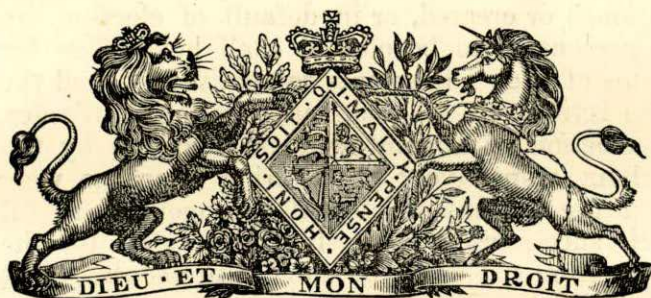


This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

*Legislative Assembly Chamber,
Sydney, 2 February, 1893.* }

F. W. WEBB,
Clerk of the Legislative Assembly.

New South Wales.



ANNO QUINQUAGESIMO SEXTO

VICTORIÆ REGINÆ.

No. .

An Act to reconstruct the Marine Board.

BE it enacted by the Queen'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:—

- 5 1. This Act may be cited as the "Marine Board Reconstruction Short title, &c. Act," and it shall be read with, and as part of, the "Navigation Acts, 1871–1881." In this Act the expression "Principal Act" means the "Navigation Act of 1871" as amended by the subsequently passed Acts; "Marine Board" means the Board incorporated pursuant
- 10 to the said last cited Acts; "Warden" means a Warden of the said Board; and, unless the context indicates otherwise, every expression used in this Act bears the same meaning and includes the same persons or things as the same expression when used in the Principal Act is therein expressed to bear or include.

Marine Board Reconstruction.

2. On the first Monday of July, in the year one thousand eight hundred and ninety-three, the three elected and three appointed Wardens of the Marine Board, but not the President of such Board, shall cease to hold office as such Wardens, but shall all be eligible for election as
5 Wardens of such Board under the provisions of this Act.

Six members of Board to go out of office in July, 1893.

3. On the said last-mentioned day six persons shall be elected, as hereinafter provided, to be Wardens of the Marine Board; and such six persons, or, in default of the election of such persons, those whom the Governor shall appoint, shall, together with the President of the
10 Marine Board, be and form the body corporate for all purposes of the Principal Act, in place of the body corporate constituted pursuant thereto. And of such six persons so to be elected or appointed two shall continue in office for two years, two for three, and two for four years; and the persons respectively whose duration of office is hereby
15 defined shall be ascertained by lot by the President at the first meeting of the Board held after the date specified in the last preceding section.

Election of Wardens, and tenure of office of first Wardens under this Act.

4. Upon the retirement of the Wardens firstly elected or appointed, pursuant to the provisions of the last preceding section, at the expiration of the periods for which they were elected or appointed,
20 their places shall be filled by election by the respective electoral bodies hereinafter mentioned or created, or in default of election, by the Governor, and the persons so to be elected shall hold office for three years from the dates of such retirements respectively. And the vacancies caused by the retirement of such last-mentioned Warden
25 shall be filled up by election or appointment of Wardens by the electoral bodies, by whom respectively the retiring Wardens were elected or appointed, and the persons so elected or appointed to fill such vacancies and their successors in office shall hold office for the like period of three years from the dates of such retirements. Any
30 retiring Warden shall be eligible for re-election or reappointment.

Subsequent vacancies, how filled up, &c.

5. Any vacancy in the office of Warden arising from any other cause than by retirement at the expiration of a Warden's term of office shall be filled up within three months after the occurrence thereof by the electoral body or person by which the Warden whose place shall
35 have become vacant was originally elected or appointed; and the Warden to be elected or appointed to fill such vacancy shall hold office for the unexpired portion of the term for which his predecessor was elected or appointed.

Extraordinary vacancies.

6. Any Warden elected or appointed under this Act may resign
40 his office by writing under his hand addressed to the Governor; and the office of any Warden shall be vacated if such Warden shall accept any office of profit under the Marine Board, or if such Warden shall be declared a bankrupt, or shall be convicted of any felony, or shall without leave first obtained from the Board, with the approval of the
45 Minister, be absent from six ordinary meetings of the Board consecutively: And the office of any Warden shall in any such case thereupon become vacant. The Governor may suspend from office or remove any Warden appointed by him.

Resignation. Office how otherwise vacated, &c.

7. The six persons to be elected Wardens of the Marine Board,
50 as hereinbefore mentioned, shall be so elected in manner following, viz. :—

Elections how and by whom conducted, &c.

- (I) Two shall be elected by owners of ships under and subject to the provisions contained in the Principal Act, and the rolls in force for the time being, but independently of the requirements of section fourteen of the Act thirty-fifth
55 Victoria number seven, which section is hereby repealed.
- (II) One shall be elected by seamen registered on the Seamen's Roll in force for the time being.

(III)

Marine Board Reconstruction.

(III) One (holding a master's certificate) shall be elected by persons registered on the Roll of Certificated Masters and Mates in force as aforesaid.

5 (IV) One holding a first-class engineer's certificate shall be elected by persons registered on the Underwriters' Roll in force as aforesaid; and

(v) One shall be elected by persons registered on the Roll of Certificated Engineers in force as aforesaid.

10 And every person whose name is on any of the three last-mentioned rolls shall have one vote only at all elections under this Act.

8. Every male, being a natural born or naturalized British Seamen's Roll. subject and of the age of twenty-one years or upwards, who has been employed for not less than six months in any year ending on the thirty-first day of December of the year next preceding the making
15 up of the Seamen's Roll hereinafter described, in any capacity on board any one or more ships registered in New South Wales, except as master, mate, or certificated engineer, shall be qualified to be registered on the Seamen's Roll, and as such to vote at all elections of Wardens held under that roll. And a list of all persons so qualified shall, before the
20 twentieth day of January in every year, be prepared by the Shipping Master of every Port of New South Wales and forwarded to the Secretary of the Marine Board, and such list shall contain the names of all persons, so far as they can be ascertained, who in such capacity as aforesaid have sailed under agreements made at such port. And
25 within thirty days after the receipt of such lists such Secretary shall compile in the prescribed manner from such lists and publish in the *Gazette* a Seamen's Roll, which roll shall be in force from the time of the publication thereof in the *Gazette* until a new roll shall have been in like manner compiled and published in the *Gazette*. Upon the
30 recommendation of any such Shipping Master the name of any person claiming to have his name entered on any such Roll, and satisfying such Shipping Master as to his qualification, in that behalf, the Minister may direct the said Secretary to enter in the prescribed manner such person's name on such Roll, and the same shall thereupon
35 be so entered by such Secretary, provided that such person makes his claim within fourteen days after the publication of the Roll as aforesaid.

9. The Secretary of the Marine Board, with the assistance of Underwriters' Roll. the Registrar-General, shall before the twentieth day of January in every year prepare a list of all companies, partnerships, and persons
40 then carrying on in New South Wales the business of marine insurance (with or without any other kind of insurance), and who shall satisfy the said Secretary and Registrar-General that they have accepted marine risks during the year preceding the said date. Such list shall be exhibited for ten days at the office of the Marine Board and the
45 Chamber of Commerce, and any company, partnership, or person whose name is not on such list, but who claims to have the same entered thereon, shall be entitled to such entry on satisfying such Secretary and Registrar-General of their or his qualification hereunder. Such list on the completion thereof shall be published in the *Gazette*,
50 and shall be the Underwriters' Roll for the purposes of this Act until a new roll shall be completed under the provisions hereof. Every company and partnership shall in the prescribed manner be registered in the name of some person to be named by such company or partnership, and such person alone shall vote at all elections under this Act.

55 10. The Secretary of the Marine Board shall, before the twentieth day of January in every year, prepare in the prescribed manner a roll of engineers holding certificates under the Principal Act, or certificates granted by the Board of Trade of the United Kingdom, or by the proper authority of any British possessions, and who for the
Roll of Certificated Engineers.

Marine Board Reconstruction.

six months preceding the thirty-first day of December in the year next preceding such date have been employed as engineers on board any one or more ships registered in New South Wales. Such roll shall be published in the *Gazette*, and upon such publication shall be the roll of Certificated Engineers for the purposes of this Act, until a new roll shall have been compiled and published in like manner.

11. The secretary of the Marine Board shall, before the twentieth day of January in every year, prepare in the prescribed manner a roll of masters and mates holding certificates under the Principal Act, or certificates granted by the Board of Trade of the United Kingdom, or by the proper authority of any British possessions, and who for the six months preceding the thirty-first day of December in the year next preceding such date have been employed as masters or mates on board any one or more ships registered in New South Wales. Such roll shall be published in the *Gazette*, and upon such publication shall be the Roll of Certificated Masters and Mates for the purposes of this Act until a new roll shall have been compiled and published in like manner.

12. The poll for any election held under the Seamen's or the Certificated Engineers' Roll shall be open for a period of thirty days.

13. The Governor may make regulations prescribing the manner in which any rolls under this Act shall be prepared, and the manner, time, and place of holding any election thereunder; and all such regulations shall be dealt with in manner provided by the Principal Act. The Governor may also, by proclamation published in the *Gazette*, declare any roll to be valid for all purposes of this Act, notwithstanding any irregularity, omission, or misfeasance whatever in or in connection with the compilation, printing, exhibition, or publication thereof.

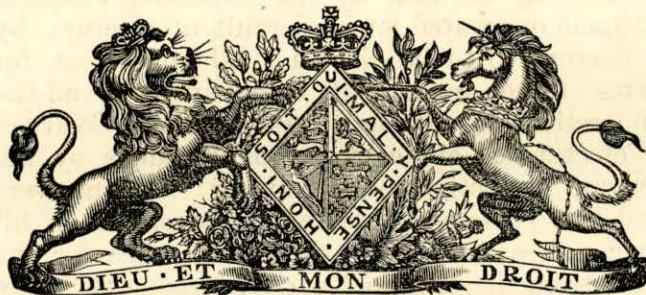
14. The Marine Board as constituted under this Act, with the President in office for the time being, shall be the authority, have the powers, and be liable to the obligations respectively created, conferred, and imposed by the "Navigation Acts, 1871-1881" as amended hereby; and such Marine Board shall be deemed to be the Marine Board mentioned in any Act of Parliament, Order in Council, proclamation, notification, or regulation made under any Act of Parliament or other authority, or in any instrument or document whatsoever.

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.

*Legislative Assembly Chamber,
Sydney, 2 February, 1893.* }

F. W. WEBB,
Clerk of the Legislative Assembly.

New South Wales.



ANNO QUINQUAGESIMO SEXTO

VICTORIÆ REGINÆ.

No. .

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BE it enacted by the Queen'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:—

- 5 1. This Act may be cited as the "Marine Board Reconstruction Short title, &c.
Act," and it shall be read with, and as part of, the "Navigation
Acts, 1871-1881." In this Act the expression "Principal Act"
means the "Navigation Act of 1871" as amended by the subsequently
passed Acts; "Marine Board" means the Board incorporated pursuant
10 to the said last cited Acts; "Warden" means a Warden of the said
Board; and, unless the context indicates otherwise, every expression
used in this Act bears the same meaning and includes the same persons
or things as the same expression when used in the Principal Act is
therein expressed to bear or include.

Marine Board Reconstruction.

2. On the first Monday of July, in the year one thousand eight hundred and ninety-three, the three elected and three appointed Wardens of the Marine Board, but not the President of such Board, shall cease to hold office as such Wardens, but shall all be eligible for election as 5 Wardens of such Board under the provisions of this Act.

Six members of Board to go out of office in July, 1893.

3. On the said last-mentioned day six persons shall be elected, as hereinafter provided, to be Wardens of the Marine Board; and such six persons, or, in default of the election of such persons, those whom the Governor shall appoint, shall, together with the President of the 10 Marine Board, be and form the body corporate for all purposes of the Principal Act, in place of the body corporate constituted pursuant thereto. And of such six persons so to be elected or appointed two shall continue in office for two years, two for three, and two for four 15 years; and the persons respectively whose duration of office is hereby defined shall be ascertained by lot by the President at the first meeting of the Board held after the date specified in the last preceding section.

Election of Wardens, and tenure of office of first Wardens under this Act.

4. Upon the retirement of the Wardens firstly elected or appointed, pursuant to the provisions of the last preceding section, at the expiration of the periods for which they were elected or appointed, 20 their places shall be filled by election by the respective electoral bodies hereinafter mentioned or created, or in default of election, by the Governor, and the persons so to be elected shall hold office for three years from the dates of such retirements respectively. And the 25 vacancies caused by the retirement of such last-mentioned Warden shall be filled up by election or appointment of Wardens by the electoral bodies, by whom respectively the retiring Wardens were elected or appointed, and the persons so elected or appointed to fill such vacancies and their successors in office shall hold office for the 30 like period of three years from the dates of such retirements. Any retiring Warden shall be eligible for re-election or reappointment.

Subsequent vacancies, how filled up, &c.

5. Any vacancy in the office of Warden arising from any other cause than by retirement at the expiration of a Warden's term of office shall be filled up within three months after the occurrence thereof by the electoral body or person by which the Warden whose place shall 35 have become vacant was originally elected or appointed; and the Warden to be elected or appointed to fill such vacancy shall hold office for the unexpired portion of the term for which his predecessor was elected or appointed.

Extraordinary vacancies.

6. Any Warden elected or appointed under this Act may resign 40 his office by writing under his hand addressed to the Governor; and the office of any Warden shall be vacated if such Warden shall accept any office of profit under the Marine Board, or if such Warden shall be declared a bankrupt, or shall be convicted of any felony, or shall without leave first obtained from the Board, with the approval of the 45 Minister, be absent from six ordinary meetings of the Board consecutively: And the office of any Warden shall in any such case thereupon become vacant. The Governor may suspend from office or remove any Warden appointed by him.

Resignation. Office how otherwise vacated, &c.

7. The six persons to be elected Wardens of the Marine Board, 50 as hereinbefore mentioned, shall be so elected in manner following, viz. :—

Elections how and by whom conducted, &c.

- 55 (I) Two shall be elected by owners of ships under and subject to the provisions contained in the Principal Act, and the rolls in force for the time being, but independently of the requirements of section fourteen of the Act thirty-fifth Victoria number seven, which section is hereby repealed.
- (II) One shall be elected by seamen registered on the Seamen's Roll in force for the time being.

(III)

Marine Board Reconstruction.

- (III) One (holding a master's certificate) shall be elected by persons registered on the Roll of Certificated Masters and Mates in force as aforesaid.
- 5 (IV) One holding a first-class engineer's certificate shall be elected by persons registered on the Underwriters' Roll in force as aforesaid; and
- (V) One shall be elected by persons registered on the Roll of Certificated Engineers in force as aforesaid.

And every person whose name is on any of the three last-mentioned rolls shall have one vote only at all elections under this Act.

8. Every male, being a natural born or naturalized British Seamen's Roll. subject and of the age of twenty-one years or upwards, who has been employed for not less than six months in any year ending on the thirty-first day of December of the year next preceding the making up of the Seamen's Roll hereinafter described, in any capacity on board 15 any one or more ships registered in New South Wales, except as master, mate, or certificated engineer, shall be qualified to be registered on the Seamen's Roll, and as such to vote at all elections of Wardens held under that roll. And a list of all persons so qualified shall, before the 20 twentieth day of January in every year, be prepared by the Shipping Master of every Port of New South Wales and forwarded to the Secretary of the Marine Board, and such list shall contain the names of all persons, so far as they can be ascertained, who in such capacity as aforesaid have sailed under agreements made at such port. And 25 within thirty days after the receipt of such lists such Secretary shall compile in the prescribed manner from such lists and publish in the *Gazette* a Seamen's Roll, which roll shall be in force from the time of the publication thereof in the *Gazette* until a new roll shall have been in like manner compiled and published in the *Gazette*. Upon the 30 recommendation of any such Shipping Master the name of any person claiming to have his name entered on any such Roll, and satisfying such Shipping Master as to his qualification in that behalf, the Minister may direct the said Secretary to enter in the prescribed manner such person's name on such Roll, and the same shall thereupon 35 be so entered by such Secretary, provided that such person makes his claim within fourteen days after the publication of the Roll as aforesaid.

9. The Secretary of the Marine Board, with the assistance of Underwriters' Roll. the Registrar-General, shall before the twentieth day of January in every year prepare a list of all companies, partnerships, and persons 40 then carrying on in New South Wales the business of marine insurance (with or without any other kind of insurance), and who shall satisfy the said Secretary and Registrar-General that they have accepted marine risks during the year preceding the said date. Such list shall be exhibited for ten days at the office of the Marine Board and the 45 Chamber of Commerce, and any company, partnership, or person whose name is not on such list, but who claims to have the same entered thereon, shall be entitled to such entry on satisfying such Secretary and Registrar-General of their or his qualification hereunder. Such list on the completion thereof shall be published in the *Gazette*, 50 and shall be the Underwriters' Roll for the purposes of this Act until a new roll shall be completed under the provisions hereof. Every company and partnership shall in the prescribed manner be registered in the name of some person to be named by such company or partnership, and such person alone shall vote at all elections under this Act.

55 10. The Secretary of the Marine Board shall, before the Roll of Certificated Engineers. twentieth day of January in every year, prepare in the prescribed manner a roll of engineers holding certificates under the Principal Act, or certificates granted by the Board of Trade of the United Kingdom, or by the proper authority of any British possessions, and who for the

Marine Board Reconstruction.

six months preceding the thirty-first day of December in the year next preceding such date have been employed as engineers on board any one or more ships registered in New South Wales. Such roll shall be published in the *Gazette*, and upon such publication shall be the roll of Certificated Engineers for the purposes of this Act, until a new roll shall have been compiled and published in like manner.

11. The secretary of the Marine Board shall, before the twentieth day of January in every year, prepare in the prescribed manner a roll of masters and mates holding certificates under the Principal Act, or certificates granted by the Board of Trade of the United Kingdom, or by the proper authority of any British possessions, and who for the six months preceding the thirty-first day of December in the year next preceding such date have been employed as masters or mates on board any one or more ships registered in New South Wales. Such roll shall be published in the *Gazette*, and upon such publication shall be the Roll of Certificated Masters and Mates for the purposes of this Act until a new roll shall have been compiled and published in like manner.

12. The poll for any election held under the Seamen's or the Certificated Engineers' Roll shall be open for a period of thirty days.

13. The Governor may make regulations prescribing the manner in which any rolls under this Act shall be prepared, and the manner, time, and place of holding any election thereunder; and all such regulations shall be dealt with in manner provided by the Principal Act. The Governor may also, by proclamation published in the *Gazette*, declare any roll to be valid for all purposes of this Act, notwithstanding any irregularity, omission, or misfeasance whatever in or in connection with the compilation, printing, exhibition, or publication thereof.

14. The Marine Board as constituted under this Act, with the President in office for the time being, shall be the authority, have the powers, and be liable to the obligations respectively created, conferred, and imposed by the "Navigation Acts, 1871-1881" as amended hereby; and such Marine Board shall be deemed to be the Marine Board mentioned in any Act of Parliament, Order in Council, proclamation, notification, or regulation made under any Act of Parliament or other authority, or in any instrument or document whatsoever.