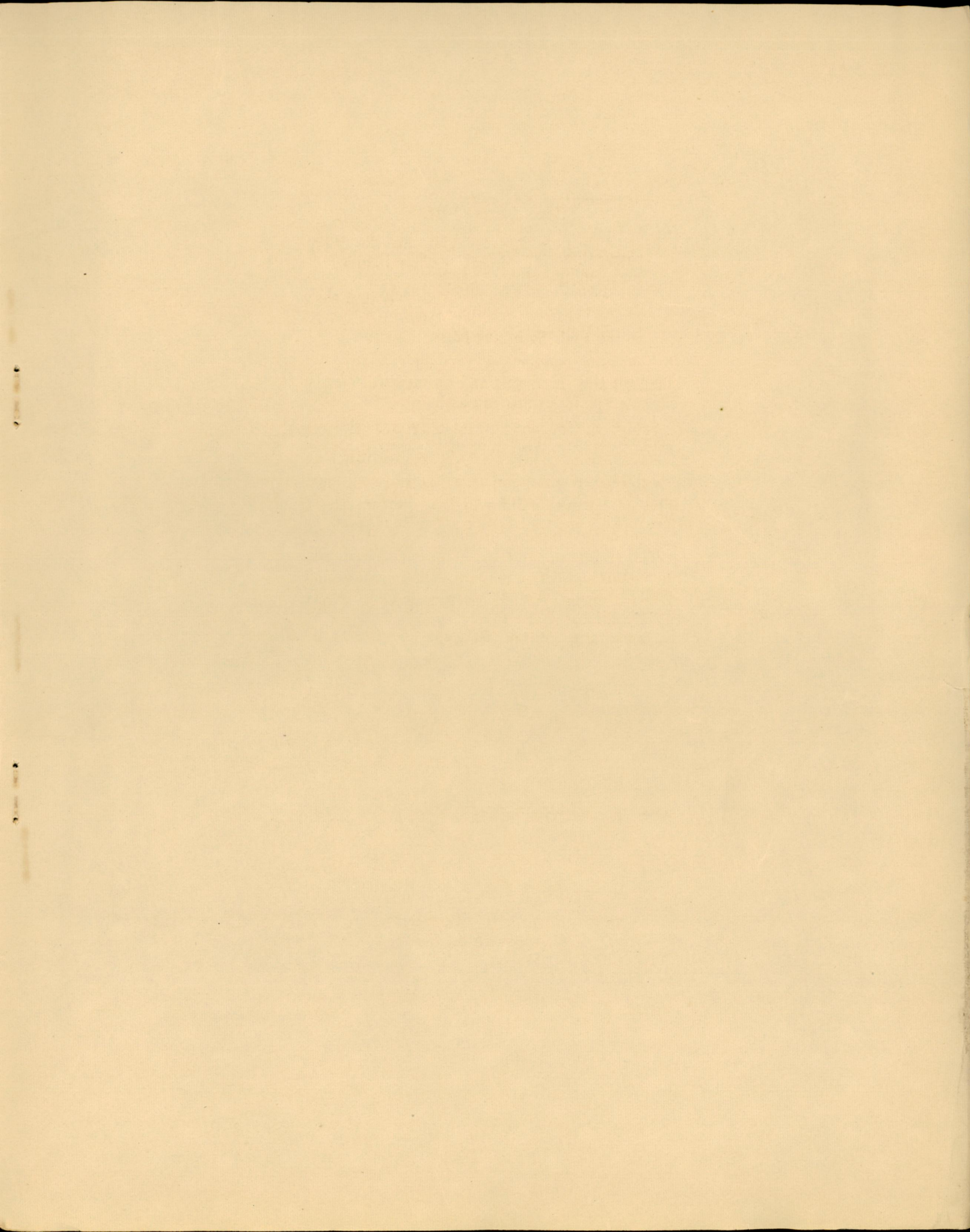
- 5 (ii) by inserting at the end of the same subsection the words "The regulations prescribing dues payable under this subsection may provide that such dues shall be calculated on a sliding scale by reference to the tonnage of the ship;"
- (j) by omitting subsection four of section one hundred and forty-nine and by inserting in lieu thereof the following subsection:—
- 10 (4) A licensed pilot removing any ship in pursuance of this section shall be entitled to receive such dues as are prescribed by regulations made under this Act and such dues shall be accounted for and paid by him to the Board and by it paid into the Treasury to the Consolidated Revenue Fund.
- 15 The regulations prescribing dues payable under this subsection may provide that such dues shall be calculated on a sliding scale by reference to the tonnage of the ship.
- 20 (k) by omitting the Ninth Schedule.

Sec. 149  
(4).

Pilotage  
dues.

Ninth  
Schedule.











## Navigation (Amendment) Bill, 1949.

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### EXPLANATORY NOTE.

THE purposes of this Bill are to amend the Navigation Act, 1901-1941—

- (a) to enable the amounts of pilotage rates and fees, harbour and light rates and harbour removal dues respectively payable on vessels, and the conditions under which they are payable—now determined by the Act—to be prescribed by regulations made under the Act;
- (b) to provide for penalties where official copies of certificates of pilotage, competency or service are obtained by false representation or are fraudulently lent;
- (c) to make amendments to the Act to facilitate its administration in certain respects.



THE UNIVERSITY OF CHICAGO

PHILOSOPHY

The purpose of this study is to examine the philosophical foundations of the scientific method. It will explore the relationship between theory and observation, and the role of logic in the development of scientific knowledge. The study will also consider the historical development of the scientific method and the impact of various philosophical traditions on its evolution.



No. , 1949.

# A BILL

To amend the Navigation Act, 1901-1941, in certain respects; and for purposes connected therewith.

[Mr. BADDELEY *on behalf of* Mr. JAMES MCGIRR;—  
5 April, 1949.]

**B**E it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Navigation (Amendment) Act, 1949."

Short title, citation and commencement.

(2) The Navigation Act, 1901, as amended by subsequent Acts and by this Act, may be cited as the Navigation Act, 1901-1949.



*Navigation (Amendment).*

(3) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

2. The Navigation Act, 1901-1941, is amended—

Amendment  
of Act No. 60,  
1901.

5 (a) by inserting at the end of subsection one of  
section forty-two the following words "If any  
steamship proceeds to sea or on any voyage or  
excursion in contravention of this subsection,  
10 the owner or master shall for every such offence  
incur the following penalties, namely,—the  
owner a penalty not exceeding one hundred  
pounds, and the master a penalty not exceeding  
twenty pounds";

Sec. 42.  
(Steamship  
not to  
proceed on  
her voyage  
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tificate.)

15 (b) by omitting section fifty-nine and by inserting  
in lieu thereof the following section:—

Subst.  
sec. 59.

20 59. (1) There shall be paid upon every ship,  
not hereinafter in this Act exempted, on her  
arrival at and on her departure from any port  
within the jurisdiction where there is a pilot  
establishment, pilotage rates of such amount per  
ton as may be prescribed by the regulations.

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25 (2) The regulations may provide that  
such pilotage rates shall be calculated on the  
net register tonnage or on the gross register  
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pilotage rates prescribed therein shall be  
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shall be applicable in respect of different ports;  
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*Navigation (Amendment).*

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10 (5) In this section "regulations" means regulations made under this Act.

15 (c) (i) by omitting from subsection one of section sixty-one the words "of four-pence per ton" and by inserting in lieu thereof the words "of such amount per ton as may be prescribed by the regulations";

Sec. 61.  
(Harbour  
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rates.)

20 (ii) by omitting from subsection two of the same section the words "to the Collector of Customs at such port";

(iii) by omitting subsection four of the same section and by inserting in lieu thereof the following subsections:—

25 (4) The regulations may provide that the harbour and light rate under this section shall be calculated on the net register tonnage or on the gross register tonnage.

30 (5) The regulations may provide that harbour and light rates prescribed therein shall be applicable uniformly in respect of ports generally within the jurisdiction, or may provide that different harbour and light rates prescribed therein shall be applicable in respect of different ports; and  
35 in relation to ports generally or to any particular port specified in the regulations, the regulations may provide that different rates prescribed therein shall be applicable  
in



*Navigation (Amendment).*

5 in respect of different ships, having regard to differences in the purposes for which ships visit or resort to or use or depart from the port, or differences in the conditions or circumstances under which ships arrive at or use or depart from the port, or such other differences as may be prescribed.

10 (6) The regulations may prescribe the maximum amount and the minimum amount which shall be payable by way of half-yearly harbour and light rates in respect of ships generally or may provide that different maximum and minimum amounts prescribed therein shall be payable by way of harbour and light rates in respect of different ships.

15 (7) In this section "regulations" means regulations made under this Act.

(d) by omitting section sixty-two and by inserting in lieu thereof the following section:—

Subst.  
sec. 62.

20 62. All rates, dues and charges authorised by this Act shall be paid to the Board or to a person authorised by the Board to receive them, and where paid to a person so authorised shall be accounted for and paid to the Board.

To whom  
rates, etc.,  
to be paid.

25 All rates and dues paid to the Board under this section shall be paid by it into the Treasury to the Consolidated Revenue Fund.

30 (e) (i) by omitting from subsection one of section sixty-four the words "the sum of ten shillings" and by inserting in lieu thereof the words "the prescribed sum;"

Sec. 64.  
(Fees to  
pilots  
detained  
in ships  
longer  
than  
twenty-four  
hours.)

35 (ii) by inserting after the word "Act" in subsection two of the same section the words "Any sum of money so received or recovered by the pilot shall be accounted for and paid by him to the Board, and by it paid into the Treasury to the Consolidated Revenue Fund."

(f)



*Navigation (Amendment).*

- (f) (i) by omitting from section sixty-five the words "the sum of ten shillings" and by inserting in lieu thereof the words "the prescribed sum;" Sec. 65. (Outward bound ship not requiring pilot.)
- 5 (ii) by inserting at the end of the same section the following words:—
- "Any sum of money paid to the pilot in pursuance of this section shall be accounted for and paid by him to the Board and by it paid into the Treasury to the Consolidated Revenue Fund."
- 10 (g) (i) by inserting after the word "pilotage" in paragraph (a) of section seventy-three the words "or an official copy of such certificate"; Sec. 73. (Penalties for forging or fraudulently using or lending a certificate of pilotage.)
- 15 (ii) by inserting after the word "certificate" in paragraph (d) of the same section the words "or an official copy of such certificate";
- 20 (h) (i) by inserting after the word "service" in paragraph (a) of section eighty-nine the words "or an official copy of such certificate"; Sec. 89. (Penalties for false representation, forging, altering, fraudulently using, or lending any certificate.)
- 25 (ii) by inserting after the word "certificate" in paragraph (d) of the same section the words "or an official copy of such certificate";
- (i) (i) by omitting from subsection three of section one hundred and forty-five the words "the several fees and charges set forth in figures in the Ninth Schedule hereto" and by inserting in lieu thereof the words "such dues as are prescribed by regulations made under this Act"; Sec. 145 (3). (Harbour master's fees.)
- 30 (ii) by inserting at the end of the same subsection the words "The regulations prescribing dues payable under this subsection
- 35



*Navigation (Amendment).*

subsection may provide that such dues shall be calculated on a sliding scale by reference to the tonnage of the ship;"

- 5 (j) by omitting subsection four of section one hundred and forty-nine and by inserting in lieu thereof the following subsection:—

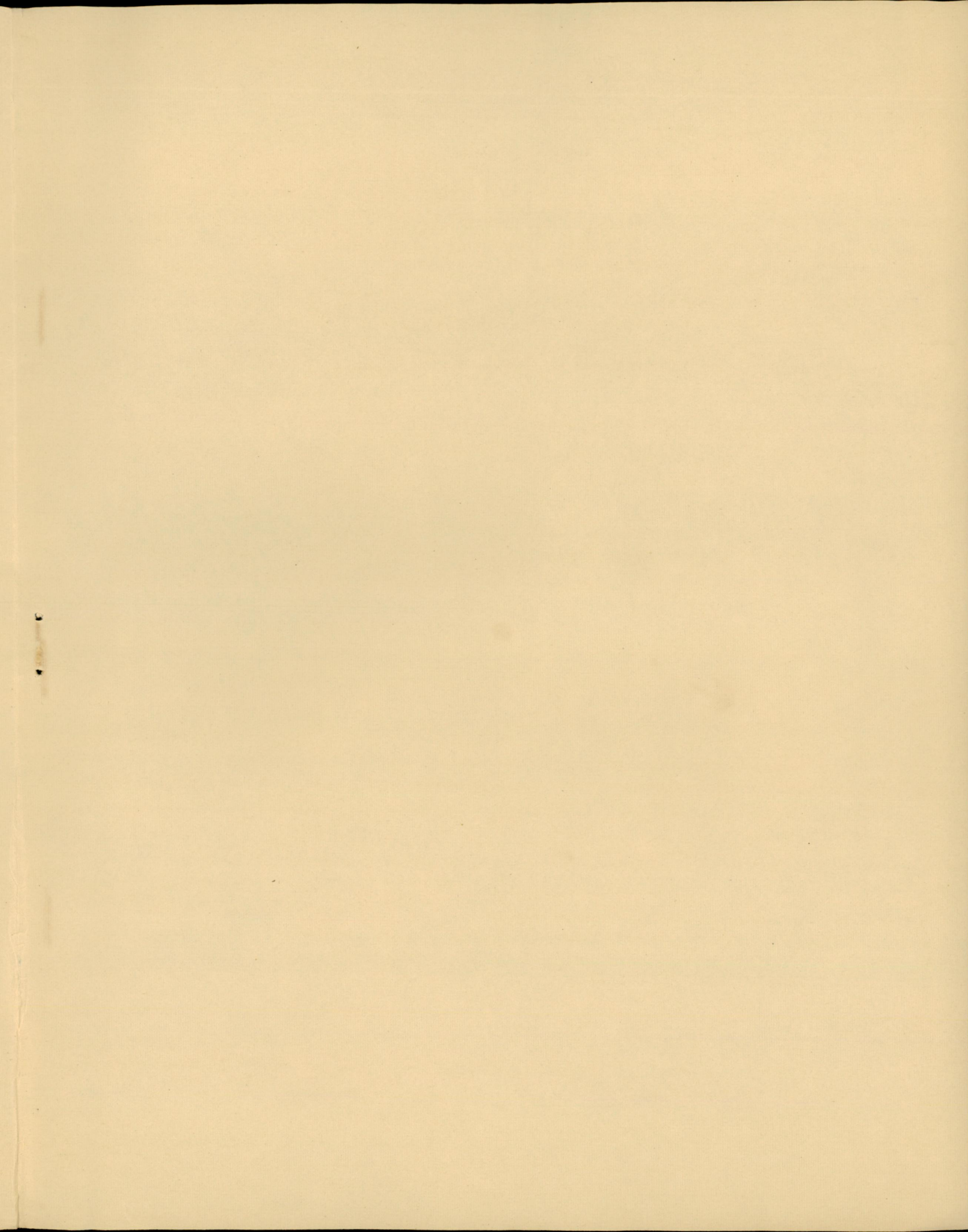
10 (4) A licensed pilot removing any ship in pursuance of this section shall be entitled to receive such dues as are prescribed by regulations made under this Act and such dues shall be accounted for and paid by him to the Board and by it paid into the Treasury to the Consolidated Revenue Fund.

15 The regulations prescribing dues payable under this subsection may provide that such dues shall be calculated on a sliding scale by reference to the tonnage of the ship.

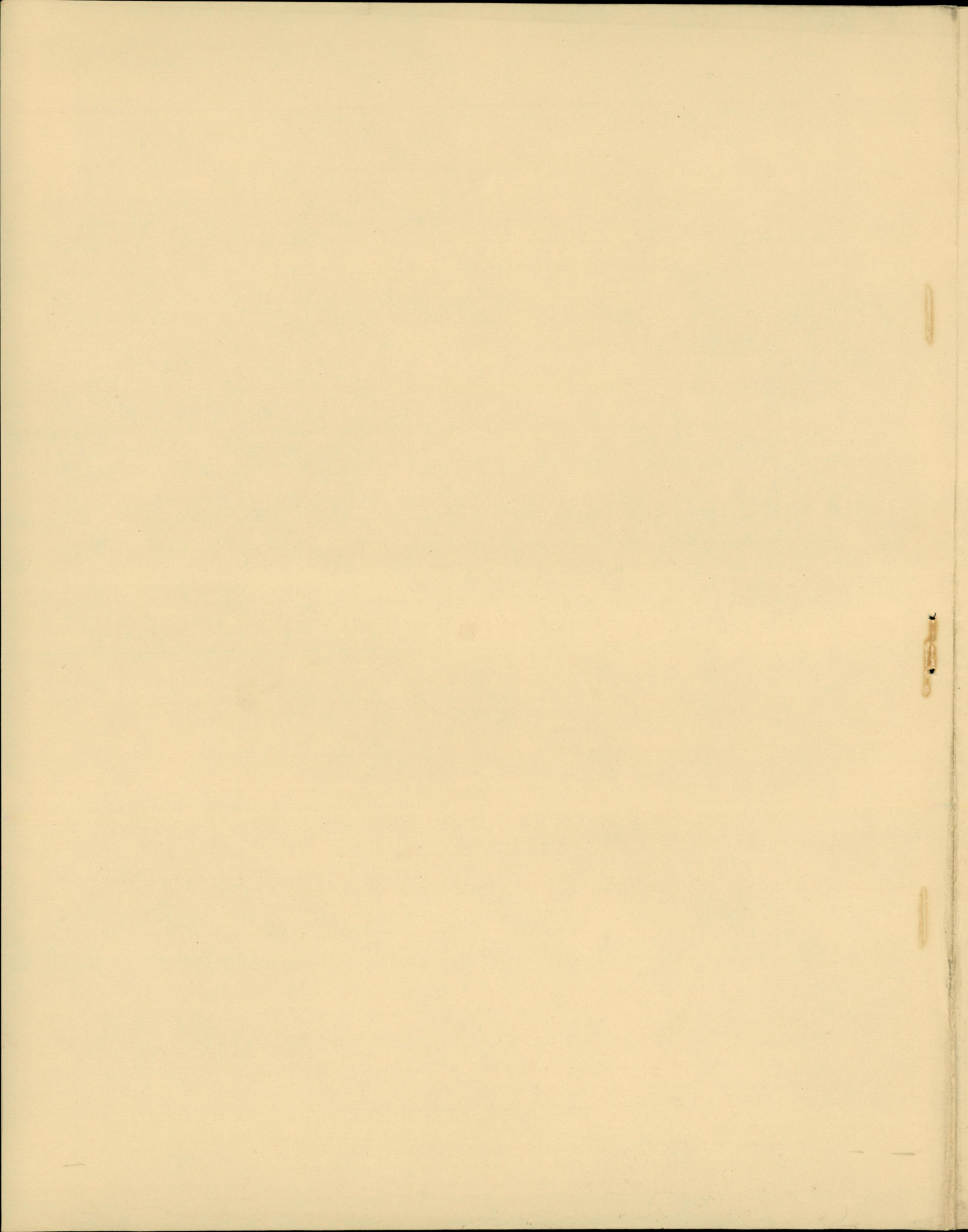
- (k) by omitting the Ninth Schedule.

Pilotage  
dues.  
Ninth  
Schedule.











No. , 1949.

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## A BILL

To amend the Navigation Act, 1901-1941, in certain respects; and for purposes connected therewith.

[Mr. BADDELEY *on behalf of* Mr. JAMES MCGIRRE;—  
5 April, 1949.]

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**B**E it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of  
5 the same, as follows:—

1. (1) This Act may be cited as the "Navigation (Amendment) Act, 1949."

Short title,  
citation and  
commence-  
ment.

(2) The Navigation Act, 1901, as amended by subsequent Acts and by this Act, may be cited as the  
10 Navigation Act, 1901-1949.



*Navigation (Amendment).*

(3) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

2. The Navigation Act, 1901-1941, is amended—

Amendment of Act No. 60, 1901.

5 (a) by inserting at the end of subsection one of section forty-two the following words "If any steamship proceeds to sea or on any voyage or excursion in contravention of this subsection, the owner or master shall for every such offence incur the following penalties, namely,—the owner a penalty not exceeding one hundred pounds, and the master a penalty not exceeding twenty pounds";

Sec. 42. (Steamship not to proceed on her voyage without certificate.)

10 (b) by omitting section fifty-nine and by inserting in lieu thereof the following section:—

Subst. sec. 59.

15 59. (1) There shall be paid upon every ship, not hereinafter in this Act exempted, on her arrival at and on her departure from any port within the jurisdiction where there is a pilot establishment, pilotage rates of such amount per ton as may be prescribed by the regulations.

Pilotage rates.

20 (2) The regulations may provide that such pilotage rates shall be calculated on the net register tonnage or on the gross register tonnage.

25 (3) The regulations may provide that pilotage rates prescribed therein shall be applicable uniformly in respect of ports generally within the jurisdiction, or may provide that different pilotage rates prescribed therein shall be applicable in respect of different ports; and in relation to ports generally or to any particular port specified in the regulations, the regulations may provide that different rates prescribed therein shall be applicable in respect of different ships, having regard to differences in the purposes for which ships visit or resort to or use or depart from the port, or differences in

in



*Navigation (Amendment).*

in the conditions or circumstances under which ships arrive at or use or depart from the port, or such other differences as may be prescribed.

5 (4) The regulations may prescribe the maximum amount and the minimum amount which shall be payable by way of pilotage rates in respect of ships generally or may provide that different maximum and minimum amounts prescribed therein shall be payable by way of  
10 pilotage rates in respect of different ships.

(5) In this section "regulations" means regulations made under this Act.

(c) (i) by omitting from subsection one of section  
15 sixty-one the words "of four-pence per ton" and by inserting in lieu thereof the words "of such amount per ton as may be prescribed by the regulations";

Sec. 61.  
(Harbour  
and light  
rates.)

20 (ii) by omitting from subsection two of the same section the words "to the Collector of Customs at such port";

(iii) by omitting subsection four of the same section and by inserting in lieu thereof the following subsections:—

25 (4) The regulations may provide that the harbour and light rate under this section shall be calculated on the net register tonnage or on the gross register tonnage.

30 (5) The regulations may provide that harbour and light rates prescribed therein shall be applicable uniformly in respect of ports generally within the jurisdiction, or may provide that different harbour and light rates prescribed therein shall be  
35 applicable in respect of different ports; and in relation to ports generally or to any particular port specified in the regulations, the regulations may provide that different rates prescribed therein shall be applicable  
in



*Navigation (Amendment).*

in respect of different ships, having regard to differences in the purposes for which ships visit or resort to or use or depart from the port, or differences in the conditions or circumstances under which ships arrive at or use or depart from the port, or such other differences as may be prescribed.

(6) The regulations may prescribe the maximum amount and the minimum amount which shall be payable by way of half-yearly harbour and light rates in respect of ships generally or may provide that different maximum and minimum amounts prescribed therein shall be payable by way of harbour and light rates in respect of different ships.

(7) In this section "regulations" means regulations made under this Act.

- (d) by omitting section sixty-two and by inserting in lieu thereof the following section:— Subst.  
sec. 62.

62. All rates, dues and charges authorised by this Act shall be paid to the Board or to a person authorised by the Board to receive them, and where paid to a person so authorised shall be accounted for and paid to the Board. To whom  
rates, etc.,  
to be paid.

All rates and dues paid to the Board under this section shall be paid by it into the Treasury to the Consolidated Revenue Fund.

- (e) (i) by omitting from subsection one of section sixty-four the words "the sum of ten shillings" and by inserting in lieu thereof the words "the prescribed sum;" Sec. 64.  
(Fees to  
pilots  
detained  
in ships  
longer  
than  
twenty-four  
hours.)
- (ii) by inserting after the word "Act" in subsection two of the same section the words "Any sum of money so received or recovered by the pilot shall be accounted for and paid by him to the Board, and by it paid into the Treasury to the Consolidated Revenue Fund."

(f)



*Navigation (Amendment).*

- (f) (i) by omitting from section sixty-five the words "the sum of ten shillings" and by inserting in lieu thereof the words "the prescribed sum;" Sec. 65.  
(Outward bound ship not requiring pilot.)
- 5 (ii) by inserting at the end of the same section the following words:—  
 "Any sum of money paid to the pilot in pursuance of this section shall be accounted for and paid by him to the Board and by it paid into the Treasury to the Consolidated Revenue Fund."
- 10 (g) (i) by inserting after the word "pilotage" in paragraph (a) of section seventy-three the words "or an official copy of such certificate"; Sec. 73.  
(Penalties for forging or fraudulently using or lending a certificate of pilotage.)
- 15 (ii) by inserting after the word "certificate" in paragraph (d) of the same section the words "or an official copy of such certificate";
- 20 (h) (i) by inserting after the word "service" in paragraph (a) of section eighty-nine the words "or an official copy of such certificate"; Sec. 89.  
(Penalties for false representation, forging, altering, fraudulently using, or lending any certificate.)
- 25 (ii) by inserting after the word "certificate" in paragraph (d) of the same section the words "or an official copy of such certificate";
- 30 (i) (i) by omitting from subsection three of section one hundred and forty-five the words "the several fees and charges set forth in figures in the Ninth Schedule hereto" and by inserting in lieu thereof the words "such dues as are prescribed by regulations made under this Act"; Sec. 145 (3).  
(Harbour master's fees.)
- (ii)



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*Navigation (Amendment).*

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5 (ii) by inserting at the end of the same subsection the words "The regulations prescribing dues payable under this subsection may provide that such dues shall be calculated on a sliding scale by reference to the tonnage of the ship;"

(j) by omitting subsection four of section one hundred and forty-nine and by inserting in lieu thereof the following subsection:—

10 (4) A licensed pilot removing any ship in pursuance of this section shall be entitled to receive such dues as are prescribed by regulations made under this Act and such dues shall be accounted for and paid by him to the Board and by it paid into the Treasury to the Consolidated Revenue Fund.

15 The regulations prescribing dues payable under this subsection may provide that such dues shall be calculated on a sliding scale by reference to the tonnage of the ship.

20 (k) by omitting the Ninth Schedule.

Ninth  
Schedule.



