Navigation Act 1912

Act No. 4 of 1913 as amended

This compilation was prepared on 22 December 2008
taking into account amendments up to Act No. 144 of 2008

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

Volume 2 includes: Table of Contents
Schedule 1

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Prepared by the Office of Legislative Drafting and Publishing,
Attorney-General’s Department, Canberra
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An Act relating to Navigation and Shipping

Part I—Introductory

1 Short title [see Note 1]

This Act may be cited as the Navigation Act 1912.

2 Application 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.
Section 2A

2A Act to bind the Crown

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

3 Act 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.

4 Application 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.

5 Application 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.

6 Interpretation

(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.

approved form means a form approved by the Authority under section 6F.

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._

_child_: without limiting who is a child of a person for the purposes of this Act, someone is the _child_ of a person if he or she is a child of the person within the meaning of the _Family Law Act 1975._

_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.

**de facto partner** of a person has the meaning given by the [Acts Interpretation Act 1901](#).

**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.
Part I Introductory

Section 6

*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.
**Section 6**

*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;
Section 6

(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.

parent: without limiting who is a parent of a person for the purposes of this Act, someone is the parent of a person if the person is his or her child because of the definition of child in this section.

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:
Section 6

(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.

stepchild: without limiting who is a stepchild of a person for the purposes of this Act, someone who is a child of a de facto partner of the person is the stepchild of the person, if he or she would be the person’s stepchild except that the person is not legally married to the partner.

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.
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(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.

(8) For the purposes of this Act, members of a person’s family are taken to include the following (without limitation):
   (a) a de facto partner of the person;
   (b) someone who is the child of the person, or of whom the person is the child, because of the definition of child in this section;
   (c) anyone else who would be a member of the person’s family because someone mentioned in paragraph (a) or (b) is taken to be a member of the person’s family.

6A Answering 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.

6B Desertion

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.
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6C Incompetency 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.

6D Taking 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.

6E Proper 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  

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(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.

6F Authority may approve form

The Authority may, in writing, approve a form for the purposes of a provision of this Act.

7 Definition 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.

Note: In relation to subparagraph (1)(d)(i), see also subsection 6(8).

(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.

7A Ships 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.

8 Off-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.
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(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,
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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.

8A Off-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.
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(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.

8AA Declaration 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).

8AB Declarations 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).

8AC Expiration 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.

8B Ships 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
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(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.

9 Delegation

(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.

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Part II—Masters and seamen

Division 1—General

9A Definitions

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.

10 Application 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

13 Superintendents

The Authority may, in writing, appoint a person to be a superintendent.
Division 2A—The manning of ships

14 Minimum 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).
Part II  Masters and seamen
Division 3  Qualifications of masters, officers and seamen

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Division 3—Qualifications of masters, officers and seamen

15 Regulations 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;
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(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);

(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.

16 Unqualified 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.

17 Certificates 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.
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(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

32 Penalty 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

45 Employment 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

46 Engagement 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.
47 Persons 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.

48 Report 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.

48A Minimum 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.

50 Period 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.

52 Owner 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.

53 Copy 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.
Section 54

54 Agreements 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.

55 Erasures 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.

56 Offences

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.

57 Evidence 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.

59 Obligation 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.

59A Abolition 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.

59B Shipowner 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 (c) of Article 3 of the Convention, a person entitled to make such a claim.
Div 9—Discharge of seamen

61 Provision 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.

62A Discharge 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.
Section 63

(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).

63 False 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.

68 Offences 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

70 Allotment 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, de facto partner, 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.

(5) For the purposes of subparagraph (1)(a)(i), if one person is the child of another person because of the definition of child in this Act, relationships traced to or through the person are to be determined on the basis that the person is the child of the other person.
71 Right 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.

72 Commencement 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.

73 Allotment to banks

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

75A Computation 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.

76 Account 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.

77 Time 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.

78 Wages 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.
81 Reference 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.

82 Commencement 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.

83 Recovery 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.

84 Wages 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.

85 Right 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 or she 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.
88 Compensation 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).

91 Jurisdiction 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.

93 Wages 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.
Part II  Masters and seamen
Division 10  Seamen’s wages

Section 94

(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.

94 Master’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

101 Smuggling 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.

104 Stowaways 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.

110 Return 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.
Section 113

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

113 Questions 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

116 Bad 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.

117 Provisions 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.
Part II  Masters and seamen
Division 13  Provisions

Section 117A

117A  Adequate 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.

119  Weights 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.

120  Inspection 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.

122 Disposal 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

123 Medical 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.

124 Medical 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.

125 Medicines 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.
126 Inspection 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.

127 Owner 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.

Note: In relation to paragraph (1)(f), see also subsection 6(8).

(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
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(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.

128 Recovery 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.

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(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.

132 Wages 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
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(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.

132A  Security 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.

132B Seaman 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

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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.

133 Medical 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.

134 Regulations 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

135 Application 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.

136 Regulations 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

(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.

137 Provision 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.
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138  Crew 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.

138A  Ships 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.
138B Interpretation

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.
139 Facilities 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.

140 Assignment 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.

145 Persons 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.

147 Exemptions 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.

148 Rescission 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.

148A Seaman 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.
Section 148C

148C  Wages 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.
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.

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.

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

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

148D Wages 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

149 Interpretation

(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.

150 Master 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.

151 Death 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.

152 Penalty 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.
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Section 153

(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.

153  Effects 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.

154  Recovery 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.

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(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.

155 Property 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.

155A Transmission 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.

156 Right 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 have been the deceased’s spouse or de facto partner immediately before the deceased’s death, to be a child of the deceased, or to be legally entitled to the personality 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.

157 Wills 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 a relative of the testator, 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.

(3) The reference in paragraph (1)(b) to a relative of the testator includes a reference to the following (without limitation):
   (a) a de facto partner of the testator;
   (b) someone who is the child of the testator, or of whom the testator is the child, because of the definition of child in section 6;
   (c) anyone else who would be a relative of the testator because someone mentioned in paragraph (a) or (b) is taken to be a relative of the testator.

158 Creditors’ 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

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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 who was the deceased’s spouse or de facto partner immediately before the deceased’s death, or who is the deceased’s 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 who was the deceased’s spouse or de facto partner immediately before the deceased’s death, or who is the deceased’s 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.

(8) In determining for the purposes of subsections (6) and (7) whether a person is next-of-kin of another person, the following persons are also to be taken into account:

(a) someone who is the child of the person, or of whom the person is the child, because of the definition of child in this Act;

(b) anyone else who would be a relative of the person because someone mentioned in paragraph (a) is taken into account.

158A Sale 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.
159 Disposal 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.

160 Giving 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

161 Relief of families by public institutions

(1) Where, during the absence of any seaman on a voyage, the wife or husband, de facto partner, 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.

162 Reimbursement 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

163 Interpretation

(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.

163A Regulations 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

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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

164 All 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.

167 Agreement 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.
168 Documents 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

171 Official 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.

172 Offences 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.

172A Report 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.

173 Delivery 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.

174 Transmission 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
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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

177 Definition of seaman

In this Part:

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

178 Apprehension 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.

180 Return 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.

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183  Proceedings 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.

184  Proof 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.

185  Expenses 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.

186  Expenses 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

186A Application 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.

186B Definitions

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.

186C Qualifications 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
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(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.
186D Regulations 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.

186E Unqualified 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.
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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.

186F  Abuse 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.

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(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.
Part IIIA  Pilotage
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Division 2—Compulsory pilotage

186G  Definitions

(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.
186H Regulations 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.

186I Offence 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.
Part IIIA  Pilotage
Division 2  Compulsory pilotage

Section 186J

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

186J Licensed 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.

186K Exemption 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.

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(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.

186L Defence 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.
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187 Application 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.

187AA Issue 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.

**187A Interpretation**

(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 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) 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
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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.

187B  Declaration 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.

187BA  Approval 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.

187C  When 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.
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187D Certificate 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.

187E Certificate 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.

188 Exemptions

(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.

189 All ships liable to survey and inspection

All ships shall be liable to inspection and survey.

190 Appointment 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.

190AA Powers 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.
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(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 Publication of information about ships

(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
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(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.

190A Alterations 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.

190B Regulations 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.
191 Regulations 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.

191A Discretions 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.

**191B Offences 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*).
192A Detention 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.

192B Stability 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.

192C Nuclear 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;
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(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.

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193 Steamships 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.

194 Surveyors’ 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.
Section 195

(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.

195 Duration 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.
Section 195A

(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.

195A Cancellation 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.

196 Certificates 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.

202 Overcrowding 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.
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Section 203

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.

203 Alteration 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.

204 Inspection 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.

204A Non-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.

206 Operation 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

206B Application 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”.

Navigation Act 1912
Division 2B—Issue of safety certificates

206C Interpretation

(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.

206D Passenger 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:
Section 206E

(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.

206E Cargo 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 the Authority 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.
Section 206F

(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.

### 206F Cargo 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.

### 206G Cargo 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.
Section 206GA

(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.

206GA Cargo 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.

206H Exemptions

(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
a 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.

### 206J Nuclear 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.

### 206K Nuclear 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.

**206L Authority 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.

**206M Safety 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.

206N Duration 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.

206P Extension 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.

206PA Cancellation 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.

206Q Certificates 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

206R Interpretation

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

206S Certificates 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.

206T Certificates 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;
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(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.

206U Certificates 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.

206V Documentary 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.

206W Production 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

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(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.
Section 206X

206X  Modification 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

207 Definition 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.

207A Substandard 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.
208 Sending 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.

209 Seaman 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.

210 Detention 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.

211 Costs 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.

212 Taking 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.

213 Security 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.

214 Circumstances 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

215 Regulations 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.

216A Modification 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.
217 Offences 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

218 Interpretation

(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.

219 Declaration 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.

220 Load 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.

221 Exemptions

(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.
Section 222

(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.

222 Issue 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:

146 Navigation Act 1912
(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.

223  Issue 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.

224  Duration, 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.

225 Particulars 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.

226 Authority 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.

227 Authority 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.

227A Ships 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.

227B Ships 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)  

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2—Deadweight tonneage (cargo ships)

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<td>Exceeding 20,000 tonnes but not exceeding 40,000 tonnes</td>
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<td>Exceeding 40,000 tonnes................................</td>
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(1A) An offence under subsection (1) is an offence of strict liability.

Note: For strict liability, see section 6.1 of the Criminal Code.
Part IV Ships and shipping
Division 5 Load lines

Section 227C

(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 tonnage 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 tonnage 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).

227C Detention 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.

227D Offences 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.

227E Inspection 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

228 Ships 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.

229 Signals 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.

230 Compensation 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

231 Application 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.

231A Ships 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.

231B Radio 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.
231C  Maintenance 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.

231D  Deficiency 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.
231E Log-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.

231F Regulations 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

232 Regulations

(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.

233 Ships 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.

234 Ship 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

235 Musters 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.

236 Machinery 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

237 Interpretation

In this Division, container has the same meaning as in the Container Convention.

238 Declaration 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.

239 Certificate 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.
Part IV  Ships and shipping
Division 9  Containers

Section 240

240 Regulations 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.

241 Safety 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

248 Definition 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.

249 Shipping 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.

250 Powers 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.

251 Right 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
Section 252

decrees, 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.

252 Forfeiture 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.

253 False 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.

253A Carriage 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;

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(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.

254 Prohibition 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.

255 Notice 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.
257 Loading, 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

258 Collisions, 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).
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Division 11  Collisions, loss and damage

Section 258AA

(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.

258AA  Certificate 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.
258A Careful 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.

259 Rule 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.

260 Damages 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.

261 Right 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.

261A Application 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.

263 Abolition 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.
264 Master 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.

265 Obligation 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.
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Section 265

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.

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(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.

265A Liability 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

266 Interpretation

(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.

267 Application 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, 12A, 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.

267A Regulations to give effect to certain Regulations of Annex I

The regulations may make provision for and in relation to giving effect to Regulations 12, 12A, 13, 14, 15, 16, 18, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34 and 35 of Annex I.

267B Ship 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.

267C International 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.

267D Alteration 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.

267E Ships 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.

267F Cancellation 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.
267G Certificates 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.

267H Certificates 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.

267J Production 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(2) 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

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Customs may refuse to grant the clearance, and the ship may be detained, until the certificate is produced to him or her.

267K Directions 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;
then 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.
Section 267K

(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

267M Interpretation

(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.

267N Application 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

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regulations made for the purposes of section 267P and of any orders made pursuant to any such regulations.

267P Regulations 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.

267Q Chemical 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.

267R International 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.

267S Alteration 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.

267T Ships 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.

267U Cancellation 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.

267V Certificates 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.

267W Certificates 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.

267X Production 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
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(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.

267Y Directions 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.
Part IV Ships and shipping

Division 12B Ships carrying packaged harmful substances

Section 267ZA

Division 12B—Ships carrying packaged harmful substances

267ZA Interpretation

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


*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.

267ZB Application 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.

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267ZC Regulations 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.
Part IV Ships and shipping
Division 12C Sewage

Section 267ZD

Division 12C—Sewage

267ZD Interpretation

(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.

267ZE Application 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.

267ZF Regulations 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.

267ZG International 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.

267ZH International 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.

267ZJ Alteration 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
Section 267ZK

(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;

(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.

267ZK  Ships 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.

267ZL Cancellation 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.

267ZM Certificates 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.

267ZN Certificates 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.
267ZP Production 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.

267ZQ Directions 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.
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(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.

267ZS Operation 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 12D—Air pollution

267ZT Definitions

(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.

267ZU Application of Division

(1) Section 2 does not have effect in relation to this Division.
Section 267ZV

(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.

267ZV Regulations 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.

267ZW Air 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.

267ZX International 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:
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(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.

267ZY Obligation 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.

267ZZ Authority 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
Section 267ZZA

(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.

267ZZA Ships 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.

267ZZB Certificate 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.

267ZZC Certificates 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.

267ZZD Certificates to be carried on board Australian ships

A person commits an offence if:
  (a) the person is the owner of a ship; and
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(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.  

267ZZE  Production 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.  

267ZZF  Directions 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;
then 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;
then the master and the owner each commit an offence.

Penalty: 500 penalty units.
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(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).
Division 13—Report of accidents and of dangers to navigation

268 Accidents 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.

### 269 Notification 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.

### 269A Report 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
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(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

269B Definitions

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.

269C Objects 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
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(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.

### 269D Regulations 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

270 Regulations 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.

272 Provision 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.
273 Assurances 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.

274 Responsibility 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.

275 Passenger 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).
Section 276

276 Right 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.

278 Obstructing 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.

279 Power 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.

280 Taking 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.

281 Offences 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.
Section 282

282 Offences 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

283 Interpretation

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.

283A Power 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.

283B Special 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.
Section 283C

Part VB—Off-shore industry vessels and off-shore industry mobile units

283C Extension 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.

283D Regulations 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.

283E Regulations 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
Part VB Off-shore industry vessels and off-shore industry mobile units

Section 283F

(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.

283F Directions 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.

283G Off-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.

283H Personnel 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.

### 283J Notices 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.

### 283K Regulations, orders and directions inconsistent with Offshore Petroleum and Greenhouse Gas Storage Act 2006 etc.

(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 *Offshore Petroleum and Greenhouse Gas Storage Act 2006* (including regulations made under that Act and directions given under section 305 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).
Section 283K

(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

284 Application of Part

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

286 Permits 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.
Section 286

(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.
Part VI  The coasting trade

Section 287

(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.

287 Ships 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.

288 Licensing 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.

289 Payment 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.

290 Indorsement 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.

291 Seamen’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.
292 Evidence 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.

293 Responsibility 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.

293A Power 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

294 Interpretation

(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.

295 Powers 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.

295A Certain 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
Section 295B

applying in relation to that wreck if it subsequently ceases to be a historic wreck.

295B Certain 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

296 Receiver 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.

297 Powers 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).
Part VII Wrecks and salvage

Division 2 Wreck

Section 298

**298 Power 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.

**299 Power of receiver to suppress plunder and disorder by force**

(1) Whenever a ship is wrecked, stranded, or in distress and any person plundered, 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.
300 Exercise 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.

301 Examination 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.
302 Finding 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.

303 Penalty 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.

304 Notice 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.

305 Claim 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.

### 306 Sale 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.

### 307 Expenses 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.

### 308 Right of Commonwealth

The Commonwealth shall be entitled to all unclaimed wreck found in Australia.

### 309 Sale 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.

310 Discharge 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.

311 Disputes 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.

312 Taking 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.

313 Boarding 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.

314 Offences 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.

314A Removal 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.
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(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

315 Certain 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.

316 Application 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.

317 Application of section 2 to this Division

Unless otherwise specified, section 2 does not apply to this Division.

317A Assistance 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.

329B Salvage 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.

329C Salvage 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

338 Ship 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

377B Decisions 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.

377C Decisions 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;
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(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).

377CA Decisions 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.

377D Principal 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.
377E  Other 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).

377F  Other 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.

377G  Other 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);
Part IXA  Review of decisions

Section 377H

(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).

377H  Other decisions under Divisions 12, 12A, 12C and 12D 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), 267ZQ(1) or 267ZZF(1).

377J  Decisions under Part VB

Application may be made to the Administrative Appeals Tribunal for review of the giving of a direction under subsection 283F(1).

377JA  Decisions 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.

377K  Decisions 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.

377L  Decisions 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.

377M Statements 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

378 Place 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.

379 Presumption 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.

380 Jurisdiction 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.

384 Action 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

385 Definitions

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).

386 General 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.
386A Impairment 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.

386B Unacceptable 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.
386C  Master 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.
Section 386D

386D Refusal 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.

386E Refusal 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.

386F Consumption 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.

386G Medical 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).

386H Permitting 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
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(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.

386J Regulations

(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.

387 Hindering 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;
Section 387A

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.

387A Persuading 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.

388 Being 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.

389 False 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.
389A Offences 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.

391 Beneficial 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.
395A Proceedings 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.

396 Limitation 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.

### 397 Offences 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).

### 399 Distress 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

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*264  Navigation Act 1912*
distress and sale of the whole or any portion of the ship and its equipment, and they shall be sold accordingly.
Section 400

Division 4—Evidence and service

400 Production 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.

401 Proof 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.

### 402 Evidence 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.

### 403 Admissibility 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.

403A  Evidence 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.

404  Service 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.

405  Service 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.
Part X  Legal proceedings
Division 5  Proceedings against the Crown

Section 405A

Division 5—Proceedings against the Crown

405A  Proceedings 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

405B Interpretation

(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 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 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.

405C Declaration 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.

405D Certificate 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.
405E Tonnage 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.

405F Issue 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.
405G Extension 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.

405H Tonnage 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.

405J Authority 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).

405K Power 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.
Part XA  Tonnage measurement of ships

Section 405M

(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.

405M  Register 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.

405N  Tonnage 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.

405P  Assignment 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

407 Application 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.

410 Copy 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.

410A Charts

(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.

**410B Civil 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.

**411 Liability 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.

### 412 Search 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.

### 413 Powers 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.
Section 414

(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).

414 Detention 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.

415 Taking 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.
Part XI  Miscellaneous

Section 416

416  Refusal 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.

417  Births, 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

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(b) furnish a copy of the entry to the Authority or to such other person as is prescribed.

418A Security

(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.

419 Seal

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.

421 Power 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.
Part XI  Miscellaneous

Section 424

(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.

424 Marine 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.
Section 425

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.

425 Regulations

(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;
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(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.
Part XI  Miscellaneous

Section 426A

(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.

426A  Power 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.

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427 Ministerial 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.*
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Act No. 4 of 1913 as amended

This compilation was prepared on 22 December 2008
taking into account amendments up to Act No. 144 of 2008

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ARTICLE I

General Obligations under the Convention

(a) The Contracting Governments undertake to give effect to the provisions of the present Convention and the Annex thereto, which shall constitute an integral part of the present Convention. Every reference to the present Convention constitutes at the same time a reference to the Annex.

(b) The Contracting Governments undertake to promulgate all laws, decrees, orders and regulations and to take all other steps which may be necessary to give the present Convention full and complete effect, so as to ensure that, from the point of view of safety of life, a ship is fit for the service for which it is intended.

ARTICLE II

Application

The present Convention shall apply to ships entitled to fly the flag of States the Governments of which are Contracting Governments.

ARTICLE III

Laws, Regulations

The Contracting Governments undertake to communicate to and deposit with the Secretary-General of the Inter-Governmental Maritime Consultative Organization (hereinafter referred to as “the Organization”):

(a) a list of non-governmental agencies which are authorized to act in their behalf in the administration of measures for safety of life at sea for circulation to the Contracting Governments for the information of their officers;

(b) the text of laws, decrees, orders and regulations which shall have been promulgated on the various matters within the scope of the present Convention;
(c) a sufficient number of specimens of their Certificates issued 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 is not subject to the provisions of the present Convention at the time of its departure on any voyage, shall not become subject to the provisions of the present Convention on account of any deviation from its intended voyage due to stress of weather or any other cause of force majeure.

(b) Persons who are on board a ship by reason of force majeure or in consequence of the obligation laid upon the master to carry shipwrecked or other persons shall not be taken into account for the purpose of 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 a threat to the security of their lives a Contracting Government may permit the carriage of a larger number of persons in its ships than is otherwise permissible under the present Convention.

(b) Such permission shall not deprive other Contracting Governments of any right of control under the present Convention over such ships which come within their ports.

(c) Notice of any such permission, together with a statement of the circumstances, shall be sent to the Secretary-General of the Organization by the Contracting Government granting such permission.

ARTICLE VI
Prior Treaties and Conventions

(a) As between the Contracting Governments, the present Convention replaces and abrogates the International Convention for the Safety of Life at Sea which was signed in London on 17 June 1960.

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(b) All other treaties, conventions and arrangements relating to safety of life at sea, or matters appertaining thereto, at present in force 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 Convention applies, in respect of matters for which it has not expressly provided.

(c) To the extent, however, that such treaties, conventions or arrangements conflict with the provisions of the present Convention, the provisions of the present Convention shall prevail.

(d) All matters which are not expressly provided for in the present Convention remain subject to the legislation of the Contracting Governments.

ARTICLE VII

Special Rules drawn up by Agreement

When in accordance with the present Convention special rules are drawn up by agreement between all or some of the Contracting Governments, such rules shall be communicated to the Secretary-General of the Organization for circulation to all Contracting Governments.

ARTICLE VIII

Amendments

(a) The present Convention may be amended by either of the procedures specified in the following paragraphs.

(b) Amendments after consideration within the Organization:
   (i) Any amendment proposed by a Contracting Government shall be submitted to the Secretary-General of the Organization, who shall then circulate it to all Members of the Organization and all Contracting Governments at least six months prior to its consideration.
   (ii) Any amendment proposed and circulated as above shall be referred to the Maritime Safety Committee of the Organization for consideration.
   (iii) Contracting Governments of States, whether or not Members of the Organization, shall be entitled to participate in the proceedings of
the Maritime Safety Committee for the consideration and adoption of amendments.

(iv) Amendments shall be adopted by a two-thirds majority of the Contracting Governments present and voting in the Maritime Safety Committee expanded as provided for in sub-paragraph (iii) of this 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 by the Secretary-General of the 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 have been accepted on the date on which it is accepted by two-thirds of the Contracting Governments.

(2) An amendment to the Annex other than Chapter I shall be deemed to have been accepted:

   (aa) at the end of two years from the date on which it is communicated to Contracting Governments for acceptance; or

   (bb) at the end of a different period, which shall not be less than one year, if so determined at the time of its adoption by a two-thirds majority of the Contracting Governments present and voting in the expanded Maritime Safety Committee.

However, if within the specified period either more than one-third of Contracting Governments, or Contracting Governments the combined merchant fleets of which constitute not less than fifty per cent of the gross tonnage of the world’s merchant fleet, notify the Secretary-General of the Organization that they object to the amendment, it shall be deemed not to have been accepted.

(vii) (1) An amendment to an Article of the Convention or to Chapter I of the Annex shall enter into force with respect to those Contracting Governments which have accepted it, six months after the date on which it is deemed to have been accepted, and with respect to each Contracting Government which accepts it after that date, six months after the date of that Contracting Government’s acceptance.
(2) An amendment to the Annex other than Chapter I shall enter into force with respect to all Contracting Governments, except those which have objected to the amendment under sub-paragraph (vi)(2) of this paragraph and which have not withdrawn such objections, six months after the date on which it is deemed to have been accepted. However, before the date set for entry into force, any Contracting Government may give notice to the Secretary-General of the Organization that it exempts itself from giving effect to that amendment for a 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 of the Contracting Governments present and 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 by at least one-third of the Contracting Governments, the Organization shall convene a Conference of Contracting Governments to consider amendments to the present Convention.

(ii) Every amendment adopted by such a Conference by a two-thirds majority of the Contracting Governments present and voting shall be communicated by the Secretary-General of the Organization to all Contracting Governments for acceptance.

(iii) Unless the Conference decides otherwise, the amendment shall be deemed to have been accepted and shall enter into force in accordance with the procedures specified in sub-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 obliged to extend the benefit of the present Convention in respect of the certificates issued to a ship entitled to fly the flag of a State the Government of which, pursuant to the provisions of sub-paragraph (b)(vi)(2) of this Article, has objected to the amendment and has not withdrawn such an objection, but only to the extent that such certificates relate to matters covered by the amendment in question.

(ii) A Contracting Government which has accepted an amendment to the Annex which has entered into force shall extend the benefit of
the present Convention in respect of the certificates issued to a ship entitled to fly the flag of a State the Government of which, pursuant to the provisions of sub-paragraph (b)(vii)(2) of this Article, has notified the Secretary-General of the Organization that it exempts itself from giving effect to the amendment.

(e) Unless expressly provided otherwise, any amendment to the present Convention made under this Article, which relates to the structure of a ship, shall apply only to ships the keels of which are laid or which are at a similar stage of construction, on or after the date on which the amendment enters into force.

(f) Any declaration of acceptance of, or objection to, an amendment or any notice given under sub-paragraph (b)(vii)(2) of this Article shall be submitted in writing to the Secretary-General of the Organization, who shall inform all Contracting Governments of any such submission and the date of its receipt.

(g) The Secretary-General of the Organization shall inform all Contracting Governments of any amendments which enter into force under this Article, together with the date on which each such amendment enters into force.

ARTICLE IX

Signature, Ratification, Acceptance, Approval and Accession

(a) The present Convention shall remain open for signature at the Headquarters of the Organization from 1 November 1974 until 1 July 1975 and shall thereafter remain open for accession. States may become parties to the present Convention by:

(i) signature without reservation as to ratification, acceptance or approval; or

(ii) signature subject to ratification, acceptance or approval, followed by ratification, acceptance or approval; or

(iii) accession.

(b) Ratification, acceptance, approval or accession shall be effected by the deposit of an instrument to that effect with the Secretary-General of the Organization.

(c) The Secretary-General of the Organization shall inform the Governments of all States which have signed the present Convention or acceded to it of
any signature or of the deposit of any instrument of ratification, acceptance, approval or accession and the date of its 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, the combined merchant fleets of which constitute not less than fifty per cent of the gross tonnage of the world’s merchant shipping, have become parties to it in accordance with Article IX.

(b) Any instrument of ratification, acceptance, approval or accession deposited after the date on which the present Convention enters into force shall take effect three months after the date of deposit.

(c) After the date on which an amendment to the present Convention is deemed to have been accepted under Article VIII, any instrument of ratification, acceptance, approval or accession deposited shall apply 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 on which the Convention enters into force for that Government.

(b) Denunciation shall be effected by the deposit of an instrument of denunciation with the Secretary-General of the Organization who shall notify all the other Contracting Governments of any instrument of denunciation received and of the date of its receipt as well as the date on which such denunciation takes effect.

(c) A denunciation shall take effect one year, or such longer period as may be specified in the instrument of denunciation, after its receipt by the Secretary-General of the Organization.
ARTICLE XII
Deposit and Registration

(a) The present Convention shall be deposited with the Secretary-General of the Organization who shall transmit certified true copies thereof to the Governments of all States which have signed the present Convention or acceded to it.

(b) As soon as the present Convention enters into force, the text shall be transmitted by the Secretary-General of the Organization to the Secretary-General of the United Nations for registration and publication, in accordance with Article 102 of the Charter of the United Nations.

ARTICLE XIII
Languages

The present Convention is established in a single copy in the Chinese, English, French, Russian and Spanish languages, each text being equally authentic. Official translations in the Arabic, German and Italian 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, the present Regulations apply 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, unless expressly provided otherwise:

(a) “Regulations” means the Regulations contained in the Annex to the present Convention.

(b) “Administration” means the Government of the State whose flag the ship is entitled to fly.

(c) “Approved” means approved by the Administration.

(d) “International voyage” means a voyage from a country to which the present Convention applies to a port outside such country, 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 is a ship which carries more than twelve 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 used for catching fish, 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 of coming into 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, do not 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 of North America and the River St. Lawrence as far east as a straight line drawn from Cap des Rosiers to West Point, Anticosti Island and, on the north side of Anticosti Island, the 63rd Meridian.

**Regulation 4**

*Exemptions*

(a) A ship which is not normally engaged on international voyages but which, in exceptional circumstances, is required to undertake a single international voyage may be exempted by the Administration from any of the requirements of the present Regulations provided that it complies with safety requirements which are adequate in the opinion of the Administration for the voyage which is to be undertaken by the ship.

* “Inflammable” has the same meaning as “flammable”.

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(b) The Administration may exempt any ship which embodies features of a novel kind from any of the provisions of Chapters II–1, II–2, III and IV of these Regulations the application of which might seriously impede research into the development of such features and their incorporation in ships engaged on international voyages. Any such ship shall, however, comply with safety requirements which, in the opinion of that Administration, are adequate for the service for which it is intended and are such as to ensure the overall safety of the ship and which are acceptable to the Governments of the States to be visited by the ship. 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 Governments for their information.

Regulation 5

Equivalents

(a) Where the present Regulations require that a particular fitting, material, appliance or apparatus, or type thereof, shall be fitted or carried in a ship, or that any particular provision shall be made, the Administration may allow any other fitting, material, appliance or apparatus, or type thereof, to be fitted or carried, or any other provision to be made in that ship, if it is satisfied by trial thereof or otherwise that such fitting, material, appliance or apparatus, or type thereof, or provision, is at least as effective as that required by the present Regulations.

(b) Any Administration which so allows, in substitution, a fitting, material, appliance or apparatus, or type thereof, or provision, shall communicate to the Organization particulars thereof together with a report on any trials made and the Organization shall circulate such particulars to other Contracting Governments for the information of 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 and the granting of exemptions therefrom, shall be carried out by officers of the country in which the ship is registered, provided that the Government of each country may entrust the inspection and
survey either to surveyors nominated for the purpose or to organizations recognized by it. In every case the Government concerned fully guarantees the completeness and efficiency of the 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 in service shall include a complete inspection of its structure, machinery and equipment, including the outside of the ship’s bottom and the inside and outside of the boilers. This survey shall be such as to ensure that the arrangements, material, and scantlings of the structure, boilers and other pressure vessels and their appurtenances, main and auxiliary machinery, electrical installation, radio installation, radiotelegraph installations in motor lifeboats, portable radio apparatus for survival craft, life-saving appliances, fire protection, fire detecting and extinguishing appliances, radar, echo-sounding device, gyro-compass, pilot ladders, mechanical pilot hoists and other equipment, fully comply with the requirements of the present Convention, and of the laws, decrees, orders and regulations promulgated as a result thereof by the Administration for ships of the service for which it is intended. The survey shall also be such as to ensure that the workmanship of all parts of the ship and its equipment is in all respects satisfactory, and that the ship is provided with the lights, shapes, means of making sound signals and distress signals as required by the provisions of the present Convention and the International Regulations for Preventing Collisions at Sea in force.

(ii) The periodical survey shall include an inspection of the structure, boilers and other pressure vessels, machinery and equipment, including the outside of the ship’s bottom. The survey shall be such as to ensure that the ship, as regards the structure, boilers and other pressure vessels and their appurtenances, main and auxiliary machinery, electrical installation, radio installation, radiotelegraph installations in motor lifeboats, portable radio apparatus for
survival craft, life-saving appliances, fire protection, fire detecting and extinguishing appliances, radar, echo-sounding device, gyro-compass, pilot ladders, mechanical pilot hoists and other equipment, is in satisfactory condition and fit for the service for which it is intended, and that it complies with the requirements of the present Convention, and of the laws, decrees, orders and regulations promulgated as a result thereof by the Administration. The lights, shapes and means of making sound signals and the distress signals carried by the ship shall also be subject to the above-mentioned survey for the purpose of ensuring that they comply with the requirements of the present Convention and of the International Regulations for Preventing Collisions at Sea in force.

(iii) A survey either general or partial, according to the circumstances, shall be made every time an accident occurs or a defect is discovered which affects the safety of the ship or the efficiency or completeness of its life-saving appliances or other equipment, or whenever any important repairs or renewals are made. The survey shall be such as to ensure that the necessary repairs or renewals have been effectively made, that the material and workmanship of such repairs are in all respects satisfactory, and that the ship complies in all respects with the provisions of the present Convention and of the International Regulations for Preventing Collisions at Sea in force, and of the laws, decrees, orders and regulations promulgated as a result thereof by the Administration.

(c) (i) The laws, decrees, orders and regulations referred to in paragraph (b) of this Regulation shall be in all respects such as to ensure that, from the point of view of safety of life, the ship is fit for the service for which it is intended.

(ii) They shall among other things prescribe the requirements to be observed as to the initial and subsequent hydraulic or other acceptable alternative tests to which the main and auxiliary 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 the intervals between two consecutive tests.

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**Regulation 8**

*Surveys of Life-Saving Appliances and other Equipment of Cargo Ships*

The life-saving appliances, except a radiotelegraph installation in a motor lifeboat or a portable radio apparatus for survival craft, the echo-sounding
device, the gyro-compass, and the fire-extinguishing appliances of cargo ships to which Chapters II–1, II–2, III and V apply shall be subject to initial and subsequent surveys as provided for passenger ships in Regulation 7 of this Chapter with the substitution of 24 months for 12 months in sub-paragraph (a)(ii) of that Regulation. The fire control plans in new ships and the pilot ladders, mechanical pilot hoists, lights, shapes and means of making sound signals carried by new and existing ships shall be included in the surveys for the purpose of ensuring that they comply fully with the requirements of the present Convention and, where applicable, the International Regulations for Preventing Collisions at Sea in force.

**Regulation 9**

*Surveys of Radio and Radar Installations of Cargo Ships*

The radio and radar installations of cargo ships to which Chapters IV and V apply and any radiotelegraph installation in a motor lifeboat or portable radio apparatus for survival craft which is carried in compliance with the requirements of Chapter III shall be subject to initial and subsequent surveys as provided for passenger ships in Regulation 7 of this Chapter.

**Regulation 10**

*Surveys of Hull, Machinery and Equipment of Cargo Ships*

The hull, machinery and equipment (other than items in respect of which Cargo Ship Safety Equipment Certificates, Cargo Ship Safety Radiotelegraphy Certificates or Cargo Ship Safety Radiotelephony Certificates are issued) of a cargo ship shall be surveyed on completion and thereafter in such manner and at such intervals as the Administration may consider necessary in order to ensure that their condition is in all respects satisfactory. The survey shall be such as to ensure that the arrangements, material, and scantlings of the structure, boilers and other pressure vessels and their appurtenances, main and auxiliary machinery, electrical installations and other equipment are in all respects satisfactory for the service for which the ship is intended.

**Regulation 11**

*Maintenance of Conditions after Survey*

After any survey of the ship under Regulations 7, 8, 9 or 10 of this Chapter has been completed, no change shall be made in the structural arrangements,
machinery, equipment, etc. covered by the survey, without the sanction of the Administration.

**Regulation 12**

*Issue of Certificates*

(a) (i) A certificate called a Passenger Ship Safety Certificate shall be issued after inspection and survey to a passenger ship which complies with the requirements of Chapters II–1, II–2, III and IV and any other relevant requirements of the present Regulations.

(ii) A certificate called a Cargo Ship Safety Construction Certificate shall be issued after survey to a cargo ship which satisfies the requirements for cargo ships on survey set out in Regulation 10 of this Chapter and complies with the applicable 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 Safety Equipment Certificate shall be issued after inspection to a cargo ship which complies with the relevant requirements of Chapters II–1, II–2 and III and any other relevant requirements of the present Regulations.

(iv) A certificate called a Cargo Ship Safety Radiotelegraphy Certificate shall be issued after inspection to a cargo ship, fitted with a radiotelegraph installation, which complies with the requirements of Chapter IV and any other relevant requirements of the present Regulations.

(v) A certificate called a Cargo Ship Safety Radiotelephony Certificate shall be issued after inspection to a cargo ship, fitted with a radiotelephone installation, which complies with the requirements of Chapter IV and any other relevant requirements of the present Regulations.

(vi) When an exemption is granted to a ship under and in accordance with the provisions of the present Regulations, a certificate called an Exemption Certificate shall be issued in addition to the certificates prescribed in this paragraph.

(vii) Passenger Ship Safety Certificates, Cargo Ship Safety Construction Certificates, Cargo Ship Safety Equipment Certificates, Cargo Ship Safety Radiotelegraphy Certificates, Cargo Ship Safety Radiotelephony Certificates and Exemption Certificates shall be issued either by the Administration or by any person or organization duly authorized by it. In every case, that Administration assumes full responsibility for the Certificate.
(b) Notwithstanding any other provision of the present Convention 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 in respect of the Administration by which the certificate is issued, shall remain valid until it expires under the terms of Regulation 14 of Chapter I of that Convention.

(c) A Contracting Government shall not issue certificates under, and in accordance with, the provisions of the International Convention for the Safety of Life at Sea, 1960, 1948 or 1929, after the date on which acceptance of the present Convention by the Government takes effect.

Regulation 13

Issue of Certificate by another Government

A Contracting Government may, at the request of the Administration, cause a ship to be surveyed and, if satisfied that the requirements of the present Regulations are complied with, shall issue certificates to the ship in accordance with the present Regulations. Any certificate so issued must 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 or will be registered, and it shall have the same force and receive the same recognition as a certificate issued under Regulation 12 of this Chapter.

Regulation 14

Duration of Certificates

(a) Certificates other than Cargo Ship Safety Construction Certificates, Cargo Ship Safety Equipment Certificates and Exemption Certificates shall be issued for a period of not more than 12 months. Cargo Ship Safety Equipment Certificates shall be issued for a period of not more than 24 months. Exemption Certificates shall not be valid for longer than the period of the certificates to which they refer.

(b) If a survey takes place within two months before the end of the period for which a Cargo Ship Safety Radiotelegraphy Certificate or a Cargo Ship Safety Radiotelephony Certificate issued in respect of cargo ships of 300 tons gross tonnage and upwards, but less than 500 tons gross tonnage, was originally issued, that certificate may be withdrawn, and a new certificate may be issued which shall expire 12 months after the end of the said period.
(c) If a ship at the time when its certificate expires is not in a port of the country in which it is registered, the certificate may be extended by the Administration, but such extension shall be granted 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, and then only in cases where it appears proper and reasonable so to do.

(d) No certificate shall be thus extended for a longer period than five 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 port in which it is to be surveyed, be entitled by virtue of such extension to leave that port or country without having obtained a new certificate.

(e) A certificate which has not been extended under the foregoing 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 stated on it.

**Regulation 15**

*Form of Certificates*

(a) All certificates shall be drawn up in the official language or 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. The arrangement of the printed part of the model certificates shall be exactly reproduced in the certificates issued, or in certified copies thereof, and the 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 issued under the present Regulations shall be posted up in a prominent and accessible place in the ship.

**Regulation 17**

*Acceptance of Certificates*

Certificates issued under the authority of a Contracting Government shall be accepted by the other Contracting Governments for all purposes covered by
the present Convention. They shall be regarded by the other Contracting Governments as having the same force as certificates issued by them.

**Regulation 18**

*Qualification of Certificates*

(a) If in the course of a particular voyage a ship has on board a number of persons less than the total number stated in the Passenger Ship Safety Certificate and is in consequence, in accordance with the provisions of the present Regulations, free to carry a smaller number of lifeboats and other life-saving appliances than that stated in the Certificate, an annex may be issued by the Government, person or organization referred to in Regulation 12 or 13 of this Chapter.

(b) This annex shall state that in the circumstances there is no infringement of the provisions of the present Regulations. It shall be annexed to the Certificate and shall be substituted for it in so far as the life-saving appliances are concerned. It shall be valid only for the particular voyage for which it is issued.

**Regulation 19**

*Control*

Every ship holding a certificate issued under Regulation 12 or Regulation 13 of this Chapter is subject in the ports of the other Contracting Governments to control by officers duly authorized by such Governments in so far as this control is directed towards verifying that there is on board a valid certificate. Such certificate shall be accepted unless there are clear grounds for believing that the condition of the ship or of its equipment does not correspond substantially with the particulars of that certificate. In that case, the officer carrying out the control shall take such steps as will ensure that the ship shall not sail until it can proceed to sea without danger to the passengers or the crew. In the event of this control giving rise to intervention of any kind, the officer carrying out the control shall inform the Consul of the country in which the ship is registered in writing forthwith of all the circumstances in which intervention was deemed to be necessary, and the facts shall be 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 conduct an investigation of any 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 determining what changes in the present Regulations might be desirable.

(b) Each Contracting Government undertakes to supply the Organization with pertinent information concerning the findings of such 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 responsibility upon any 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, this Chapter applies to new ships.

(ii) Existing passenger ships and cargo ships shall comply with the following:

(1) for ships the keels of which were laid or which were at a similar stage of construction on or after the date of coming into force of the International Convention for the Safety of Life at Sea, 1960, the Administration shall ensure that the requirements which were applied under Chapter II of that Convention to new ships as defined in that Chapter are complied with;

(2) for ships the keels of which were laid or which were at a similar stage of construction on or after the date of coming into force of the International Convention for the Safety of Life at Sea, 1948, but before the date of coming into force of the International Convention for the Safety of Life at Sea, 1960, the Administration shall ensure that the requirements which were applied under Chapter II of the 1948 Convention to new ships as defined in that Chapter are complied with;

(3) for ships the keels of which were laid or which were at a similar stage of construction before the date of coming into force of the International Convention for the Safety of Life at Sea, 1948, the Administration shall ensure that the requirements which were applied under Chapter II of that Convention to existing ships as defined in that Chapter are complied with;

(4) as regards the requirements of Chapter II–1 of the present Convention which are not contained in Chapter II of the 1960 and 1948 Conventions, the Administration shall decide
which of these requirements shall be applied to existing ships as defined in the present Convention.

(iii) A ship which undergoes repairs, alterations, modifications and outfitting related thereto shall continue to comply with at least the requirements previously applicable to the ship. An existing ship in such a case shall not, as a rule, comply to a lesser extent with the requirements for a new ship than it did before. Repairs, alterations and modifications of a major character and outfitting related thereto should meet the requirements for a new ship in so 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 keel of which is laid or which is at a similar stage of construction on or after the date of coming into force of the present Convention, or a cargo ship which is converted to a passenger ship on or after that date, all other passenger ships being described as existing passenger ships.

(ii) A new cargo ship is a cargo ship the keel of which is laid or which is at a similar stage of construction after the date of 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 application of any specific requirements of this Chapter unreasonable or unnecessary, exempt from those requirements individual ships or classes of ships belonging to its country which, in the course of their voyage, do not proceed more than 20 miles from the nearest land.

(d) In the case of a passenger ship which is permitted under paragraph (c) of Regulation 27 of Chapter III to carry a number of persons on board in excess of the lifeboat capacity provided, it shall comply with the special standards of subdivision set out in paragraph (e) of Regulation 5 of this Chapter, and the associated special provisions regarding permeability in paragraph (d) of Regulation 4 of this Chapter, unless the Administration is satisfied that, having regard to the nature and conditions of the voyage, 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 in special trades for the carriage of large numbers of special trade passengers, such as the pilgrim trade, the Administration, if satisfied that it is impracticable to enforce compliance with the requirements of this Chapter, may exempt
such ships, when they belong to its country, from those requirements, provided that they comply fully with the provisions of:

(i) the Rules annexed to the Special Trade Passenger Ships Agreement, 1971, and
(ii) the Rules annexed to the Protocol on Space Requirements for 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) A subdivision load line is a water-line used in determining the subdivision of the ship.

(ii) The deepest subdivision load line is the water-line which corresponds to the greatest draught permitted by the subdivision requirements which are applicable.

(b) The length of the ship is the length measured between perpendiculars taken at the extremities of the deepest subdivision load line.

(c) The breadth of the ship is the extreme width from outside of frame to outside of frame at or below the deepest subdivision load line.

(d) The draught is the vertical distance from the moulded base line amidships to the subdivision load line in question.

(e) The bulkhead deck is the uppermost deck up to which the transverse watertight bulkheads are carried.

(f) The margin line is a line drawn at least 76 millimetres (3 inches) below the upper surface of the bulkhead deck at side.

(g) The permeability of a space is the percentage of that space which can be occupied by water.

The volume of a space which extends above the margin line shall 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 spaces containing the main and auxiliary propelling machinery, boilers serving the needs of propulsion, and all permanent coal bunkers.
In the case of unusual arrangements, the Administration may define the limits of the machinery spaces.

(i) Passenger spaces are those which are provided for the accommodation and use of passengers, excluding baggage, 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 of the crew shall be regarded as passenger spaces.

(j) In all case volumes and areas shall be calculated to moulded 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 a ship shall be determined by a method of calculation which takes into consideration the form, draught and other characteristics of the ship in question.

(b) In a ship with a continuous bulkhead deck, the floodable length at a given point is the maximum portion of the length of the ship, having its centre at the point in question, which can be flooded under the definite assumptions set forth in Regulation 4 of this Chapter without the ship being submerged beyond the margin line.

(c) (i) In the case of a ship not having a continuous bulkhead deck, the floodable length at any point may be determined to an assumed continuous margin line which at no point is less than 76 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 is appreciably below the deck to which bulkheads are carried, the Administration may permit a limited relaxation in the watertightness of those portions

* Instead of the requirements in this Part, the Regulations on Subdivision and Stability of Passenger Ships as an Equivalent to Part B of Chapter II of the International Convention for the Safety of Life at Sea, 1960, adopted by the Organization by Resolution A.265 (VIII), may be used, if applied, in their entirety.
of the bulkheads which are above the margin line and immediately under the higher deck.

**Regulation 4**

*Permeability*

(a) The definite assumptions referred to in Regulation 3 of this Chapter relate to the permeabilities of the spaces below the margin line.

In determining the floodable length, a uniform average permeability shall be used throughout the whole length of each of the following 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—

\[
85 + 10 \left( \frac{a - c}{v} \right)
\]

where:

- \(a\) = volume of the passenger spaces, as defined in Regulation 2 of this Chapter, which are situated below the margin line 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 appropriated to cargo, coal or stores;
- \(v\) = whole volume of the machinery space below the margin line.

(ii) Where it is shown to the satisfaction of the Administration that the average permeability as determined by detailed calculation is less than that given by the formula, the detailed calculated value may be used. For the purpose of such calculation, the permeabilities of passenger spaces, as defined in Regulation 2 of this Chapter, shall be taken as 95, that of all cargo, coal and store spaces as 60, and that of double bottom, oil fuel and other tanks at such values as may be approved in each case.

(c) Except as provided in paragraph (d) of this Regulation, the uniform average permeability throughout the portion of the ship before (or abaft) the machinery space shall be determined from the formula—
63 + 35 \frac{a}{v}

where:
\[ a = \text{volume of the passenger spaces, as defined in Regulation 2 of this Chapter, which are situated below the margin line, before (or abaft) the machinery space, and} \]
\[ v = \text{whole volume of the portion of the ship below the margin line before (or abaft) the machinery space.} \]

(d) In the case of a ship which is permitted under paragraph (c) of Regulation 27 of Chapter III to carry a number of persons on board in excess of the lifeboat capacity provided, and is required under paragraph (d) of Regulation 1 of this Chapter to comply with special provisions, the uniform average permeability throughout the portion of the ship before (or abaft) the machinery space shall be determined from the formula—

\[ 95 - 35 \frac{b}{v} \]

where:
\[ b = \text{the volume of the spaces below the margin line and above the tops of floors, inner bottom, or peak tanks, as the case may be, which are appropriated to and used as cargo spaces, coal or oil fuel bunkers, store-rooms, baggage and mail rooms, chain lockers and fresh water tanks, before (or abaft) the machinery space; and} \]
\[ v = \text{whole volume of the portion of the ship below the margin line before (or abaft) the machinery space.} \]

In the case of ships engaged on services where the cargo holds are not generally occupied by any substantial quantities of cargo, no part of the cargo spaces is to be included in calculating “b”.

(e) In the case of unusual arrangements the Administration may allow, or require, a detailed calculation of average permeability for the portions before or abaft the machinery space. For the purpose of such calculation, the permeability of passenger spaces as defined in Regulation 2 of this Chapter shall be taken as 95, that of spaces containing machinery as 85, that of all cargo, coal and store spaces as 60, and that of double bottom, oil fuel and other tanks at such value as may be approved in each case.
(f) Where a between deck compartment between two watertight transverse bulkheads contains any passenger or crew space, the whole of that compartment, less any space completely enclosed within permanent steel bulkheads and appropriated to other purposes, shall be regarded as passenger space. Where, however, the passenger or crew space in 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 with the length of the ship and with the service, in such manner that the highest degree of subdivision corresponds with the ships of greatest length, primarily engaged in the carriage of passengers.

(b) *Factor of Subdivision.* The maximum permissible length of a compartment having its centre at any point in the ship’s length is obtained from the floodable length by multiplying the latter by an 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 nature of the service for which the ship is intended. It shall decrease in a regular and continuous manner:

(i) as the length of the ship increases, and

(ii) from a factor A, applicable to ships primarily engaged in the carriage of cargo, to a factor B, applicable to ships primarily engaged in the carriage of passengers.

The variations of the factors A and B shall be expressed by the following formulae (I) and (II) where L is the length of the ship as defined in Regulation 2 of this Chapter:

L in metres

\[
A = \frac{58.2}{L - 60} + .18 \text{ (} L = 131 \text{ and upwards)}
\]  (I)

L in feet

\[
A = \frac{190}{L - 198} + .18 \text{ (} L = 430 \text{ and upwards)}
\]
(c) **Criterion of Service.** For a ship of given length the appropriate factor of subdivision shall be determined by the Criterion of Service Numeral (hereinafter called the Criterion Numeral) as given by the following formulae (III) and (IV) where:

\[ C_s = \text{the Criterion Numeral}; \]

\[ L = \text{Length of the ship, as defined in Regulation 2 of this Chapter}; \]

\[ M = \text{the volume of the machinery space, as defined in Regulation 2 of this Chapter; with the addition thereto of the volume of any permanent oil fuel bunkers which may be situated above the inner bottom and before or abaft the machinery space}; \]

\[ P = \text{the whole volume of the passenger spaces below the margin line, as defined in Regulation 2 of this Chapter}; \]

\[ V = \text{the whole volume of the ship below the margin line}; \]

\[ P_1 = KN \]

where:

\[ N = \text{number of passengers for which the ship is to be certified, and} \]

\[ K \text{ has the following values:} \]

<table>
<thead>
<tr>
<th>Value of K</th>
<th>Length in metres and volumes in cubic metres</th>
<th>Length in feet and volumes in cubic feet</th>
</tr>
</thead>
<tbody>
<tr>
<td>.056L</td>
<td>.6L</td>
<td></td>
</tr>
</tbody>
</table>

Where the value of KN is greater than the sum of P and the whole volume of the actual passenger spaces above the margin line, the figure to be taken as \( P_1 \) is that sum or two-thirds KN, whichever is the greater.

When \( P_1 \) is greater than \( P \)—

\[ C_s = 72 \frac{M + 2P_1}{V + P_1 - P} \]

\[ \text{..................................................(III)} \]

and in other cases—
\[ C_s = 72 \frac{M + 2P}{V} \] ...........................................................(IV)

For ships not having a continuous bulkhead deck the volumes are to be taken up to the actual margin lines used in determining the floodable lengths.

(d) **Rules for Subdivision of Ships other than those covered by paragraph (e) of this Regulation**

(i) The subdivision abaft the forepeak of ships 131 metres (430 feet) in length and upwards having a criterion numeral of 23 or less shall be governed by the factor A given by formula (I); of those having a criterion numeral of 123 or more by the factor B given by formula (II); and of those having a criterion numeral between 23 and 123 by the factor F obtained by linear interpolation between the factors A and B, using the formula:

\[ F = A - \frac{(A - B) (C_s - 23)}{100} \] .....................................................(V)

Nevertheless, where the criterion numeral is equal to 45 or more and simultaneously the computed factor of subdivision as given by formula (V) is .65 or less, but more than .50, the subdivision abaft the forepeak shall be governed by the factor .50.

Where the factor F is less than .40 and it is shown to the satisfaction of the Administration to be impracticable to comply with the factor F in a machinery compartment of the ship, the subdivision of such compartment may be governed by an increased factor, which, however, shall not exceed .40.

(ii) The subdivision abaft the forepeak of ships less than 131 metres (430 feet) but not less than 79 metres (260 feet) in length having a criterion numeral equal to S, where—

\[ S = \frac{3,574 - 25L}{13} \text{ (L in metres)} = \frac{9,382 - 20L}{34} \text{ (L in feet)} \]

shall be governed by the factor unity; of those having a criterion numeral of 123 or more by the factor B given by the formula (II); of those having a criterion numeral between S and 123 by the factor F obtained by linear interpolation between unity and the factor B using the formula:
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\[ F = \frac{1 - (1 - B)(C_k - S)}{123 - S} \]  
\[(VI)\]

(iii) The subdivision abaft the forepeak of ships less than 131 metres (430 feet) but not less than 79 metres (260 feet) in length and having a criterion numeral less than S, and of all ships less than 79 metres (260 feet) in length shall be governed by the factor unity, unless, in either case, it is shown to the satisfaction of the Administration to be impracticable to comply with this factor 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 this paragraph shall apply also to ships of whatever length, which are to be certified to carry a number of passengers exceeding 12 but not exceeding—

\[ \frac{L^2}{650} \text{ (in metres)} = \frac{L^2}{7,000} \text{ (in feet)}, \text{ or 50, whichever is the less.} \]

(e) Special Standards of Subdivision for Ships which are permitted under paragraph (c) of Regulation 27 of Chapter III to carry a number of persons on board in excess of the lifeboat capacity provided and are required under paragraph (d) of Regulation 1 of this Chapter to comply with special provisions

(i) (1) In the case of ships primarily engaged in the carriage of passengers, the subdivision abaft the forepeak shall be governed by a factor of .50 or by the factor determined according to paragraphs (c) and (d) of this Regulation, if less than .50.

(2) In the case of such ships less than 91.5 metres (300 feet) in length, if the Administration is satisfied that compliance with such factor would be impracticable in a compartment, it may allow the length of that compartment to be governed by a higher factor provided the factor used is the lowest that is practicable and reasonable in the circumstances.

(ii) Where, in the case of any ship whether less than 91.5 metres (300 feet) or not, the necessity of carrying appreciable quantities of cargo makes it impracticable to require the subdivision abaft the forepeak to be governed by a factor not exceeding .50, the standard of subdivision to be applied shall be determined in accordance with the following sub-paragraphs (1) to (5), subject to the condition that where the Administration is satisfied that insistence on strict
compliance in any respect would be unreasonable, it may allow such alternative arrangement of the watertight bulkheads as appears to be justified on merits and will not diminish the general effectiveness of the subdivision.

(1) The provisions of paragraph (c) of this Regulation relating to the criterion numeral shall apply with the exception that in calculating the value of \( P_1 \) for berthed passengers \( K \) is to have the value defined in paragraph (c) of this Regulation, or 3.55 cubic metres (125 cubic feet), whichever is the greater, and for unberthed passengers \( K \) is to have the value 3.55 cubic metres (125 cubic feet).

(2) The factor \( B \) in paragraph (b) of this Regulation shall be replaced by the factor \( BB \) determined by the following formula:

\[
BB = \frac{17.6}{L - 33} + .20 \quad (L = 55 \text{ and upwards})
\]

\[
BB = \frac{57.6}{L - 108} + .20 \quad (L = 180 \text{ and upwards})
\]

(3) The subdivision abaft the forepeak of ships 131 metres (430 feet) in length and upwards having a criterion numeral of 23 or less shall be governed by the factor \( A \) given by formula (I) in paragraph (b) of this Regulation; of those having a criterion numeral of 123 of more by the factor \( BB \) given by the formula in sub-paragraph (ii)(2) of this paragraph; and of those having a criterion numeral between 23 and 123 by the factor \( F \) obtained by linear interpolation between the factors \( A \) and \( BB \), using the formula:

\[
F = A - \frac{(A - BB) (C_a - 23)}{100}
\]

except that if the factor \( F \) so obtained is less than .50 the factor to be used shall be either .50 or the factor calculated according to the provisions of sub-paragraph (d) (i) of this Regulation, whichever is the smaller.
(4) The subdivision abaft the forepeak of ships less than 131 metres (430 feet) but not less than 55 metres (180 feet) in length having a criterion numeral equal to $S_1$ where—

$$S_1 = \frac{3,712 - 25L}{19} \quad \text{(L in metres)}$$

$$S_1 = \frac{1,950 - 4L}{10} \quad \text{(L in feet)}$$

shall be governed by the factor unity; of those having a criterion numeral of 123 or more by the factor BB given by the formula in sub-paragraph (ii)(2) of this paragraph; of those having a criterion numeral between $S_1$ and 123 by the factor $F$ obtained by linear interpolation between unity and the factor BB using the formula:

$$F = 1 - \frac{(1 - BB)(C_S - S_1)}{123 - S_1}$$

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 than 131 metres (430 feet) but not less than 55 metres (180 feet) in length and having a criterion numeral less than $S_1$ and of all ships less than 55 metres (180 feet) in length shall be governed by the factor unity, unless it is shown to the satisfaction of the Administration to be impracticable to comply with this factor in particular compartments, in which event the Administration may allow such relaxations in respect of those compartments as appear to be justified, having regard to all the circumstances, provided that the aftermost compartment and as many as possible of the forward compartments (between the forepeak and the after end of the 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 ship and it is desired
to take advantage of this higher extension of the bulkheads in 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’s length to the deck corresponding to the upper margin line and all openings in the shell plating below this deck throughout the length of the ship are treated as being below a margin line, for the purposes of Regulation 14 of this Chapter; and

(ii) the two compartments adjacent to the “step” in the bulkhead deck are each within the permissible length corresponding to their respective margin lines, and, in addition, their combined length does not exceed twice the permissible length based on the lower margin line.

(b) (i) A compartment may exceed the permissible length determined by the rules of Regulation 5 of this Chapter provided the combined length of each pair of adjacent compartments to which the compartment in question is common does not exceed either the floodable length or twice the permissible length, whichever is the less.

(ii) If one of the two adjacent compartments is situated inside the machinery space, and the second is situated outside the machinery space, and the average permeability of the portion of the ship in which the second is situated differs from that of the machinery space, the combined length of the two compartments shall be adjusted to the mean average permeability of the two portions of the ship in which the compartments are situated.

(iii) Where the two adjacent compartments have different factors of subdivision, the combined length of the two compartments shall be 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 at a distance from forward perpendicular which is not greater than the permissible 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 the ship, situated at a distance from the shell plating equal to one-fifth the breadth of the ship, as defined in Regulation 2 of this Chapter, 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 shall be dealt with as a step in accordance with paragraph (e) of this Regulation.
(e) A main transverse bulkhead may be stepped provided that it meets one of the following conditions:

   (i) the combined length of the two compartments, separated by the bulkhead in question, does not exceed either 90 per cent of the floodable length or twice the permissible length, except that in ships having a factor of subdivision greater than .9, the combined length of the two compartments in question shall not exceed the permissible length;

   (ii) additional subdivision is provided in way of the step to maintain the same measure of safety as that secured by a plane bulkhead;

   (iii) the compartment over which the step extends does not exceed the permissible length corresponding to a margin line taken 76 millimetres (3 inches) below the step.

(f) Where a main transverse bulkhead is recessed or stepped, an equivalent plane bulkhead shall be used in determining the subdivision.

(g) If the distance between two adjacent main transverse bulkheads, or their equivalent plane bulkheads, or the distance between the transverse planes passing through the nearest stepped portions of the bulkheads, is less than 3.05 metres (10 feet) plus 3 per cent of the length of the ship, or 10.67 metres (35 feet) whichever is the less, only one of these bulkheads shall be regarded as forming part of the subdivision of the ship in accordance with the provisions of Regulation 5 of this Chapter.

(h) Where a main transverse watertight compartment contains local subdivision and it can be shown to the satisfaction of the Administration that, after any assumed side damage extending over a length of 3.05 metres (10 feet) plus 3 per cent of the length of the ship, or 10.67 metres (35 feet) whichever is the less, the whole volume of the main compartment will not be flooded, a proportionate allowance may be made in the permissible length otherwise required for such compartment. In such a case the volume of effective buoyancy assumed on the undamaged side shall not be greater than that assumed on the damaged side.

(i) Where the required factor of subdivision is .50 or less, the combined length of any two adjacent compartments shall not exceed the floodable length.
Regulation 7

Stability of Ships in Damaged Condition

(a) Sufficient intact stability shall be provided in all service conditions so as to enable the ship to withstand the final stage of flooding of any one main compartment which is required to be within the floodable length.

Where two adjacent main compartments are separated by a bulkhead which is stepped under the conditions of sub-paragraph (e) (i) of Regulation 6 of this Chapter the intact stability shall be adequate to 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 or less the intact stability shall be adequate to withstand the flooding of any three adjacent main compartments.

(b) (i) The requirements of paragraph (a) of this Regulation shall be determined by calculations which are in accordance with paragraphs (c), (d) and (f) of this Regulation and which take into consideration the proportions and design characteristics of the ship and the arrangement and configuration of the damaged compartments. In making these calculations the ship is to be assumed in the worst anticipated service condition as regards stability.

(ii) Where it is proposed to fit decks, inner skins or longitudinal bulkheads of sufficient tightness to seriously restrict the flow of water, the Administration shall be satisfied that proper consideration is given to such restrictions in the calculations.

(iii) In cases where the Administration considers the range of stability in the damaged condition to be doubtful, it may require investigation thereof.

(c) For the purpose of making damage stability calculations the volume and surface permeabilities shall be in general as follows:

<table>
<thead>
<tr>
<th>Spaces</th>
<th>Permeability</th>
</tr>
</thead>
<tbody>
<tr>
<td>Appropriated to Cargo, Coal or Stores</td>
<td>60</td>
</tr>
<tr>
<td>Occupied by Accommodation</td>
<td>95</td>
</tr>
<tr>
<td>Occupied by Machinery</td>
<td>85</td>
</tr>
</tbody>
</table>
Higher surface permeabilities are to be assumed in respect of spaces which, in the vicinity of the damage waterplane, contain no substantial quantity of accommodation or machinery and spaces which are not 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 3 per cent of the length of the ship, or 10.67 metres (35 feet) whichever is the less. Where the required factor of subdivision is .33 or less the assumed longitudinal extent of damage shall be increased as necessary so as to include any two consecutive main transverse watertight bulkheads;

(ii) transverse extent (measured inboard from the ship’s side, at right angles to the centre line at the level of the deepest subdivision load line): a distance of one-fifth of the breadth of 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 lesser extent than that indicated in sub-paragraphs (i), (ii) and (iii) of this paragraph would result in a 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 to a minimum consistent with efficient arrangements. Where it is necessary to correct large angles of heel, the means adopted shall, where practicable, be self-acting, but in any case where controls to cross-flooding fittings are provided they shall be operable from above the bulkhead deck. These fittings together with their controls as well as the maximum heel before equalization shall be acceptable to the Administration. Where cross-flooding fittings are required the time for equalization shall not exceed 15 minutes. Suitable information concerning the use of cross-flooding fittings shall be supplied to the master of the ship.†

(f) The final conditions of the ship after damage and, in the case of unsymmetrical flooding, after equalization measures have been taken shall be as follows:

* Whichever results in the more severe requirements.
† Reference is made to the Recommendation on a Standard Method for Establishing Compliance with the Requirements for Cross-Flooding Arrangements in Passenger Ships, adopted by the Organization by Resolution A.266 (VIII).
(i) in the case of symmetrical flooding there shall be a positive residual metacentric height of at least 50 millimetres (2 inches) as calculated by the constant displacement method;
(ii) in the case of unsymmetrical flooding the total heel shall not exceed seven degrees, except that in special cases, the Administration may allow additional heel due to the unsymmetrical moment, but in no case shall the final heel exceed fifteen degrees;
(iii) in no case shall the margin line be submerged in the final stage of flooding. If it is considered that the margin line may become submerged during an intermediate stage of flooding, the Administration may require such investigations and arrangements as it considers necessary for the safety of the ship.

(g) The master of the ship shall be supplied with the data necessary to maintain sufficient intact stability under service conditions to enable the ship to withstand critical damage. In the case of ships requiring cross-flooding the master of the ship shall be informed of the conditions of stability on which the calculations of heel are based and be warned that excessive heeling might result should the ship sustain 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 shall be permitted only in exceptional cases and subject to the condition that the Administration is to be satisfied that the proportions, arrangements and other characteristics of the ship are the most favourable to stability after damage which can practically and 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 which it is not practicable to avoid putting water in oil fuel tanks, oily-water separator equipment to the satisfaction of the Administration shall be fitted, or other alternative means acceptable to the Administration shall 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 the bulkhead deck. This bulkhead shall be fitted not less than 5 per cent of the length of the ship, and not more than 3.05 metres (10 feet) plus 5 per cent of the length of the ship from the forward perpendicular.

(ii) If the ship has a long forward superstructure, the forepeak bulkhead shall be extended weathertight to the deck next above the bulkhead deck. The extension need not be fitted directly over the bulkhead below, provided it is at least 5 per cent of the length of the ship from the forward perpendicular, and the part of the bulkhead deck which forms the step is made effectively weathertight.

(b) An afterpeak bulkhead, and bulkheads dividing the machinery space, as defined in Regulation 2 of this Chapter, from the cargo and passenger spaces forward and aft, shall also be fitted and made watertight up to the bulkhead deck. The afterpeak bulkhead may, however, be stepped below the bulkhead deck, provided the degree of safety of the ship as regards subdivision is not thereby diminished.

(c) In all cases stern tubes shall be enclosed in watertight spaces of moderate volume. The stern gland shall be situated in a watertight shaft tunnel or other watertight space separate from the stern tube compartment and of such volume that, if flooded by leakage through the stern gland, the margin line will not be submerged.

Regulation 10

Double Bottoms

(a) A double bottom shall be fitted extending from the forepeak bulkhead to the afterpeak bulkhead as far as this is practicable and compatible 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 the machinery 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 double bottom shall be fitted at least outside the
machinery space, and shall extend to the fore and after peak bulkheads, or as near thereto as practicable.

(iii) In ships 76 metres (249 feet) in length and upwards, a double bottom shall be fitted amidships, and shall extend to the fore and after peak bulkheads, or as near thereto as practicable.

(b) Where a double bottom is required to be fitted its depth shall be to the satisfaction of the Administration and the inner bottom shall be continued out to the ship’s sides in such a manner as to protect the bottom to the turn of the bilge. Such protection will be deemed satisfactory if the line of intersection of the outer edge of the margin plate with the bilge plating is not lower at any part than a horizontal plane passing through the point of intersection with the frame line amidships of a transverse diagonal line inclined at 25 degrees to the base line and cutting it at a point one-half the ship’s moulded breadth from the middle line.

(c) Small wells constructed in the double bottom in connexion with drainage arrangements of holds, etc., shall not extend downwards more than necessary. The depth of the well shall in no case be more than the depth less 457 millimetres (18 inches) of the double bottom at the centreline, nor shall the well extend below the horizontal plane referred to in paragraph (b) of this Regulation. A well extending to the outer bottom is, however, permitted at the after end of the shaft tunnel of screw-ships. Other wells (e.g., for lubricating oil under main engines) may be permitted by the Administration if satisfied that the arrangements give protection equivalent to that afforded by a double bottom complying with this Regulation.

(d) A double bottom need not be fitted in way of watertight compartments of moderate size used exclusively for the carriage of liquids, provided the safety of the ship, in the event of bottom or side damage, is not, in the opinion of the Administration, thereby impaired.

(e) In the case of ships to which the provisions of paragraph (d) of Regulation 1 of this Chapter apply and which are engaged on regular service within the limits of a short international voyage as defined in Regulation 2 of Chapter III, the Administration may permit a double bottom to be dispensed with in any part of the ship which is subdivided by a factor not exceeding .50, if satisfied that the fitting of a double bottom in that part would not be compatible with the design and 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 shall be assigned and marked on the ship’s sides. A ship having spaces which are specially adapted for the accommodation of passengers and the carriage of cargo alternatively may, if the owners desire, have one or more additional load lines assigned and marked to correspond with the subdivision draughts which the Administration may approve for the alternative service conditions.

(b) The subdivision load lines assigned and marked shall be recorded in the Passenger Ship Safety Certificate, and shall be distinguished by the notation C.1 for the principal passenger condition, and C.2, C.3, etc., for the alternative conditions.

(c) The freeboard corresponding to each of these load lines shall be measured at the same position and from the same deck line as the freeboards determined in accordance with the International Convention respecting Load Lines in force.

(d) The freeboard corresponding to each approved subdivision load line and the conditions of service for which it is approved, shall be clearly indicated on the Passenger Ship Safety Certificate.

(e) In no case shall any subdivision load line mark be placed above the deepest load line in salt water as determined by the strength of the ship and/or the International Convention respecting Load Lines in force.

(f) Whatever may be the position of the subdivision load line marks, a ship shall in no case be loaded so as to submerge the load line mark 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 in salt water the subdivision load line mark appropriate to the particular voyage and condition of service is submerged.

Navigation Act 1912
Regulation 12

Construction and Initial Testing of Watertight Bulkheads, etc.

(a) Each watertight subdivision bulkhead, whether transverse or longitudinal, shall be constructed in such a manner that it shall be capable of supporting, with a proper margin of resistance, the pressure due to the maximum head of water which it might have to sustain in the event of damage to the ship but at least the pressure due to a head of water up to the margin line. The construction of these bulkheads shall be to the satisfaction of the Administration.

(b) (i) Steps and recesses in bulkheads shall be watertight and as strong as the bulkhead at the place where each occurs.

(ii) Where frames or beams pass through a watertight deck or bulkhead, such deck or bulkhead shall be made structurally watertight without the use of wood or cement.

(c) Testing main compartments by filling them with water is not compulsory. When testing by filling with water is not carried out, a hose test is compulsory; this test shall be carried out in the most advanced stage of the fitting out of the ship. In any case, a thorough inspection of the watertight bulkheads shall be carried out.

(d) The forepeak, double bottoms (including duct keels) and inner skins shall be tested with water to a head corresponding to the requirements of paragraph (a) of this Regulation.

(e) Tanks which are intended to hold liquids, and which form part of the subdivision of the ship, shall be tested for tightness with water to a 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 margin line in way of the tanks, whichever is the greater; provided that in no case shall the test head be less than 0.92 metres (3 feet) above the top of the tank.

(f) The tests referred to in paragraphs (d) and (e) of this Regulation are for the purpose of ensuring that the subdivision structural arrangements are watertight and are not to be regarded as a test of the fitness of any compartment for the storage of oil fuel or for other special purposes for which a test of a superior character may be required depending on the height to which the liquid has access in the tank or its connexions.
Regulation 13

Openings in Watertight Bulkheads

(a) The number of openings in watertight bulkheads shall be reduced to the minimum compatible with the design and proper working of the ship; satisfactory means shall be provided for closing these openings.

(b) (i) Where pipes, scuppers, electric cables, etc. are carried through watertight subdivision bulkheads, arrangements shall be made to ensure the integrity of the watertightness of the bulkheads.

(ii) Valves and cocks not forming part of a piping system shall not be permitted in watertight subdivision bulkheads.

(iii) Lead or other heat sensitive materials shall not be used in systems which penetrate watertight subdivision bulkheads, 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 cargo space from an adjoining cargo space or from a permanent or reserve bunker, except as provided in paragraph (1) of this Regulation.

(ii) Except as provided in sub-paragraph (iii) of this paragraph, the collision bulkhead may be pierced below the margin line by not more than one pipe for dealing with fluid in the forepeak tank, provided that the pipe is fitted with a screwdown valve capable of being operated from above the bulkhead deck, the valve chest being secured inside the forepeak to the collision bulkhead.

(iii) If the forepeak is divided to hold two different kinds of liquids the Administration may allow the collision bulkhead to be pierced below the margin line by two pipes, each of which is fitted as required by sub-paragraph (ii) of this paragraph, provided the Administration is satisfied that there is no practical alternative to the fitting of such a second pipe and that, having regard to the additional subdivision provided in the forepeak, the safety of the ship is maintained.

(d) (i) Watertight doors fitted in bulkheads between permanent and reserve bunkers shall be always accessible, except as provided in sub-paragraph (ii) of paragraph (k) of this Regulation for between deck and bunker doors.
(ii) Satisfactory arrangements shall be made by means of screens or otherwise to prevent the coal from interfering with the closing of watertight bunker doors.

(e) Within spaces containing the main and auxiliary propelling machinery including boilers serving the needs of propulsion and all permanent bunkers, not more than one door apart from the doors to bunkers and shaft tunnels may be fitted in each main transverse bulkhead. Where two or more shafts are fitted the tunnels shall be connected by an inter-communicating passage. There shall be only one door between the machinery space and the tunnel spaces where two shafts are fitted and only two doors where there are more than two shafts. All these doors shall be of the sliding type and shall be located so as to have their sills as high as practicable. The hand gear for operating these doors from above the bulkhead deck shall be situated outside the spaces containing the machinery if this is consistent with a satisfactory arrangement of the necessary gearing.

(f) (i) Watertight doors shall be sliding doors or hinged doors or doors of an equivalent type. Plate doors secured only by bolts and doors required to be closed by dropping or by the action of a 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 into three 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 any watertight door whether power-operated or not shall be capable of closing the door with the ship listed to 15 degrees either way.

(v) In all classes of watertight doors indicators shall be fitted which show, at all operating stations from which the doors are not visible, whether the doors are open or closed. If any of the watertight doors, of whatever Class, is not fitted so as to enable it to be closed from a central control station, it shall be provided with a mechanical, electrical, telephonic, or any other 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 be fitted with quick action closing devices, such as catches, workable from each side of the bulkhead.

(h) Hand-operated sliding doors (Class 2) may have a horizontal or vertical motion. It shall be possible to operate the mechanism at the door itself from either side, and in addition, from an accessible position above the bulkhead deck, with an all round crank motion, or some other movement providing the same guarantee of safety and of an approved type. Departures from the requirement of operation on both sides may be allowed, if this requirement is impossible owing to the layout of the spaces. When operating a hand gear the time necessary for the complete closure of the door with the vessel upright, shall not exceed 90 seconds.

(i) (i) Power-operated sliding doors (Class 3) may have a vertical or horizontal motion. If a door is required to be power-operated from a central control, the gearing shall be so arranged that the door can be operated by power also at the door itself from both sides. The arrangement shall be such that the door will close automatically if opened by local control after being closed from 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 control handles in connexion with the power gear shall be provided each side of the bulkhead and shall be so arranged as to enable persons passing through the doorway to hold both handles in the open position without being able to set the closing mechanism in operation accidentally. Power-operated sliding doors shall be provided with hand gear workable at the door itself on either side and from an accessible position above the bulkhead deck, with an all round crank motion or some other movement providing the same guarantee of safety and of an approved type. Provision shall be made to give warnings by sound signal that the door has begun to close and will continue to move until it is completely closed. The door shall take a sufficient time to close to ensure safety.

(ii) There shall be at least two independent power sources capable of opening and closing all the doors under control, each of them capable of operating all the doors simultaneously. The two power sources shall be controlled from the central station on the bridge provided with all the necessary indicators for checking that each of
the two power sources is capable of giving the required service satisfactorily.

(iii) In the case of hydraulic operation, each power source shall consist of a pump capable of closing all doors in not more than 60 seconds. In addition, there shall be for the whole installation hydraulic accumulators of sufficient capacity to operate all the doors at least three times, i.e., closed-open-closed. The fluid used shall be one which does not freeze at any of the temperatures liable to be encountered by the ship during its service.

(j) (i) Hinged watertight doors (Class 1) in passenger, crew and working spaces are only permitted above a deck the underside of which, at its lowest point at side, is at least 2.13 metres (7 feet) above the deepest subdivision load line.

(ii) Watertight doors, the sills of which are above the deepest load line and below the line specified in the preceding sub-paragraph shall be sliding doors and may be hand-operated (Class 2), except in vessels engaged on short international voyages and required to have a factor of subdivision of .50 or less in which all such doors shall be power-operated. When trunkways in connexion with refrigerated cargo and ventilation or forced draught ducts are 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, and the sills of which are below the deepest subdivision load line shall be sliding doors. The following rules shall apply:

(1) when the number of such doors (excluding doors at entrances to shaft tunnels) exceeds five, all of these doors and those at the entrance to shaft tunnels or ventilation or forced draught ducts, shall be power-operated (Class 3) and shall be capable of being simultaneously closed from a central station situated on the bridge;

(2) when the number of such doors (excluding doors at entrances to shaft tunnels) is greater than one, but does not exceed five,

(a) where the ship has no passenger spaces below the bulkhead deck, all the above-mentioned doors may be hand-operated (Class 2);

(b) where the ship has passenger spaces below the bulkhead deck all the above-mentioned doors shall be power-operated (Class 3) and shall be capable of being simultaneously closed 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 doors to be hand-operated only (Class 2).

(ii) If sliding watertight doors which have sometimes to be open at sea for the purpose of trimming coal are fitted between bunkers in the between decks below the bulkhead deck, these doors shall be operated by power. The opening and closing of these doors shall be recorded in such log book as may be prescribed by the Administration.

(l) (i) If the Administration is satisfied that such doors are essential, watertight doors of satisfactory construction may be fitted in watertight bulkheads dividing cargo between deck spaces. Such doors may be hinged, rolling or sliding doors but shall not be remotely controlled. They shall be fitted at the highest level and as far from the shell plating as practicable, but in no case shall the outboard vertical edges be situated at a distance from the shell plating which is less than one-fifth of the breadth of the ship, as defined in Regulation 2 of this Chapter, such distance being measured at right angles to the centre line of the ship at the level of the deepest subdivision load line.

(ii) Such doors shall be closed before the voyage commences and shall be kept closed during navigation; and the time of opening such doors in port and of closing them before the ship leaves port shall be entered in the log book. Should any of the doors be accessible during the voyage, they shall be fitted with a device which prevents unauthorized opening. When it is proposed to fit such doors, the number and arrangements shall receive the special consideration of the Administration.

(m) Portable plates on bulkheads shall not be permitted except in machinery spaces. Such plates shall always be in place before the ship leaves port, and shall not be removed during navigation except in case of urgent necessity. The necessary precautions shall be taken in replacing them to ensure that the joints shall be watertight.

(n) All watertight doors shall be kept closed during navigation except when necessarily opened for the working of the ship, and shall always be ready to be immediately closed.

(o) (i) Where trunkways or tunnels for access from crew accommodation to the stokehold, for piping, or for any other purpose are carried through main transverse watertight bulkheads, they shall be
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 a trunk extending watertight to a height sufficient to permit access above the margin line. The access to the other end of the trunkway or tunnel may be through a watertight door of the type required by its location in the ship. Such trunkways or tunnels shall not extend through the first subdivision bulkhead abaft the collision bulkhead.

(ii) Where it is proposed to fit tunnels or trunkways for forced 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 reduced to the minimum compatible with the design and proper working of the ship.

(b) The arrangement and efficiency of the means for closing any opening in the shell plating shall be consistent with its intended purpose and 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 are below a line drawn parallel to the bulkhead deck at side and having its lowest point 2 1/2 per cent of the breadth of the ship above the deepest subdivision load line, all sidescuttles in that between deck shall be of the non-opening type.

(ii) All sidescuttles the sills of which are below the margin line, other than those required to be of a non-opening type by sub-paragraph (i) of this paragraph, shall be of such construction as will effectively prevent any person opening them without the consent of the master of the ship.

(iii) (1) Where in a between decks, the sills of any of the sidescuttles referred to in sub-paragraph (ii) of this paragraph are below a line drawn parallel to the bulkhead deck at side and having its lowest point 1.37 metres (4 1/2 feet) plus 2 1/2 per cent of the breadth of the ship above the water when the ship departs from any port, all the sidescuttles in that between decks shall be closed watertight and locked before the ship leaves port, and they shall not be opened before the ship arrives at the next port. In the application of this sub-paragraph the
appropriate allowance for fresh water may be made when applicable.

(2) The time of opening such sidescuttles in port and of closing and locking them before the ship leaves port shall be entered in such log book as may be prescribed by the Administration.

(3) For any ship that has one or more sidescuttles so placed that the requirements of clause (1) of this sub-paragraph would apply when she was floating at her deepest subdivision load line, the Administration may indicate the limiting mean draught at which these sidescuttles will have their sills above the line drawn parallel to the bulkhead deck at side, and having its lowest point 1.37 metres (4 1/2 feet) plus 2 1/2 per cent of the breadth of the ship above the water-line corresponding to the limiting mean draught, and at which it will therefore be permissible to depart from port without previously closing and locking them and to open them at sea on the responsibility of the master during the voyage to the next port. In tropical zones as defined in the International Convention respecting Load Lines in force, this limiting draught may be increased by 0.305 metres (1 foot).

(d) Efficient hinged inside deadlights arranged so that they can be 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 and above a line drawn parallel to the bulkhead deck at side and having its lowest point at a height of 3.66 metres (12 feet) plus 2 1/2 per cent of the breadth of the ship above the deepest subdivision load line, the deadlights may be portable in passenger accommodation other than that for steerage passengers, unless the deadlights are required by the International Convention respecting Load Lines in force to be permanently attached in their proper positions. Such portable deadlights shall be stowed adjacent to the sidescuttles they serve.

(e) Sidescuttles and their deadlights, which will not be accessible during navigation, shall be closed and secured before the ship leaves port.

(f) (i) No sidescuttles shall be fitted in any spaces which are appropriated exclusively to the carriage of cargo or coal.

(ii) Sidescuttles may, however, be fitted in spaces appropriated alternatively to the carriage of cargo or passengers, but they shall be of such construction as will effectively prevent any person
opening them or their deadlights without the consent of the master of the ship.

(iii) If cargo is carried in such spaces, the sidescuttles and their deadlights shall be closed watertight and locked before the cargo is shipped and such closing and locking shall be recorded in such log book as may be prescribed by the Administration.

(g) Automatic ventilating sidescuttles shall not be fitted in the shell plating below the margin line without the special sanction of the Administration.

(h) The number of scuppers, sanitary discharges and other similar 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 be fitted with efficient and accessible arrangements for preventing the accidental admission of water into the ship. Lead or other heat sensitive materials shall not be used for pipes fitted outboard of shell valves in inlets or discharges, or any other application where the deterioration of such pipes in the event of fire would give rise to danger of flooding.

(ii) (1) Except as provided in sub-paragraph (iii) of this paragraph, each separate discharge led through the shell plating from spaces below the margin line shall be provided either with one automatic non-return valve fitted with a positive means of closing it from above the bulkhead deck, or, alternatively, with two automatic non-return valves without such means, the upper of which is so situated above the deepest subdivision load line as to be always accessible for examination under service conditions, and is of a type which is normally closed.

(2) Where a valve with positive means of closing is fitted, the operating position above the bulkhead deck shall always be readily accessible, and means shall be provided for indicating whether the valve is open or closed.

(iii) Main and auxiliary sea inlets and discharges in connexion with machinery shall be fitted with readily accessible cocks or valves between the pipes and shell plating or between the pipes and fabricated boxes attached to the shell plating.

(j) (i) Gangway, cargo and coaling ports fitted below the margin line shall be of sufficient strength. They shall be effectively closed and
secured watertight before the ship leaves port, and shall be kept closed during navigation.

(ii) Such ports shall be in no case fitted so as to have their lowest point below the deepest subdivision load line.

(k) (i) The inboard opening of each ash-shoot, rubbish-shoot, etc., shall be fitted with an efficient cover.

(ii) If the inboard opening is situated below the margin line, the cover shall be watertight, and in addition an automatic non-return valve shall be fitted in the shoot in an easily accessible position above the deepest subdivision load line. When the shoot is not in 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 groove at the bottom in which dirt might lodge and prevent the door closing properly.

(iii) All cocks and valves for sea inlets and discharges below the bulkhead deck and all fittings outboard of such cocks and valves shall be made of steel, bronze or other approved ductile material. Ordinary cast iron or similar materials shall not be used.

(b) Each watertight door shall be tested by water pressure to a head up to the bulkhead deck. The test shall be made before the ship is put in 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 and ventilators shall be of the same strength as watertight bulkheads at corresponding levels. The means used for making them watertight, and the arrangements adopted for closing openings in them, shall be to the satisfaction of the Administration. Watertight ventilators and trunks shall be carried at least up to the bulkhead deck.
(b) After completion, a hose or flooding test shall be applied to watertight decks and a hose test to watertight trunks, tunnels and ventilators.

**Regulation 17**

*Watertight Integrity above the Margin Line*

(a) The Administration may require that all reasonable and practicable measures shall be taken to limit the entry and spread of water above the bulkhead deck. Such measures may include partial bulkheads or webs. When partial watertight bulkheads and webs are fitted on the bulkhead deck, above or in the immediate vicinity of main subdivision bulkheads, they shall have watertight shell and bulkhead deck connexions so as to restrict the flow of water along the deck when the ship is in a heeled damaged condition. Where the partial watertight bulkhead does not line up with the bulkhead below, the bulkhead deck between shall be made effectively watertight.

(b) The bulkhead deck or a deck above it shall be weathertight in the sense that in ordinary sea conditions water will not penetrate in a downward direction. All openings in the exposed weather deck shall have coamings of ample height and strength and shall be provided with efficient means for expeditiously closing them weathertight. Freeing ports, open rails and/or scuppers shall be fitted as necessary for rapidly clearing the weather deck of water under all weather conditions.

(c) Sidescuttles, gangway, cargo and coaling ports and other means for closing openings in the shell plating above the margin line shall be of efficient design and construction and of sufficient strength having regard to the spaces in which they are fitted and their positions relative to the deepest subdivision load line.

(d) Efficient inside deadlights, arranged so that they can be easily and effectively closed and secured watertight, shall be provided for all 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 from and draining any watertight compartment which is neither a permanent oil compartment nor a permanent water compartment under all practicable conditions after a casualty whether the ship is upright or
listed. For this purpose wing suctions will generally be necessary except in narrow compartments at the ends of the ship, where one suction may be sufficient. In compartments of unusual form, additional suctions may be required. Arrangements shall be made whereby water in the compartment may find its way to the suction pipes. Where in relation to particular compartments the Administration is satisfied that the provision of drainage may be undesirable, it may allow such provision to be dispensed with if calculations made in accordance with the conditions laid down in paragraph (b) of Regulation 7 of this Chapter show that the safety of the ship will not be impaired. Efficient means shall be provided for draining water from insulated holds.

(b) (i) Ships shall have at least three power pumps connected to the bilge main, one of which may be attached to the propelling unit. Where the criterion numeral is 30 or more, one additional independent power pump shall be provided.

(ii) The requirements are summarized in the following table:

<table>
<thead>
<tr>
<th>Criterion numeral</th>
<th>Less than 30</th>
<th>30 and over</th>
</tr>
</thead>
<tbody>
<tr>
<td>Main engine pump (may be replaced by one independent pump)</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Independent pumps</td>
<td>2</td>
<td>3</td>
</tr>
</tbody>
</table>

(iii) Sanitary, ballast and general service pumps may be accepted as independent power bilge pumps if fitted with the necessary connexions to the bilge pumping system.

(c) Where practicable, the power bilge pumps shall be placed in separate watertight compartments so arranged or situated that these compartments will not readily be flooded by the same damage. If the engines and 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 (300 feet) or more in length or having a criterion numeral of 30 or more, the arrangements shall be such that at least one power pump shall be available for use in all ordinary circumstances in which a ship may be flooded at sea. This requirement will be satisfied if:

(i) one of the required pumps is an emergency pump of a reliable submersible type having a source of power situated above the bulkhead deck; or

(ii) the pumps and their sources of power are so disposed throughout the length of the ship that under any condition of flooding which
the ship is required to withstand, at least one pump in an 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 arranged to draw water from any space required to be drained by paragraph (a) of this Regulation.

(f) (i) Each power bilge pump shall be capable of giving a speed of water through the required main bilge pipe of not less than 122 metres (400 feet) per minute. Independent power bilge pumps situated in machinery spaces shall have direct suctions from these spaces, except that not more than two such suctions shall be required in any one space. Where two or more such suctions are provided there shall be at least one on the port side and one on the starboard side. The Administration may require independent power bilge pumps situated in other spaces to have separate direct suctions. Direct suctions shall be suitably arranged and those in a machinery space shall be of a diameter not less than that required for the bilge main.

(ii) In coal-burning ships there shall be provided in the stokehold, in addition to the other suctions required by this Regulation, a flexible suction hose of suitable diameter and sufficient length, capable of being connected to the suction side of an independent power pump.

(g) (i) In addition to the direct bilge suction or suctions required by paragraph (f) of this Regulation there shall be in the machinery space a direct suction from the main circulating pump leading to the drainage level of the machinery space and fitted with a non-return valve. The diameter of this direct suction pipe shall be at least two-thirds of the diameter of the pump inlet in the case of steamships, and of the same diameter as the pump inlet in the case of motor ships.

(ii) Where in the opinion of the Administration the main circulating pump is not suitable for this purpose, a direct emergency bilge suction shall be led from the largest available independent power driven pump to the drainage level of the machinery space; 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 of a required bilge pump by an amount satisfactory to the Administration.

(iii) The spindles of the sea inlet and direct suction valves shall extend well above the engine room platform.
(iv) Where the fuel is, or may be, coal and there is no watertight bulkhead between the engines and the boilers, a direct discharge overboard or alternatively a by-pass to the circulating pump discharge, shall be fitted from any circulating pump used in 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 or emptying spaces where water or oil is carried.

(ii) All bilge pipes used in or under coal bunkers or fuel storage tanks or in boiler or machinery spaces, including spaces in which 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 according to the following formulae provided that the actual internal diameter of the bilge main may be of the nearest standard size acceptable to the Administration:

\[
d = 1.68 \sqrt{L(B + D)} + 25
\]

where:
- \(d\) = internal diameter of the bilge main in millimetres,
- \(L\) and \(B\) are the length and the breadth of the ship in metres, as defined in Regulation 2 of this Chapter, and
- \(D\) = moulded depth of the ship to bulkhead deck in metres;

or

\[
d = \frac{L(B + D)}{2,500} + 1
\]

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 rules to 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 the sea and from water ballast spaces into the cargo and machinery spaces, or from one compartment to another. Special provision shall be made to prevent any deep tank having bilge and ballast connexions being inadvertently run up
from the sea when containing cargo, or pumped out through a bilge pipe when containing water ballast.

(k) Provision shall be made to prevent the compartment served by any bilge suction pipe being flooded in the event of the pipe being severed, or otherwise damaged by collision or grounding in any other compartment. For this purpose, where the pipe is at any part situated nearer the side of the ship than one-fifth the breadth of the ship (measured at right angles to the centre line at the level of the deepest subdivision load line), or in a duct keel, a non-return valve shall be fitted to the pipe in the compartment containing the open end.

(l) All the distribution boxes, cocks and valves in connexion with the bilge pumping arrangements shall be in positions which are accessible at all times under ordinary circumstances. They shall be so arranged that, in the event of flooding, one of the bilge pumps may be operative on any compartment; in addition, damage to a pump or its pipe connecting to the bilge main outboard of a line drawn at one-fifth of the breadth of the ship shall not put the bilge system out of action. If there is only one system of pipes common to all the pumps, the necessary cocks or valves for controlling the bilge suctions must be capable of being operated from above the bulkhead deck. Where in addition to the main bilge pumping system an emergency bilge pumping system is provided, it shall be independent of the main system and so arranged that a pump is capable of operating on any compartment under flooding conditions; in that case only the cocks and valves necessary for the operation of the emergency system need be capable of being operated from above the bulkhead deck.

(m) All cocks and valves mentioned in paragraph (l) of this Regulation which can be operated from above the bulkhead deck shall have their controls at their place of operation clearly marked and provided with means to indicate whether they are open or closed.

Regulation 19

Stability Information for Passenger Ships and Cargo Ships∗

(a) Every passenger ship and cargo ship shall be inclined upon its completion and the elements of its stability determined. The master shall be supplied with such reliable information as is necessary to enable him by rapid and

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∗ Reference is made to the Recommendation on Intact Stability for Passenger and Cargo Ships under 100 metres in length, adopted by the Organization by Resolution A.167 (ES.IV) and Amendments to this Recommendation, adopted by the Organization by Resolution A.206 (VII).
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 to materially affect the stability information supplied to the master, amended stability information shall be provided. If necessary the ship shall be re-inclined.

(c) The Administration may allow the inclining test of an individual ship to be dispensed with provided basic stability data are available from the inclining test of a sister ship and it is shown to the satisfaction of the Administration that reliable stability information for the 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 reference to existing data for similar ships clearly indicates that due to the ship’s proportions and arrangements more than sufficient metacentric height will be 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, plans showing clearly for each deck and hold the boundaries of the watertight compartments, the openings therein with the means of closure and position of any controls thereof, and the arrangements for the correction of any list due to flooding. In addition, booklets containing the aforementioned information shall be made available to the 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 watertight doors, sidescuttles, valves and closing mechanisms of scuppers, ash-shoots and rubbish-shoots shall take place weekly. In ships in which the voyage exceeds one week in duration a complete drill shall be held before leaving port, and others thereafter at least once a week during the voyage. In all ships all watertight power
doors and hinged doors, in main transverse bulkheads, in use at sea, shall be operated daily.

(c) (i) The watertight doors and all mechanisms and indicators connected therewith, all valves the closing of which is necessary to make a compartment watertight, and all valves the operation of which is necessary for damage control cross connexions shall be periodically inspected at sea at least once a week.

(ii) Such valves, doors and mechanisms shall be suitably marked to 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, portable plates, sidescuttles, gangway, cargo and coaling ports and other openings, which are required by these Regulations to be kept closed during navigation, shall be closed before the ship leaves port. The time of closing and the time of opening (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 Regulation 21 of this Chapter shall be entered in the log book with an explicit record 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 maintained under various emergency conditions; and

(ii) the safety of passengers, crew and ship from electrical hazards will be assured.

*Reference is made to the Recommendation on Safety Measures for Periodically Unattended Machinery Spaces of Cargo Ships additional to those normally considered necessary for an Attended Machinery Space, adopted by the Organization by Resolution A.211 (VII).
(b) Cargo ships shall comply with Regulations 26, 27, 28, 29, 30 and 32 of this Chapter.

**Regulation 24**

*Main Source of Electrical Power in Passenger Ships*

(a) Every passenger ship, the electrical power of which constitutes the only means of maintaining the auxiliary services indispensable for the propulsion and the safety of the ship, shall be provided with at least two main generating sets. The power of these sets shall be such that it shall still be possible to ensure the functioning of the services referred to in sub-paragraph (a) (i) of Regulation 23 of this Chapter in the event of any one of these generating sets being stopped.

(b) In a passenger ship where there is only one main generating station, the main switchboard shall be located in the same main fire zone. Where there is more than one main generating station, it is permissible to have only one main switchboard.

**Regulation 25**

*Emergency Source of Electrical Power in Passenger Ships*

(a) There shall be above the bulkhead deck and outside the machinery casings a self-contained emergency source of electrical power. Its location in relation to the main source or sources of electrical power shall be such as to ensure to the satisfaction of the Administration that a fire or other casualty to the machinery space as defined in paragraph (h) of Regulation 2 of this Chapter will not interfere with the supply or distribution of emergency power. It shall not be forward of the collision bulkhead.

(b) The power available shall be sufficient to supply all those services that are, in the opinion of the Administration, necessary for the safety of the passengers and the crew in an emergency, due regard being paid to such services as may have to be operated simultaneously. Special consideration shall be given to emergency lighting at every boat station on deck and oversides, in all alleyways, stairways and exits, in the machinery spaces and in the control stations as defined in paragraph (r) of Regulation 3 of Chapter II-2, to the sprinkler pump, to navigation lights, and to the daylight signalling lamp if operated from the main source of power. The power shall be adequate for a period of 36 hours, except that, in the case of ships engaged regularly on voyages of short duration, the
Administration may accept a lesser supply if satisfied that the same standard of safety would be attained.

c) The emergency source of power may be either:

   (i) a generator driven by a suitable prime-mover with an independent fuel supply and with approved starting arrangements; the fuel used shall have a flashpoint of not less than 43°C (110°F); or

   (ii) an accumulator (storage) battery capable of carrying the emergency load without recharging or excessive voltage drop.

d) (i) Where the emergency source of power is a generator there shall be provided a temporary source of emergency power consisting of an accumulator battery of sufficient capacity:

   (1) to supply emergency lighting continuously for half an hour;

   (2) to close the watertight doors (if electrically operated) but not necessarily to close them all simultaneously;

   (3) to operate the indicators (if electrically operated) which show whether power-operated watertight doors are open or closed; and

   (4) to operate the sound signals (if electrically operated) which give warning that power-operated watertight doors are about to close.

   The arrangements shall be such that the temporary source of 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 accumulator battery, arrangements shall be made to ensure that emergency lighting will automatically come into operation in the event of failure of the main lighting supply.

(e) An indicator shall be mounted in the machinery space, preferably on the main switchboard, to indicate when any accumulator battery fitted in accordance with this Regulation is being discharged.

(f) (i) The emergency switchboard shall be installed as near as is practicable to the emergency source of power.

   (ii) Where the emergency source of power is a generator, the emergency switchboard shall be located in the same space as the emergency source of power, unless the operation of the emergency switchboard would thereby be impaired.

   (iii) No accumulator battery fitted in accordance with this Regulation shall be installed in the same space as the emergency switchboard.
(iv) The Administration may permit the emergency switchboard to be supplied from the main switchboard in normal operation.

(g) Arrangements shall be such that the complete emergency installation will function when the ship is inclined 22 1/2 degrees and/or when the trim of the ship is 10 degrees.

(h) Provision shall be made for the periodic testing of the emergency source of power and the temporary source of power, if provided, 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 gross tonnage and upwards there shall be a self-contained emergency source of power, located to the satisfaction of the Administration above the uppermost continuous deck and outside the machinery casings, to ensure its functioning in the event of fire or other casualty causing failure to the main electrical installation.

(ii) The power available shall be sufficient to supply all those services which are, in the opinion of the Administration, necessary for the safety of all on board in an emergency, due regard being paid to such services as may have to be operated simultaneously. Special consideration shall be given to:

1. emergency lighting at every boat station on deck and oversides, in all alleyways, stairways and exits, in the main machinery space and main generating set space, on the navigating bridge and in the chartroom;
2. the general alarm; and
3. navigation lights if solely electric, and the daylight signalling lamp if operated by the main source of electrical power.

The power shall be adequate for a period of 6 hours.

(iii) The emergency source of power may be either:

1. an accumulator (storage) battery capable of carrying the emergency load without recharging or excessive voltage drop; or
2. a generator driven by a suitable prime-mover with an independent fuel supply and with starting arrangements to the
satisfaction of the Administration. The fuel used shall have a flashpoint of not less than 43°C (110°F).

(iv) Arrangements shall be such that the complete emergency installation will function when the ship is inclined 22½ degrees and/or when the trim of the ship is 10 degrees.

(v) Provision shall be made for the periodic testing of the complete emergency installation.

(b) Cargo ships of less than 5,000 Tons Gross Tonnage

(i) In cargo ships of less than 5,000 tons gross tonnage there shall be a self-contained emergency source of power located to the satisfaction of the Administration, and capable of supplying the illumination at launching stations and stowage positions of survival craft prescribed in sub-paragraphs (a) (ii), (b) (ii) and (b) (iii) of Regulation 19 of Chapter III, and in addition such other services as the Administration may require, due regard being paid to Regulation 38 of Chapter III.

(ii) The power available shall be adequate for a period of at least 3 hours.

(iii) These ships shall also be subject to sub-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) All exposed metal parts of electrical machines or equipment which are not intended to be “live” but are liable to become “live” under fault conditions, shall be earthed (grounded); and all electrical apparatus shall be so constructed and so installed that danger of injury in ordinary handling shall not exist.

(2) Metal frames of all portable electric lamps, tools and similar apparatus, supplied as ship’s equipment and rated in excess of a safety voltage to be prescribed by the Administration shall be earthed (grounded) through a suitable conductor, unless equivalent provisions are made such as by double insulation or by an isolating transformer. The Administration may require additional special precautions for electric lamps, tools or similar apparatus for use in damp spaces.
Main and emergency switchboards shall be so arranged as to give 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-conducting mats or gratings front and rear where necessary. Exposed current-carrying parts at voltages to earth (ground) exceeding a voltage to be specified by the Administration shall not be installed on the face of any switchboard or control panel.

Where the hull return system of distribution is used, special precautions shall be taken to the satisfaction of the Administration.

Hull return shall not be used in tankers.

All metal sheaths and armour of cables shall be electrically continuous and shall be earthed (grounded).

Where the cables are neither sheathed nor armoured and there might be a risk of fire in the event of an electrical fault, precautions shall be required by the Administration.

Lighting fittings shall be arranged to prevent temperature rises that would be injurious to the wiring, and to prevent surrounding material from becoming excessively hot.

Wiring shall be supported in such a manner as to avoid chafing or other injury.

Each separate circuit shall be protected against short circuit. Each separate circuit shall also be protected against overload, except in accordance with Regulation 30 of this Chapter or where the Administration grants an exemption. The current-carrying capacity of each circuit shall be permanently indicated, together with the rating or setting of the appropriate overload protective device.

Accumulator batteries shall be suitably housed, and compartments used primarily for their accommodation shall be properly constructed and efficiently ventilated.

(b) **Passenger Ships only**

Distribution systems shall be so arranged that fire in any main fire zone will not interfere with essential services in any other main fire zone. This requirement will be met if main and emergency feeders passing through any zone are separated both vertically and horizontally as widely as is practicable.

Electric cables shall be of a flame retarding type to the satisfaction of the Administration. The Administration may require additional
safeguards for electric cables in particular spaces of the ship with a view to the prevention of fire or explosion.

(iii) In spaces where inflammable mixtures are liable to collect, no electrical equipment shall be installed unless it is of a type which will not ignite the mixture concerned, such as flameproof (explosion proof) equipment.

(iv) A lighting circuit in a bunker or hold shall be provided with an isolating switch outside the space.

(v) Joints in all conductors except for low voltage communication circuits shall be made only in junction or outlet boxes. All such boxes or wiring devices shall be so constructed as to prevent the spread of fire from the box or device. Where splicing is employed it shall only be by an approved method such that it retains the original mechanical and electrical properties of the cable.

(vi) Wiring systems for interior communications essential for safety and for emergency alarm systems shall be arranged to avoid galleys, machinery spaces and other enclosed spaces having a high risk of fire except in so far as it is necessary to provide communication or to give alarm within those spaces. In the case of ships the construction and small size of which do not permit of compliance with these requirements, measures satisfactory to the Administration shall be taken to ensure efficient protection for these wiring systems where they pass through galleys, machinery spaces and other enclosed spaces having a high risk of fire.

(c) **Cargo Ships only**

Devices liable to arc shall not be installed in any compartment assigned principally to accumulator batteries unless the devices are flameproof (explosion proof).

**Regulation 28**

*Means of Going Astern*

(a) **Passenger Ships and Cargo Ships**

Ships shall have sufficient power for going astern to secure proper control of the ship in all normal circumstances.

(b) **Passenger Ships only**

The ability of the machinery to reverse the direction of thrust of the propeller in sufficient time, under normal manoeuvring conditions, 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 be provided with a main steering gear and an auxiliary steering gear to the satisfaction of the Administration.

(ii) The main steering gear shall be of adequate strength and sufficient to steer the ship at maximum service speed. The main steering gear and rudder stock shall be so designed that they are not damaged at maximum astern speed.

(iii) The auxiliary steering gear shall be of adequate strength and sufficient to steer the ship at navigable speed and capable of being brought speedily into action in an emergency.

(iv) The exact position of the rudder, if power operated, shall be indicated at the principal steering station.

(b) Passenger Ships only

(i) The main steering gear shall be capable of putting the rudder over from 35 degrees on one side to 35 degrees on the other side with the ship running ahead at maximum service speed. The rudder shall be capable of being put over from 35 degrees on either side to 30 degrees on the other side in 28 seconds at maximum service speed.

(ii) The auxiliary steering gear shall be operated by power in any case in which the Administration would require a rudder stock of over 228.6 millimetres (9 inches) diameter in way of the tiller.

(iii) Where main steering gear power units and their connexions are fitted in duplicate to the satisfaction of the Administration, and each power unit enables the steering gear to meet the requirements of sub-paragraph (i) of this paragraph, no auxiliary steering gear need be required.

(iv) Where the Administration would require a rudder stock with a diameter in way of the tiller exceeding 228.6 millimetres (9 inches) there shall be provided an alternative steering station located to the satisfaction of the Administration. The remote steering control systems from the principal and alternative steering stations shall be

* Reference is made to the Recommendation on Steering Gear for Large Ships, adopted by the Organization by Resolution A.210 (VII).
so arranged to the satisfaction of the Administration that failure of either system would not result in inability to steer the ship by means of the other system.

(v) Means satisfactory to the Administration shall be provided to enable orders to be transmitted from the bridge to the alternative steering station.

(c) **Cargo Ships only**

(i) The auxiliary steering gear shall be operated by power in any case in which the Administration would require a rudder stock of over 355.6 millimetres (14 inches) diameter in way of the tiller.

(ii) Where power-operated steering gear units and connexions are fitted in duplicate to the satisfaction of the Administration, and each unit complies with sub-paragraph (iii) of paragraph (a) of this Regulation, no auxiliary steering gear need be required, 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 indication of the motors of electric and electrohydraulic steering gear shall be installed in a suitable 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 be served by two circuits fed from the main switchboard. One of the circuits may pass through the emergency switchboard, if provided. Each circuit shall have adequate capacity for supplying all the motors which are normally connected to it and which operate simultaneously. If transfer arrangements are provided in the steering gear room to permit either circuit to supply any motor or combination of motors, the capacity of each circuit shall be adequate for the most severe load condition. The circuits shall be separated throughout their length as widely as is practicable.

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* Reference is made to the Recommendation on Steering Gear for Large Ships, adopted by the Organization by Resolution A.210 (VII).
(ii) Short circuit protection only shall be provided for these circuits and motors.

(c) Cargo Ships of less than 5,000 Tons Gross Tonnage

(i) Cargo ships in which electrical power is the sole source of power for both main and auxiliary steering gear shall comply with sub-paragraphs (i) and (ii) of paragraph (b) of this Regulation, except that if the auxiliary steering gear is powered by a motor primarily intended for other services, paragraph (b)(ii) may be waived, provided that the Administration is satisfied with the protection arrangements.

(ii) Short circuit protection only shall be provided for motors and power circuits of electrically or electrohydraulically operated main steering gear.

Regulation 31

Location of Emergency Installations in Passenger Ships

The emergency source of electrical power, emergency fire pumps, emergency bilge pumps, batteries of carbon dioxide bottles for fire extinguishing purposes and other emergency installations which are essential for the safety of the ship shall not be installed in a passenger ship forward of the collision bulkhead.

Regulation 32

Communication between Bridge and Engine Room

Ships shall be fitted with two means of communicating orders from the 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 keel of which is laid or which is at a similar stage of construction on or after the date of coming into force of the present Convention, or a cargo ship which is converted to a passenger ship on or after that date, all other passenger ships being considered as existing ships.

(ii) A new cargo ship is a cargo ship the keel of which is laid or 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, modifications and outfitting related thereto shall continue to comply with at least the requirements previously applicable to the ship. An existing ship in such a case shall not as a rule comply to a lesser extent with the requirements for a new ship than it did before. Repairs, alterations and modifications of a major character and outfitting related thereto should meet the requirements for a new ship in so far as the Administration deems reasonable and practicable.

(b) Unless expressly provided otherwise:

(i) Regulations 4 to 16 of Part A of this Chapter apply to new ships.

(ii) Part B of this Chapter applies to new passenger ships carrying more than 36 passengers.

(iii) Part C of this Chapter applies to new passenger ships carrying 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.

† Reference is made to Recommendation on Safety Measures for Periodically Unattended Machinery Spaces of Cargo Ships additional to those normally considered necessary for an Attended Machinery Space, adopted by the Organization by Resolution A.211 (VII).
(c) (i) Part F of this Chapter applies to existing passenger ships carrying more than 36 passengers.

(ii) Existing passenger ships carrying not more than 36 passengers and existing cargo ships shall comply with the following:

1. for ships the keels of which were laid or which were at a similar stage of construction on or after the date of coming into force of the International Convention for the Safety of Life at Sea, 1960, the Administration shall ensure that the requirements which were applied under Chapter II of that Convention to new ships as defined in that Chapter are complied with;

2. for ships the keels of which were laid or which were at a similar stage of construction on or after the date of coming into force of the International Convention for the Safety of Life at Sea, 1948, but before the date of coming into force of the International Convention for the Safety of Life at Sea, 1960, the Administration shall ensure that the requirements which were applied under Chapter II of the 1948 Convention to new ships as defined in that Chapter are complied with;

3. for ships the keels of which were laid or which were at a similar stage of construction before the date of coming into force of the International Convention for the Safety of Life at Sea, 1948, the Administration shall ensure that the requirements which were applied under Chapter II of that Convention to existing ships as defined in that Chapter are complied with.

(d) For any existing ship as defined in the present Convention the Administration, in addition to applying the requirements of sub-paragraph (c) (i) of this Regulation, shall decide which of the requirements of this Chapter not contained in Chapter II of the 1948 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 application of any specific requirements of this Chapter unreasonable or unnecessary, exempt from those requirements individual ships or classes of ships belonging to its country which, in the course of their voyage, do not proceed more than 20 miles from the nearest land.

(f) In the case of passenger ships which are employed in special trades for the carriage of large numbers of special trade passengers, such as the
pilgrim trade, the Administration, if satisfied that it is impracticable to enforce compliance with the requirements of this Chapter, may exempt such ships, when they belong to its country, from those requirements, provided that they comply fully with the provisions of:

(i) the Rules annexed to the Special Trade Passenger Ships Agreement, 1971, and
(ii) the Rules annexed to the Protocol on Space Requirements for 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, fire detection and fire extinction in ships. The following basic principles underlie the Regulations in this Chapter and are embodied in the Regulations as appropriate, having regard to the type of ships and the potential fire hazard involved:

(a) division of ship into main vertical zones by thermal and structural boundaries;
(b) separation of accommodation spaces from the remainder of the ship by 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 neither burns nor gives off inflammable vapours in sufficient quantity for self-ignition when heated to approximately 750°C (1,382°F) this being determined to

∗ “Inflammable” has the same meaning as “flammable”.

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the satisfaction of the Administration by an established test procedure.† Any other material is a combustible material.

(b) “A Standard Fire Test” is one in which specimens of the relevant bulkheads or decks are exposed in a test furnace to temperatures corresponding approximately to the standard time-temperature curve. The specimen shall have an exposed surface of not less than 4.65 square metres (50 square feet) and height (or length of deck) of 2.44 metres (8 feet) resembling as closely as possible the intended construction and including where appropriate at least one joint. The standard time-temperature curve is defined by a smooth curve drawn through the following points:

<table>
<thead>
<tr>
<th>Time (minutes)</th>
<th>Temperature (°C)</th>
<th>Temperature (°F)</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>538</td>
<td>1,000</td>
</tr>
<tr>
<td>10</td>
<td>704</td>
<td>1,300</td>
</tr>
<tr>
<td>30</td>
<td>843</td>
<td>1,550</td>
</tr>
<tr>
<td>60</td>
<td>927</td>
<td>1,700</td>
</tr>
</tbody>
</table>

(c) “A” Class Divisions” are those divisions formed by bulkheads and decks which comply with the following:

(i) they shall be constructed of steel or other equivalent material;
(ii) they shall be suitably stiffened;
(iii) they shall be so constructed as to be capable of preventing the passage of smoke and flame to the end of the one-hour standard fire test;
(iv) they shall be insulated with approved non-combustible materials 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 one point, including any joint, rise more than 180°C (325°F) above the original temperature, within the time listed below:

<table>
<thead>
<tr>
<th>Class</th>
<th>Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>“A-60”</td>
<td>60 minutes</td>
</tr>
<tr>
<td>“A-30”</td>
<td>30 minutes</td>
</tr>
<tr>
<td>“A-15”</td>
<td>15 minutes</td>
</tr>
<tr>
<td>“A-0”</td>
<td>0 minutes</td>
</tr>
</tbody>
</table>

† Reference is made to Recommendation on Test Method for Qualifying Marine Construction Materials as Non-Combustible, adopted by the Organization by Resolution A.270 (VIII).
(v) the Administration may require a test of a prototype bulkhead or deck to ensure that it meets the above requirements for integrity and temperature rise.‡

(d) ““B” Class Divisions” are those divisions formed by bulkheads, decks, ceilings or linings which comply with the following:

(i) they shall be so constructed as to be capable of preventing the passage of flame to the end of the first one-half hour of the standard fire test;

(ii) they shall have an insulation value 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 one point, including any joint, rise more than 225°C (405°F) above the original temperature, within the time listed below:

| Class “B-15” | 15 minutes |
| Class “B-0” | 0 minutes |

(iii) they shall be constructed of approved non-combustible materials and all materials entering into the construction and erection of “B” Class Divisions shall be non-combustible, except where in accordance with Parts C and D of this Chapter the use of combustible material is not precluded, in which case it shall comply with the temperature rise limitation specified in sub-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 of a prototype division to ensure that it meets the above requirements for integrity and temperature rise.∗

(e) ““C” Class Divisions” shall be constructed of approved non-combustible materials. They need meet no requirements relative to the passage of smoke and flame nor the limiting of temperature rise.

(f) “Continuous “B” Class Ceilings or Linings” are those “B” Class ceilings or linings which terminate only at an “A” or “B” Class division.

‡ Reference is made to Recommendation for Fire Test Procedures for “A” and “B” Class Divisions, adopted by the Organization by Resolutions A.163 (ES.IV) and A.215 (VII).

∗ Reference is made to Recommendation for Fire Test Procedures for “A” and “B” Class Divisions, adopted by the Organization by Resolutions A.163 (ES.IV) and A.215 (VI).
(g) “Steel or Other Equivalent Material”. Where the words “steel or other equivalent material” occur, “equivalent material” means any material which, by itself or due to insulation provided, has structural and integrity properties equivalent to steel at the end of the applicable fire exposure to the standard fire test (e.g. aluminium alloy with appropriate insulation).

(h) “Low Flame Spread” means that the surface thus described will adequately restrict the spread of flame, this being determined to the satisfaction of the Administration by an established test procedure.

(i) “Main Vertical Zones” are those sections into which the hull, superstructure, and deckhouses are divided by “A” Class divisions, the mean length of which on any one deck does not in general exceed 40 metres (131 feet).

(j) “Accommodation Spaces” are those used for public spaces, corridors, lavatories, cabins, offices, crew quarters, barber shops, isolated pantries and lockers and similar spaces.

(k) “Public Spaces” are those portions of the accommodation which are used for halls, dining rooms, lounges and similar permanently enclosed spaces.

(l) “Service Spaces” are those used for galleys, main pantries, stores (except isolated pantries and lockers), mail and specie rooms, workshops other than those forming part of machinery spaces, and similar spaces and trunks to such spaces.

(m) “Cargo Spaces” are all spaces used for cargo (including cargo oil tanks) and trunks to such spaces.

(n) “Special Category Spaces” are those enclosed spaces above or below the bulkhead deck intended for the carriage of motor vehicles with 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) internal combustion type machinery used either for main propulsion purposes, or for other purposes where such machinery has in the aggregate a total power output of not less than 373 kW, or
   (ii) any oil-fired boiler or oil fuel unit; and trunks to such spaces.
(p) “Machinery Spaces” are all machinery spaces of Category A and all other spaces containing propelling machinery, boilers, oil fuel units, steam and internal combustion engines, generators and major electrical machinery, oil filling stations, refrigerating, stabilizing, ventilation and air conditioning machinery, and similar spaces; and trunks to such spaces.

(q) “Oil Fuel Unit” means the equipment used for the preparation of oil fuel for delivery to an oil-fired boiler, or equipment used for the preparation for delivery of heated oil to an internal combustion engine, and includes any oil pressure pumps, filters and heaters dealing with oil at a pressure more than 1.8 kilogrammes per square 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 power is located or where the fire recording or fire control equipment is centralized.

(s) “Rooms containing Furniture and Furnishings of Restricted Fire Risk” are, for the purpose of Regulation 20 of this Chapter, those rooms containing furniture and furnishings of restricted fire risk (whether cabins, public spaces, offices or other types of accommodation) in which:

(i) all case furniture such as desks, wardrobes, dressing tables, bureaux, dressers, is constructed entirely of approved non-combustible materials, except that a combustible veneer not exceeding 2 millimetres ($\frac{1}{12}$ inch) may be used on the working 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 other suspended textile materials have, to the satisfaction of the Administration, qualities of resistance to the propagation of flame not inferior to those of wool weighing 0.8 kilogrammes per square metre (24 ounces per square yard);

(iv) all floor coverings have, to the satisfaction of the Administration, qualities of resistance to the propagation of flame not inferior to those of an equivalent woollen material used for the same purpose; and

(v) all exposed surfaces of bulkheads, linings and ceilings have low flame-spread characteristics.
(t) “Bulkhead deck” is the uppermost deck up to which the transverse watertight bulkheads are carried.

(u) “Deadweight” is the difference in metric tons between the displacement of a ship in water of a specific gravity of 1.025 at the load water line corresponding to the assigned summer freeboard and the lightweight of the ship.

(v) “Lightweight” is the displacement of a ship in metric tons without cargo, fuel, lubricating oil, ballast water, fresh water and feedwater in tanks, consumable stores, together with passengers, and crew and their effects.

(w) “Combination carrier” is a tanker designed to carry oil or alternatively solid cargoes in bulk.

Regulation 4

Fire Control Plans

There shall be permanently exhibited in all new and existing ships for the guidance of the ship’s officers general arrangement plans showing clearly for each deck the control stations, the various fire sections enclosed by “A” Class divisions, the sections enclosed by “B” Class divisions (if any), together with particulars of the fire alarms, detecting systems, the sprinkler installation (if any), the fire-extinguishing appliances, means of access to different compartments, decks, etc. and the ventilating system including particulars of the fan control positions, the position of dampers and identification numbers of the ventilating fans serving each section. Alternatively, at the discretion of the Administration, the aforementioned details may be set out in a booklet, a copy of which shall be supplied to each officer, and one copy at all times shall be available on board in an accessible position. Plans and booklets shall be kept up to date, any alterations being recorded thereon as soon as practicable. Description in such plans and booklets shall be in the national language. If the language is neither English nor French, a translation into one of those languages shall be included. In addition, instructions concerning the maintenance and operation of all the equipment and installations on board for the fighting and containment of fire shall 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 pumps shall be capable of delivering for fire-fighting purposes a quantity of water, at the appropriate pressure prescribed below, not less than two-thirds of the quantity required to be dealt with by the bilge pumps when employed for bilge pumping.
   
   (ii) In a cargo ship, the required fire pumps, other than the emergency pump (if any), shall be capable of delivering for fire-fighting purposes a quantity of water, at the appropriate pressure prescribed, not less than four-thirds of the quantity required under Regulation 18 of Chapter II–1 to be dealt with by each of the independent bilge pumps in a passenger ship of the same dimensions when employed on bilge pumping, provided that in no cargo ship need the total required capacity of the fire pumps exceed 180 cubic metres per hour.

(b) Fire Pumps
   (i) The fire pumps shall be independently driven. Sanitary, ballast, bilge or general service pumps may be accepted as fire pumps, provided that they are not normally used for pumping oil and that if they are subject to occasional duty for the transfer or pumping of fuel oil, suitable change-over arrangements are fitted.
   
   (ii) (1) In passenger ships carrying more than 36 passengers, each of the required fire pumps shall have a capacity not less than 80 per cent of the total required capacity divided by the minimum number of required fire pumps and each such pump shall in any event be capable of delivering at least the two required jets of water. These fire pumps shall be capable of supplying the fire main system under the required conditions.

   Where more pumps than the minimum of required pumps are installed the capacity of such additional pumps shall be to the satisfaction of the Administration.

   (2) In all other types of ships, each of the required fire pumps (other than any emergency pump required by Regulation 52 of this Chapter) shall have a capacity not less than 80 per cent of the total required capacity divided by the number of required fire pumps, and shall in any event be capable of
supplying the fire main system under the required conditions.

Where more pumps than required are installed their capacity shall be to the satisfaction of the Administration.

(iii) Relief valves shall be provided in conjunction with all fire pumps if the pumps are capable of developing a pressure exceeding the design pressure of the water service pipes, hydrants and hoses. These valves shall be so placed and adjusted as to prevent 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 pipes shall be sufficient for the effective distribution of the maximum required 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 pumps simultaneously delivering through nozzles specified in paragraph (g) of this Regulation the quantity of water specified in sub-paragraph (i) of this paragraph, through any adjacent hydrants, the following minimum pressures shall be maintained at all hydrants:

<table>
<thead>
<tr>
<th>Passenger ships:</th>
<th>Cargo ships:</th>
</tr>
</thead>
<tbody>
<tr>
<td>4,000 tons gross tonnage and upwards</td>
<td>6,000 tons gross tonnage and upwards</td>
</tr>
<tr>
<td>1,000 tons gross tonnage and upwards but under 4,000 tons gross tonnage</td>
<td>1,000 tons gross tonnage and upwards but under 6,000 tons gross tonnage</td>
</tr>
<tr>
<td>Under 1,000 tons gross tonnage</td>
<td>Under 1,000 tons gross tonnage</td>
</tr>
<tr>
<td>3.2 kilogrammes per square centimetre (45 pounds per square inch)</td>
<td>2.8 kilogrammes per square centimetre (40 pounds per square inch)</td>
</tr>
<tr>
<td>2.8 kilogrammes per square centimetre (40 pounds per square inch)</td>
<td>2.6 kilogrammes per square centimetre (37 pounds per square inch)</td>
</tr>
<tr>
<td>To the satisfaction of the Administration</td>
<td>To the satisfaction of the Administration</td>
</tr>
</tbody>
</table>
(d) **Number and Position of Hydrants**

The number and position of the hydrants shall be such that at least two jets of water not emanating from the same hydrant, one of which shall be from a single length of hose, may reach any part of the ship normally accessible to the passengers or crew while the ship is being navigated.

(e) **Pipes and Hydrants**

(i) Materials readily rendered ineffective by heat shall not be used for fire mains and hydrants unless adequately protected. The pipes and hydrants shall be so placed that the fire hoses may be easily coupled to them. In ships where deck cargo may be carried, the positions of the hydrants shall be such that they are always readily accessible and the pipes shall be arranged as far as practicable to avoid risk of damage by such cargo. Unless there is provided one hose and nozzle for each hydrant in the ship, there shall be complete interchangeability of hose couplings and nozzles.

(ii) A cock or valve shall be fitted to serve each fire hose so that any fire hose may be removed while the fire pumps are at work.

(f) **Fire Hoses**

Fire hoses shall be of material approved by the Administration and sufficient in length to project a jet of water to any of the spaces in which they may be required to be used. Their maximum length shall be to the satisfaction of the Administration. Each hose shall be provided with a nozzle and the necessary couplings. Hoses specified in this Chapter as “fire hoses” shall together with any necessary fittings and tools be kept ready for use in conspicuous positions near the water service hydrants or connexions. Additionally in interior locations in passenger ships carrying more than 36 passengers, fire hoses shall be connected to the hydrants at all times.

(g) **Nozzles**

(i) For the purposes of this Chapter, standard nozzle sizes shall be 12 millimetres (1/2 inch), 16 millimetres (5/8 inch) and 19 millimetres (3/4 inch) or as near thereto as possible. Larger diameter nozzles may be permitted at the discretion of the Administration.

(ii) For accommodation and service spaces, a nozzle size greater than 12 millimetres (1/2 inch) need not be used.

(iii) For machinery spaces and exterior locations, the nozzle size shall be such as to obtain the maximum discharge possible from two jets at the pressure mentioned in paragraph (c) of this Regulation from...
the smallest pump, provided that a nozzle size greater than 19 millimetres (\(\frac{3}{4}\) inch) need not be used.

(iv) For machinery spaces or in similar spaces where the risk of spillage of oil exists, the nozzles shall be suitable for spraying water on oil or alternatively shall be of a dual purpose type.

(h) **International Shore Connexion**

Standard dimensions of flanges for the international shore connexion required in this Chapter to be installed in the ship shall be in accordance with the following table:

<table>
<thead>
<tr>
<th>Description</th>
<th>Dimension</th>
</tr>
</thead>
<tbody>
<tr>
<td>Outside diameter</td>
<td>178 millimetres (7 inches)</td>
</tr>
<tr>
<td>Inner diameter</td>
<td>64 millimetres (2(\frac{1}{2}) inches)</td>
</tr>
<tr>
<td>Bolt circle diameter</td>
<td>132 millimetres (5(\frac{1}{4}) inches)</td>
</tr>
<tr>
<td>Slots in flange</td>
<td>4 holes 19 millimetres ((\frac{3}{4}) inch) in diameter equidistantly placed on a bolt circle of the above diameter, slotted to the flange periphery</td>
</tr>
<tr>
<td>Flange thickness</td>
<td>14.5 millimetres ((\frac{9}{16}) inch) minimum</td>
</tr>
<tr>
<td>Bolts and nuts</td>
<td>4, each of 16 millimetres ((\frac{5}{8}) inch) diameter, 50 millimetres (2 inches) in length</td>
</tr>
</tbody>
</table>

The connexion shall be constructed of material suitable for 10.5 kilogrammes per square centimetre (150 pounds per square inch) service. The flange shall have a flat face on one side and the other shall have permanently attached thereto a coupling that will fit the ship’s hydrant and hose. The connexion shall be kept aboard the ship together with a gasket of any material suitable for 10.5 kilogrammes per square centimetre (150 pounds per square inch) service, together with four 16 millimetre (\(\frac{5}{8}\) inch) bolts, 50 millimetres (2 inches) in length and eight washers.

**Regulation 6**

*Miscellaneous Items*

(a) Electric radiators, if used, shall be fixed in position and so constructed as to reduce fire risks to a minimum. No such radiators 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.

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*Navigation Act 1912*
(b) Cellulose-nitrate based films shall not be used for cinematograph installations.

**Regulation 7**

*Fire Extinguishers*

(a) All fire extinguishers shall be of approved types and designs.
   (i) The capacity of required portable fluid extinguishers shall be not more than 13.5 litres (3 gallons) and not less than 9 litres (2 gallons). Other extinguishers shall not be in excess of the equivalent portability of the 13.5 litre (3 gallons) fluid extinguisher and shall not be less than the fire-extinguishing equivalent of a 9 litre (2 gallons) fluid extinguisher.
   (ii) The Administration shall determine the equivalents of fire 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, in the opinion of the Administration, either by itself or under expected conditions of use gives off toxic gases in such quantities as to 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 (4 1/2 gallons) of froth-making liquid and one spare tank. The nozzle shall be capable of producing effective froth suitable for extinguishing an oil fire, at the rate of at least 1.5 cubic metres (53 cubic feet) 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 any space 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 opinion of the Administration, either by itself or under expected conditions of use gives
off toxic gases in such quantities as to endanger persons shall not be permitted.

(b) Where provision is made for the injection of gas for fire-extinguishing purposes, the necessary pipes for conveying the gas shall be provided with control valves or cocks so marked as to indicate clearly the compartments to which the pipes are led. Suitable provision shall be made to prevent inadvertent admission of the gas to any compartment. Where cargo spaces fitted with such a system for fire protection are used as passenger spaces the gas connexion shall be blanked during such use.

(c) The piping shall be arranged so as to provide effective distribution of fire-extinguishing gas.

(d) (i) When carbon dioxide is used as the extinguishing medium in cargo spaces, the quantity of gas available shall be sufficient to give a minimum volume of free gas equal to 30 per cent of the gross volume of the largest cargo compartment in the ship which is capable of being sealed.

(ii) When carbon dioxide is used as an extinguishing medium for machinery spaces of Category A the quantity of gas carried shall be sufficient to give a minimum quantity of free gas equal to the larger of the following quantities, either:

1. 40 per cent of the gross volume of the largest space, the volume to include the casing up to the level at which the horizontal area of the casing is 40 per cent or less of the horizontal area of the space concerned taken midway between the tank top and the lowest part of the casing; or

2. 35 per cent of the entire volume of the largest space including the casing;

provided that the above-mentioned percentages may be reduced to 35 per cent and 30 per cent respectively for cargo ships of less than 2,000 tons gross tonnage; provided also that if two or more 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 receivers in any machinery space of Category A is such that, if released in such space in the event of fire, such release of air within that space would seriously affect the efficiency of the fixed fire-extinguishing installation, the Administration shall require the provision of an additional quantity of carbon dioxide.
(iv) When carbon dioxide is used as an extinguishing medium both for cargo spaces and for machinery spaces of Category A the quantity of gas need not be more than the maximum required either for the largest cargo compartment or machinery space.

(v) For the purpose of this paragraph the volume of carbon dioxide shall be calculated at 0.56 cubic metres to the kilogramme (9 cubic feet to the pound).

(vi) When carbon dioxide is used as the extinguishing medium for machinery spaces of Category A the fixed piping system shall be such that 85 per cent of the gas can be discharged into the space within 2 minutes.

(vii) Carbon dioxide bottle storage rooms shall be situated at a safe and readily accessible position and shall be effectively ventilated to the satisfaction of the Administration. Any entrance to such storage rooms shall preferably be from the open deck, and in any case shall be independent of the protected space. Access doors 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 steam as permitted by paragraph (f) of this Regulation is produced on the ship and is used as an extinguishing medium, it shall be a gaseous product of fuel combustion in which the oxygen content, the carbon monoxide content, the corrosive elements and any solid combustible elements have been reduced to a permissible minimum.

(ii) Where such gas is used as the extinguishing medium in a fixed fire-extinguishing system for the protection of machinery spaces of Category A it shall afford protection equivalent to that provided by a fixed carbon dioxide system.

(iii) Where such gas is used as the extinguishing medium in a fixed fire-extinguishing system for the protection of cargo spaces a sufficient quantity of such gas shall be available to supply hourly a volume of free gas at least equal to 25 per cent of the gross volume of the largest compartment protected in this way for a period of 72 hours.

(f) In general, the Administration shall not permit the use of steam as a fire-extinguishing medium in fixed fire-extinguishing systems of new ships. Where the use of steam is permitted by the Administration it shall be used only in restricted areas as an addition to the required fire-extinguishing medium and with the proviso that the boiler or boilers available for supplying steam shall have an evaporation of at least 1
kilogramme of steam per hour for each 0.75 cubic metres (1 pound of steam per hour per 12 cubic feet) of the gross volume of the 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 audible warning of the release of fire-extinguishing gas into any space to which personnel normally have access. The alarm shall operate for a suitable period before the gas is released.

(h) The means of control of any such fixed gas fire-extinguishing system shall be readily accessible and simple to operate and shall be grouped together in as few locations as possible at positions not likely to be cut off by a fire in the protected space.

**Regulation 9**

*Fixed Froth Fire-Extinguishing Systems in Machinery Spaces*

(a) Any required fixed froth fire-extinguishing system in machinery spaces shall be capable of discharging through fixed discharge outlets in not more than five minutes, a quantity of froth sufficient to cover to a depth of 150 millimetres (6 inches) the largest single area over which oil fuel is liable to spread. The system shall be capable of generating froth suitable for extinguishing oil fires. Means shall be provided for effective distribution of the froth through a permanent system of piping and control valves or cocks to suitable discharge outlets, and for the froth to be effectively directed by fixed sprayers on other main fire hazards in the protected space. The expansion ratio of the froth shall not exceed 12 to 1.

(b) The means of control of any such systems shall be readily accessible and simple to operate and shall be grouped together in as few locations as possible at positions not likely to be cut off by a fire in the protected space.

**Regulation 10**

*Fixed High Expansion Froth Fire-Extinguishing Systems in Machinery Spaces*

(a) (i) Any required fixed high expansion froth system in machinery spaces shall be capable of rapidly discharging through fixed discharge outlets a quantity of froth sufficient to fill the greatest
space to be protected at a rate of at least 1 metre (3.3 feet) in depth per minute. The quantity of froth-forming liquid available shall be sufficient to produce a volume of froth equal to five times the volume of the largest space to be protected. The expansion ratio of the froth shall not exceed 1,000 to 1.

(ii) The Administration may permit alternative arrangements and discharge rates provided that it is satisfied that equivalent protection is achieved.

(b) Supply ducts for delivering froth, air intakes to the froth generator and the number of froth-producing units shall in the opinion of the Administration be such as will provide effective froth production and 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, its sources of power supply, froth-forming liquid and means of controlling the system shall be readily accessible and simple to operate and shall be grouped in as few locations as 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-extinguishing system in machinery spaces shall be provided with spraying nozzles of an approved type.

(b) The number and arrangement of the nozzles shall be to the satisfaction of the Administration and be such as to ensure an effective average distribution of water of at least 5 litres per square metre (0.1 gallon per square foot) per minute in the spaces to be protected. Where increased application rates are considered necessary, these shall be to the satisfaction of the Administration. Nozzles shall be fitted above bilges, tank tops and other areas over which oil fuel is liable to spread and also above other specific fire hazards in the machinery spaces.

(c) The system may be divided into sections, the distribution valves of which shall be operated from easily accessible positions outside the spaces to be protected and which will not be readily cut off by an outbreak of fire.
(d) The system shall be kept charged at the necessary pressure and the pump supplying the water for the system shall be put automatically into action by a pressure drop in the system.

(e) The pump shall be capable of simultaneously supplying at the necessary pressure all sections of the system in any one compartment to be protected. The pump and its controls shall be installed outside the 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 to put the system out of action.

(f) The pump may be driven by independent internal combustion type machinery but if it is dependent upon power being supplied from the emergency generator fitted in compliance with the provisions of Regulation 25 or Regulation 26 as appropriate of Chapter II–1 of the present Convention that generator shall be arranged to start automatically in case of main power failure so that power for the pump required by paragraph (e) of this Regulation is immediately available. When the pump is driven by independent internal combustion type machinery it shall be so situated that a fire in the protected space will not affect the air supply to the machinery.

(g) Precautions shall be taken to prevent the nozzles from becoming clogged by impurities in the water or corrosion of piping, nozzles, valves and pump.

**Regulation 12**

*Automatic Sprinkler and Fire Alarm and Fire Detection Systems*

(a) (i) Any required automatic sprinkler and fire alarm and fire detection system shall be capable of immediate operation at all times and no action by the crew shall be necessary to set it in operation. It shall be of the wet pipe type but small exposed sections may be of the dry pipe type where in the opinion of the Administration this is a necessary precaution. Any parts of the system which may be subjected to freezing temperatures in service shall be suitably protected against freezing. It shall be kept charged at the necessary pressure and shall have provision for a continuous supply of water as required in this Regulation.

(ii) Each section of sprinklers shall include means for giving a visual and audible alarm signal automatically at one or more indicating units whenever any sprinkler comes into operation. Such units shall
give an indication of any fire and its location in any space served by the system and shall be centralized on the navigating bridge or in the main fire control station, which shall be so manned or equipped as to ensure that any alarm from the system is immediately received by a responsible member of the crew. Such alarm systems shall be constructed so as to indicate if any fault occurs in the system.

(b) (i) Sprinklers shall be grouped into separate sections, each of which shall contain not more than 200 sprinklers. Any section of sprinklers shall not serve more than two decks and shall not be situated in more than one main vertical zone, except that an Administration, if it is satisfied that the protection of the ship against fire will not thereby be reduced, may permit such a section of sprinklers to serve more than two decks or to be situated in more than one main vertical zone.

(ii) Each section of sprinklers shall be capable of being isolated by one stop valve only. The stop valve in each section shall be readily accessible and its location shall be clearly and permanently indicated. Means shall be provided to prevent the operation of the stop valves by any unauthorized person.

(iii) A gauge indicating the pressure in the system shall be provided at each section stop valve and at a central station.

(iv) The sprinklers shall be resistant to corrosion by marine atmospheres. In accommodation and service spaces the sprinklers shall come into operation within the temperature range of 68°C (155°F) and 79°C (175°F), except that in locations such as drying rooms, where high ambient temperatures might be expected, the operating temperature may be increased by not more than 30°C (54°F) above the maximum deck head temperature.

(v) A list or plan shall be displayed at each indicating unit showing the spaces covered and the location of the zone in respect of each section. Suitable instructions for testing and maintenance shall be available.

(c) Sprinklers shall be placed in an overhead position and spaced in a suitable pattern to maintain an average application rate of not less than 5 litres per square metre (0.1 gallon per square foot) per minute over the nominal area covered by the sprinklers. Alternatively, the Administration may permit the use of sprinklers providing such other amount of water suitably distributed as has been shown to the 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 of water specified in this sub-paragraph shall be provided. The tank shall contain a standing charge of fresh water, equivalent to the amount of water which would be discharged in one minute by the pump referred to in sub-paragraph (e) (ii) of this Regulation, and the arrangements shall provide for maintaining such air pressure in the tank to ensure that where the standing charge of fresh water in the tank has been used the pressure will be not less than the working pressure of the sprinkler, plus the pressure due to a head of water measured from the bottom of the tank to the highest sprinkler in the system. Suitable means of replenishing the air under pressure and of replenishing the fresh water charge in the tank shall be provided. A glass gauge shall be provided to indicate the correct level of the water in the tank.

(ii) Means shall be provided to prevent the passage of sea water into the tank.

(e) (i) An independent power pump shall be provided solely for the purpose of continuing automatically the discharge of water from the sprinklers. The pump shall be brought into action automatically by the pressure drop in the system before the standing fresh water charge in the pressure tank is completely exhausted.

(ii) The pump and the piping system shall be capable of maintaining the necessary pressure at the level of the highest sprinkler to ensure a continuous output of water sufficient for the simultaneous coverage of a minimum area of 280 square metres (3,000 square feet) at the application rate specified in paragraph (c) of this Regulation.

(iii) The pump shall have fitted on the delivery side a test valve with a short open-ended discharge pipe. The effective area through the valve and pipe shall be adequate to permit the release of the required pump output while maintaining the pressure in the system specified in sub-paragraph (d) (i) of this Regulation.

(iv) The sea inlet to the pump shall wherever possible be in the space containing the pump and shall be so arranged that when the ship is afloat it will not be necessary to shut off the supply of sea water to the pump for any purpose other than the inspection or repair of the pump.

(f) The sprinkler pump and tank shall be situated in a position reasonably remote from any machinery space of Category A and shall not be situated in any space required to be protected by the sprinkler system.
(g) There shall be not less than two sources of power supply for the sea water pump and automatic alarm and detection system. Where the sources of power for the pump are electrical, these shall be a main generator and an emergency source of power. One supply for the pump shall be taken from the main switchboard, and one from the emergency switchboard by separate feeders reserved solely for that purpose.

The feeders shall be arranged so as to avoid galleys, machinery spaces and other enclosed spaces of high fire risk except in so far as it is necessary to reach the appropriate switchboards, and shall be run to an automatic change-over switch situated near the sprinkler pump. This switch shall permit the supply of power from the main switchboard so long as a supply is available therefrom, and be so designed that upon failure of that supply it will automatically change over to the supply from the emergency switchboard. The switches on the main 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 the sources of power supply for the alarm and detection system shall be an emergency source. Where one of the sources of power for the pump is an internal combustion-type engine it shall, in addition to complying with the provisions of paragraph (f) of this Regulation, be so situated that a fire in any protected space will not 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 automatic alarm for each section of sprinklers by a discharge of water equivalent to the operation of one sprinkler. The test valve for each section shall be situated near the stop valve for that section.

(ii) Means shall be provided for testing the automatic operation of this pump, on reduction of pressure in the system.

(iii) Switches shall be provided at one of the indicating positions referred to in sub-paragraph (a) (ii) of this Regulation which will enable the alarm and the indicators for each section of sprinklers to be tested.

(j) Spare sprinkler heads shall be provided for each section of 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 alarm and fire detection system shall be capable of immediate operation at all times and no action of the crew shall be necessary to set it in operation.

(ii) Each section of detectors shall include means for giving a visual and audible alarm signal automatically at one or more indicating units whenever any detector comes into operation. Such units shall give an indication of any fire and its location in any space served by the system and shall be centralized on the navigating bridge or in the main fire control station which shall be so manned or equipped as to ensure that any alarm from the system is immediately received by a responsible member of the crew. Such alarm system shall be constructed so as to indicate if any fault occurs in the system.

(b) Detectors shall be grouped into separate sections each covering not more than 50 rooms served by such a system and containing not more than 100 detectors. A section of detectors shall not serve spaces on both the port and starboard sides of the ship nor on more than one deck and neither shall it be situated in more than one main vertical zone except that the Administration, if it is satisfied that the protection of the ship against fire will not thereby be reduced, may permit such a section of detectors to serve both the port and starboard sides of the ship and more than one deck.

(c) The system shall be operated by an abnormal air temperature, by an abnormal concentration of smoke or by other factors indicative of incipient fire in any one of the spaces to be protected. Systems which are sensitive to air temperature shall not operate at less than 57°C (135°F) and shall operate at a temperature not greater than 74°C (165°F) when the temperature increase to those levels is not more than 1°C (1.8°F) per minute. At the discretion of the Administration the permissible temperature of operation may be increased to 30°C (54°F) above the maximum deckhead temperature in drying rooms and similar places of a normally high ambient temperature. Systems which are sensitive to smoke concentration shall operate on the reduction of the intensity of a transmitted light beam by an amount to be determined by the Administration. Other equally effective methods of operation may be
accepted at the discretion of the Administration. The detection system shall not be used for any purpose other than fire detection.

(d) The detectors may be arranged to operate the alarm by the opening or closing of contacts or by other appropriate methods. They shall be fitted in an overhead position and shall be suitably protected against impact and physical damage. They shall be suitable for use in a marine 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 to the sensitive element. Detectors operated by the closing of contacts shall be of the sealed contact type and the circuit shall be continuously monitored to indicate fault conditions.

(e) At least one detector shall be installed in each space where detection facilities are required and there shall be not less than one detector for each 37 square metres (400 square feet) of deck area. In large spaces the detectors shall be arranged in a regular pattern so that no detector is more than 9 metres (30 feet) from another detector or more than 4.5 metres (15 feet) from a bulkhead.

(f) There shall be not less than two sources of power supply for the electrical equipment used in the operation of the fire alarm and fire 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 the control station for the fire detection system. The wiring system shall be so arranged to avoid galleys, machinery spaces and other enclosed spaces having a high fire risk except in so far as it is necessary to provide for fire detection in such spaces or to reach the appropriate switchboard.

(g) (i) A list or plan shall be displayed adjacent to each indicating unit showing the spaces covered and the location of the zone in respect of each section. Suitable instructions for testing and maintenance shall be available.

(ii) Provision shall be made for testing the correct operation of the detectors and the indicating units by supplying means for applying hot air or smoke at detector positions.

(h) Spare detector heads shall be provided for each section of detectors 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 and also its location. Indicators shall be centralized either on the navigating bridge or in other control stations which are provided with a direct communication with the bridge. The administration may permit the indicators to be distributed among several stations.

(j) In passenger ships electrical equipment used in the operation of required fire detection systems shall have two separate sources of power, one of which shall be an emergency source.

(k) The alarm system shall operate both audible and visible signals at the main stations referred to in paragraph (i) of this Regulation. 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 the skin from the heat radiating from the fire and from burns and scalding by steam. 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 shall be provided with a suitable air pump and a length of air hose sufficient to reach from the open deck, well clear of hatch or doorway, to any part of the holds or machinery spaces. If, in order to comply with this sub-paragraph, an air hose exceeding 36 metres (120 feet) in length would be necessary, a self-contained breathing apparatus shall be substituted or provided in addition as determined by the Administration, or
(ii) a self-contained breathing apparatus which shall be capable of functioning for a period of time to be determined by the Administration.

For each breathing apparatus a fireproof lifeline of sufficient length and strength shall be provided capable of being attached by means of a snaphook to the harness of the apparatus or to a separate belt in order to prevent the breathing apparatus becoming detached when the lifeline is operated.

**Regulation 15**

*Ready Availability of Fire-Extinguishing Appliances*

In all new and existing ships, fire-extinguishing appliances shall be kept in good order and available for immediate use at all times during the voyage.

**Regulation 16**

*Acceptance of Substitutes*

Where in this Chapter any special type of appliance, apparatus, extinguishing medium or arrangement is specified in any new and existing ships, any other type of appliance etc., may be allowed, provided the 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, structural bulkheads, decks and deckhouses shall be constructed of steel or other equivalent material. For the purpose of applying the definition of steel or other equivalent material as given in Regulation 3 (g) of this Chapter the “applicable fire exposure” shall be according to the integrity and insulation standards given in the tables of Regulation 20 of this Chapter. An example where divisions such as decks or sides and ends of deckhouses are permitted to have “B-O” fire integrity, the “applicable fire exposure” shall be one half-hour.

Provided that in cases where any part of the structure is of aluminium alloy, the following requirements shall apply:
(a) The insulation of aluminium alloy components of “A” or “B” Class divisions, except structure which in the opinion of the Administration is non-load-bearing, shall be such that the temperature of the structural core does not rise more than 200°C (360°F) above the ambient temperature at any time during the applicable fire exposure to the 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 liferaft stowage, launching and embarkation areas, and “A” and “B” Class divisions to ensure:

(i) that for such members supporting lifeboat and liferaft areas and “A” Class divisions the temperature rise limitation specified in paragraph (a) of this Regulation shall apply at the end of one hour; and

(ii) that for such members required to support “B” Class divisions, the temperature rise limitation specified in paragraph (a) of this Regulation shall apply at the end of one half-hour.

(c) Crowns and casings of machinery spaces of Category A shall be of steel construction adequately insulated and openings therein, if any, 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 into main vertical zones by “A” Class divisions. Steps and recesses shall be kept to a minimum, but where they are necessary, they shall also be “A” Class divisions. These divisions shall have insulation values in accordance with the applicable tables in Regulation 20 of this Chapter.

(b) As far as practicable, the bulkheads forming the boundaries of the main vertical zones above the bulkhead deck shall be in line with watertight subdivision bulkheads situated immediately below the bulkhead deck.

(c) Such bulkheads shall extend from deck to deck and to the shell or other boundaries.

(d) Where a main vertical zone is subdivided by horizontal “A” Class divisions into horizontal zones for the purpose of providing an appropriate barrier between sprinklered and non-sprinklered zones of the ship the divisions shall extend between adjacent main vertical zone bulkheads and to the shell or exterior boundaries of the ship and shall be insulated in accordance with
the fire insulation and integrity values given in Table 3 of Regulation 20 of this Chapter.

(c) On ships designed for special purposes, such as automobile or railroad car ferries, where the provision of main vertical zone bulkheads would defeat the purpose for which the ship is intended, equivalent means for controlling and limiting a fire shall be substituted and specifically approved by the Administration.

Provided that in a ship with special category spaces, any such space shall comply with the applicable provisions of Regulation 30 of this Chapter, and in so far as such compliance would be inconsistent with compliance with other requirements of this Part of this Chapter, 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” Class divisions shall be at least “B” Class or “C” Class divisions as prescribed in the tables in Regulation 20 of this Chapter. All such divisions may be faced with combustible materials in accordance with the provisions of Regulation 27 of this Chapter.

(b) All corridor bulkheads where not required to be “A” Class shall be “B” Class divisions which shall extend from deck to deck except:

(i) when continuous “B” Class ceilings and/or linings are fitted on both sides of the bulkhead, the portion of the bulkhead behind the continuous ceiling or lining shall be of material which in thickness and composition is acceptable in the construction of “B” Class divisions but which shall be required to meet “B” Class integrity standards only in so far as is reasonable and practicable in the opinion of the Administration;

(ii) in the case of a ship protected by an automatic sprinkler system complying with the provisions of Regulation 12 of this Chapter, the corridor bulkheads of “B” Class materials may terminate at a ceiling in the corridor provided such a ceiling is of material which in thickness and composition is acceptable in the construction of “B” Class divisions. Notwithstanding the requirements of Regulation 20 of this Chapter, such bulkheads and ceilings shall be required to meet “B” Class integrity standards only in so far as is reasonable and practicable in the opinion of the Administration. All
doors and frames in such bulkheads shall be of incombustible materials and shall be constructed and erected so as to provide substantial fire resistance to the satisfaction of the Administration.

(c) All bulkheads required to be “B” Class divisions, except corridor bulkheads, shall extend from deck to deck and to the shell or other boundaries unless continuous “B” Class ceilings and/or linings are fitted on both sides of the bulkhead in which case the bulkhead may terminate at the continuous ceiling or lining.

Regulation 20

Fire Integrity of Bulkheads and Decks

(a) In addition to complying with the specific provisions for fire integrity of bulkheads and decks mentioned elsewhere in the Regulations of this Part, the minimum fire integrity of all bulkheads and decks shall be as prescribed in Tables 1 to 4 in this Regulation. Where, due to any particular structural arrangements in the ship, difficulty is experienced in determining from the tables the minimum fire integrity value of any divisions, such values shall be determined to the satisfaction of the Administration.

(b) The following requirement shall govern application of the tables:
   (i) Table 1 shall apply to bulkheads bounding main vertical zones or horizontal zones.
   Table 2 shall apply to bulkheads not bounding either main vertical zones or horizontal zones.
   Table 3 shall apply to decks forming steps in main vertical zones or bounding horizontal zones.
   Table 4 shall apply to decks not forming steps in main vertical zones nor bounding horizontal zones.
   (ii) For the purpose of determining the appropriate fire integrity standards to be applied to boundaries between adjacent spaces, such spaces are classified according to their fire risk as shown in Categories (1) to (14) below. Where the contents and use of a space are such that there is a doubt as to its classification for the purpose of this Regulation, it shall be treated as a space within the relevant category having the most stringent boundary requirements. The title of each category is intended to be typical rather than restrictive. The number in parentheses preceding each category refers to the applicable column or row number in the 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 machinery when located outside 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 (other than those wholly contained within the machinery spaces) for passengers and crew and enclosures thereto.
   In this connexion, a stairway which is enclosed at only one level shall be regarded as part of the space from which it 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 promenades clear of lifeboat and liferaft embarkation and lowering stations.
   Air space (the space outside superstructures and deckhouses).

(6) **Accommodation Spaces of Minor Fire Risk**
   Cabins containing furniture and furnishings of restricted fire risk.
   Public spaces containing furniture and furnishings of restricted fire risk.
   Public spaces containing furniture and furnishings of restricted fire risk and having a deck area of less than 50 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.

Public spaces containing furniture and furnishings of restricted fire risk and having a deck area of 50 square metres (540 square feet) and greater.

Isolated lockers and small store-rooms in accommodation spaces.

Sale shops.

Motion picture projection and film stowage rooms.

Diet kitchens (containing no open flame).

Cleaning gear lockers (in which inflammable liquids are not 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 furnishings of other than restricted fire risk and having a deck area of 50 square metres (540 square feet) and greater.

Barber shops and beauty parlours.

(9) **Sanitary and Similar Spaces**

Communal sanitary facilities, showers, baths, water closets, etc.

Small laundry rooms.

Indoor swimming pool area.

Operating rooms.

Isolated serving pantries in accommodation spaces.

Private sanitary facilities shall be considered a portion of the space in which they are located.

(10) **Tanks, Voids and Auxiliary Machinery Spaces having little or no Fire Risk**

Water tanks forming part of the ship’s structure.

Voids and cofferdams.
Auxiliary machinery spaces which do not contain machinery having a pressure lubrication system and where storage of combustibles is prohibited, such as:

- ventilation and air-conditioning rooms;
- windlass room;
- steering gear room;
- stabilizer equipment room;
- electrical propulsion motor room;
- rooms containing section switchboards and purely electrical equipment other than oil-filled electrical transformers (above 10 kVA);
- shaft alleys and 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) **Auxiliary Machinery Spaces, Cargo Spaces, Special Category Spaces, Cargo and other Oil Tanks and other Similar Spaces of Moderate Fire Risk**

- Cargo oil tanks.
- Cargo holds, trunkways and hatchways.
- Refrigerated chambers.
- Oil fuel tanks (where installed in a separate space with no machinery).
- Shaft alleys and pipe tunnels allowing storage of combustibles.
- Auxiliary machinery spaces as in Category (10) which contain machinery having a pressure lubrication system or where storage of combustibles is permitted.
- Oil fuel filling stations.
- Spaces containing oil-filled electrical transformers (above 10 kVA).
- Spaces containing turbine and reciprocating steam engine driven auxiliary generators and small internal combustion engines of power output up to 112 kW driving emergency generators, sprinkler, drencher or fire pumps, bilge pumps, etc.
- Special category spaces (Tables 1 and 3 only apply).
- Closed trunks serving the spaces listed above.

(12) **Machinery Spaces and Main Galleys**

- Main propelling machinery rooms (other than electric propulsion motor rooms) and boiler rooms.
Auxiliary machinery spaces other than those in Categories (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 4 square 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 (including dyes, medicines, etc.).
Laboratories (in which inflammable liquids are stowed).

(iii) Where a single value is shown for the fire integrity of a boundary between two spaces, that value shall apply in all cases.

(iv) In determining the applicable fire integrity standard of a boundary between two spaces within a main vertical zone or horizontal zone which is not protected by an automatic sprinkler system complying with the provisions of Regulation 12 of this 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 the applicable fire integrity standard of a boundary between two spaces within a main vertical zone or horizontal zone which is protected by an automatic sprinkler system complying with the provisions of Regulation 12 of this Chapter or between such zones both of which are so protected, the lesser of the two values given in the tables shall apply. In instances where a sprinklered zone and a non-sprinklered zone meet within accommodation and service spaces, the higher of the two values given in the tables shall apply to the division between the zones.

(vi) Where adjacent spaces are in the same numerical category and the superscript “1” appears in the tables, a bulkhead or deck between
such spaces need not be fitted if deemed unnecessary by the Administration. For example, in Category (12) a bulkhead need not be required between a galley and its annexed pantries provided the pantry bulkheads and decks maintain the integrity of the galley 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” appears in the tables, the lesser insulation value may be permitted only if at least one of the adjoining spaces is protected by an automatic sprinkler system complying with the provisions of Regulation 12 of this Chapter.

(viii) Notwithstanding the provisions of Regulation 19 of this Chapter, there are no special requirements for material or integrity of boundaries where only a dash appears in the tables.

(ix) The Administration shall determine in respect of Category (5) spaces whether the insulation values in Table 1 or 2 shall apply to ends of deckhouses and superstructures, and whether the insulation values in Table 3 or 4 shall apply to weather decks. In no case 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 or linings, in association with the relevant decks or bulkheads, may be accepted as contributing wholly or in part, to the required insulation and integrity of a division.

(d) In approving structural fire protection details, the Administration shall have regard to the risk of heat transmission at intersections and terminal points of required thermal barriers.

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### TABLE 1.—BULKHEADS BOUNDING MAIN VERTICAL ZONES OR HORIZONTAL ZONES

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*Note: The table represents various zones and their corresponding bulkheads, with A-0 and A-15 being specific standards for construction.*
Schedule 1 International Convention for the Safety of Life at Sea, 1974

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### Schedule 1
International Convention for the Safety of Life at Sea, 1974

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**International Convention for the Safety of Life at Sea, 1974 Schedule 1**

**TABLE 3.—DECKS FORMING STEPS IN MAIN VERTICAL ZONES OR BOUNDING HORIZONTAL ZONES**

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Schedule 1  International Convention for the Safety of Life at Sea, 1974

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Schedule 1  International Convention for the Safety of Life at Sea, 1974
Regulation 21

Means of Escape

(a) In and from all passenger and crew spaces and in spaces in which the crew is normally employed, other than machinery spaces, stairways and ladders shall be arranged to provide ready means of escape to the lifeboat and liferaft embarkation deck. In particular, the following provisions shall be complied with:

(i) Below the bulkhead deck, two means of escape, at least one of which shall be independent of watertight doors, shall be provided from each watertight compartment or similarly restricted space or group of spaces. Exceptionally, the Administration may dispense with one of the means of escape, due regard being paid to the nature and location of spaces and to the number of persons who normally might be quartered or employed there.

(ii) Above the bulkhead deck, there shall be at least two means of escape from each main vertical zone or similarly restricted space or group of spaces at least one of which shall give access to a stairway forming a vertical escape.

(iii) At least one of the means of escape required by sub-paragraphs (a) (i) and (ii) of this Regulation shall be by means of a readily accessible enclosed stairway, which shall provide continuous fire shelter from the level of its origin to the appropriate lifeboat and liferaft embarkation decks or the highest level served by the stairway, whichever level is the highest. However, where an Administration has granted dispensation under the provisions of sub-paragraph (a) (i) of this Regulation the sole means of escape shall provide safe escape to the satisfaction of the Administration. The width, number and continuity of the stairways shall be to the satisfaction of the Administration.

(iv) Protection of access from the stairway enclosures to the lifeboat and liferaft embarkation areas shall be to the satisfaction of the Administration.

(v) Lifts shall not be considered as forming one of the required means of escape.

(vi) Stairways serving only a space and a balcony in that space shall not be considered as forming one of the required means of escape.

(vii) If a radiotelegraph station has no direct access to the weather deck, two means of escape shall be provided from such station.
(viii) Dead-end corridors exceeding 13 metres (43 feet) shall not be permitted.

(b) (i) In special category spaces the number and disposition of the means of escape both below and above the bulkhead deck shall be to the satisfaction of the Administration, and in general the safety of access to the embarkation deck shall be at least equivalent to that provided for under sub-paragraphs (a) (i), (ii), (iii), (iv) and (v) of this Regulation.

(ii) One of the escape routes from the machinery spaces where the crew is normally employed shall avoid direct access to any special category space.

(c) Two means of escape shall be provided from each machinery space. In particular, the following provisions shall be complied with:

(i) Where the space is below the bulkhead deck the two means of escape shall consist of either:

1. two sets of steel ladders as widely separated as possible, leading to doors in the upper part of the space similarly separated and from which access is provided to the appropriate lifeboat and liferaft embarkation decks. One of these ladders shall provide continuous fire shelter from the lower part of the space to a safe position outside the space; or

2. one steel ladder leading to a door in the upper part of the space from which access is provided to the embarkation deck and a steel door capable of being operated from each side and which provides a safe escape route to the embarkation deck.

(ii) Where the space is above the bulkhead deck, two means of escape shall be as widely separated as possible and the doors leading from such means of escape shall be in a position from which access is provided to the appropriate lifeboat and liferaft embarkation decks. Where such escapes require the use of ladders these shall be of steel.

Provided that in a ship of less than 1,000 tons gross tonnage, the Administration may dispense with one of the means of escape due regard being paid to the width and disposition of the upper part of the space; and in a ship of 1,000 tons gross tonnage and above, the Administration may dispense with one means of escape from any such space so long as either a door or a steel ladder provides a safe escape route to the embarkation deck.
due regard being paid to the nature and location of the space and whether persons are normally employed in that space.

**Regulation 22**

*Protection of Stairways and Lifts in Accommodation and Service Spaces*

(a) All stairways shall be of steel frame construction except where the Administration sanctions the use of other equivalent material, and shall be within enclosures formed of “A” Class divisions, with positive means of closure at all openings, except that:

(i) a stairway connecting only two decks need not be enclosed, provided the integrity of the deck is maintained by proper bulkheads or doors at one between deck space. When a stairway is closed at one between deck space, the stairway enclosure shall be protected in accordance with the tables for decks in Regulation 20 of this Chapter;

(ii) stairways may be fitted in the open in a public space, provided they lie wholly within such public space.

(b) Stairway enclosures shall have direct communication with the corridors and be of sufficient area to prevent congestion, having in view the number of persons likely to use them in an emergency. In so far as practicable, stairway enclosures shall not give direct access to cabins, service lockers, or other enclosed spaces containing combustibles in which a fire is likely to originate.

(c) Lift trunks shall be so fitted as to prevent the passage of smoke and flame from one between deck to another and shall be provided with means of closing so as to permit the control of draught and smoke.

**Regulation 23**

*Openings in “A” Class Divisions*

(a) Where “A” Class divisions are pierced for the passage of electric cables, pipes, trunks, ducts, etc., for girders, beams or other structures, arrangements shall be made to ensure that the fire resistance is not impaired, subject to the provisions of paragraph (g) of this Regulation.

(b) Where of necessity, a ventilation duct passes through a main vertical zone bulkhead, a fail-safe automatic closing fire damper shall be fitted adjacent to the bulkhead. The damper shall also be capable of being manually closed from each side of the bulkhead. The operating position shall be
readily accessible and be marked in red light-reflecting colour. The duct between the bulkhead and the damper shall be of steel or other equivalent material and, if necessary, to an insulating standard such as to comply with paragraph (a) of this Regulation. The damper shall be fitted on at least one side of the bulkhead with a visible indicator showing if the damper is in the open position.

(c) Except for hatches between cargo, special category, store, and baggage spaces, and between such spaces and the weather decks, all openings shall be provided with permanently attached means of closing which shall be at least as effective for resisting fires as the divisions in which they are fitted.

(d) The construction of all doors and door frames in “A” Class divisions, with the means of securing them when closed, shall provide resistance to fire as well as to the passage of smoke and flame, as far as practicable, equivalent to that of the bulkheads in which the doors are situated. Such doors and door frames shall be constructed of steel or other equivalent material. Watertight doors need not be insulated.

(e) It shall be possible for each door to be opened and closed from each side of the bulkhead by one person only.

(f) Fire doors in main vertical zone bulkheads and stairway enclosures, other than power-operated watertight doors and those which are normally locked, shall be of the self-closing type capable of closing against an inclination of 3 1/2 degrees opposing closure. The speed of door closure shall, if necessary, be controlled so as to prevent undue danger to personnel. All such doors, except those that are normally closed, shall be capable of release from a control station, either simultaneously or in groups, and also individually from a position at the door. The release mechanism shall be so designed that the door will automatically close in the event of disruption of the control system; however, approved power-operated watertight doors will be considered acceptable for this purpose. Hold-back hooks, not subject to control station release, will not be permitted. When double swing doors are permitted, they shall have a latch arrangement which is automatically engaged by the operation of the door release system.

(g) Where a space is protected by an automatic sprinkler system complying with the provisions of Regulation 12 of this Chapter or fitted with a continuous “B” Class ceiling, openings in decks not forming steps in main vertical zones nor bounding horizontal zones shall be closed reasonably tight and such decks shall meet the “A” Class integrity requirements in so far as is reasonable and practicable in the opinion of the Administration.
(h) The requirements for “A” Class integrity of the outer boundaries of a ship shall not apply to glass partitions, windows and sidescuttles. Similarly, the requirements for “A” Class integrity shall not apply to exterior doors in superstructures and deckhouses.

**Regulation 24**

*Openings in “B” Class Divisions*

(a) Where “B” Class divisions are penetrated for the passage of electrical cables, pipes, trunks, ducts, etc., or for the fitting of ventilation terminals, lighting fixtures and similar devices, arrangements shall be made to ensure that the fire resistance is not impaired.

(b) Doors and door frames in “B” Class divisions and means of securing them shall provide a method of closure which shall have resistance to fire as far as practicable equivalent to the divisions except that ventilation openings may be permitted in the lower portion of such doors. Where such opening is in or under a door the total net area of any such opening or openings shall not exceed 0.05 square metres (78 square inches). When such opening is cut in a door it shall be fitted with a grill made of non-combustible material. Doors shall be non-combustible.

(c) The requirements for “B” Class integrity of the outer boundaries of a ship shall not apply to glass partitions, windows and sidescuttles. Similarly, the requirements for “B” Class integrity shall not apply to exterior doors in superstructures and deckhouses.

(d) Where an automatic sprinkler system complying with the provisions of Regulation 12 of this Chapter is fitted:

(i) openings in decks not forming steps in main vertical zones nor bounding horizontal zones shall be closed reasonably tight and such decks shall meet the “B” Class integrity requirements in so far as is reasonable and practicable in the opinion of the Administration; and

(ii) openings in corridor bulkheads of “B” Class materials shall be protected in accordance with the provisions of Regulation 19 of this Chapter.
Regulation 25

Ventilation Systems

(a) In general, the ventilation fans shall be so disposed that the ducts reaching the various spaces remain within the main vertical zone.

(b) Where ventilation systems penetrate decks, precautions shall be taken, in addition to those relating to the fire integrity of the deck required by Regulation 23 of this Chapter, to reduce the likelihood of smoke and hot gases passing from one between deck space to another through the system. In addition to insulation requirements contained in this Regulation, vertical ducts shall, if necessary, be insulated as required by the appropriate tables in Regulation 20 of this Chapter.

(c) The main inlets and outlets of all ventilation systems shall be capable of being closed from outside the space being ventilated.

(d) Except in cargo spaces, ventilation ducts shall be constructed of the following materials:
   (i) Ducts not less than 0.075 square metres (116 square inches) in sectional area and all vertical ducts serving more than a single between deck space shall be constructed of steel or other equivalent material.
   (ii) Ducts less than 0.075 square metres (116 square inches) in sectional area shall be constructed of non-combustible materials. Where such ducts penetrate “A” or “B” Class divisions due regard shall be given to ensuring the fire integrity of the division.
   (iii) Short lengths of duct, not in general exceeding 0.02 square metres (31 square inches) in sectional area nor 2 metres (79 inches) in length, need not be incombustible provided that all of the following conditions are met:
      (1) the duct is constructed of a material of restricted fire risk to the satisfaction of the Administration;
      (2) the duct is used only at the terminal end of the ventilation system; and
      (3) the duct is not located closer than 0.6 metres (24 inches) measured along its length to a penetration of an “A” or “B” Class division, including continuous “B” Class ceilings.

(e) Where a stairway enclosure is ventilated, the duct or ducts (if any) shall be taken from the fan room independently of other ducts in the ventilation system and shall not serve any other space.
(f) All power ventilation, except machinery and cargo spaces ventilation and any alternative system which may be required under paragraph (h) of this Regulation, shall be fitted with controls so grouped that all fans may be stopped from either of two separate positions which shall be situated as far apart as practicable. Controls provided for the power ventilation serving machinery spaces shall also be grouped so as to be operable from two positions, one of which shall be outside such spaces. Fans serving power ventilation systems to cargo spaces shall be capable of being stopped from a safe position outside such spaces.

(g) Where they pass through accommodation spaces or spaces containing combustible materials the exhaust ducts from galley ranges shall be constructed of “A” Class divisions. Each exhaust duct shall be fitted with:

(i) a grease trap readily removable for cleaning;
(ii) a fire damper located in the lower end of the duct;
(iii) arrangements, operable from within the galley, for shutting off the exhaust fan; and
(iv) fixed means for extinguishing a fire within the duct.

(h) Such measures as are practicable shall be taken in respect of control stations outside machinery spaces in order to ensure that ventilation, visibility and freedom from smoke are maintained, so that in the event of fire the machinery and equipment contained therein may be supervised and continue to function effectively. Alternative and separate means of air supply shall be provided; air inlets of the two sources of supply shall be so disposed that the risk of both inlets drawing in smoke simultaneously is minimized. At the discretion of the Administration, such requirements need not apply to control stations situated on, and opening on to, an open deck, or where local closing arrangements would be equally effective.

(i) Ducts provided for ventilation of machinery spaces of Category A shall not in general pass through accommodation, service spaces or control stations, except that the Administration may permit relaxation from this requirement, provide that:

(i) the ducts are constructed of steel, and are insulated to “A-60” standard; or
(ii) the ducts are constructed of steel and are fitted with an automatic fire damper close to the boundary penetrated and are insulated to “A-60” standard from the machinery space to a point at least 5 metres (16 feet) beyond the fire damper.
(j) Ducts provided for ventilation of accommodation, service spaces, or control stations shall not in general pass through machinery spaces of Category A, except that the Administration may permit relaxation from this requirement provided that the ducts are constructed of steel and automatic fire dampers are fitted close to the boundaries penetrated.

**Regulation 26**

*Windows and Sidescuttles*

(a) All windows and sidescuttles in bulkheads within accommodation and service spaces and control stations other than those to which the provisions of paragraph (h) of Regulation 23 and paragraph (c) of Regulation 24 of this Chapter apply, shall be constructed so as to preserve the integrity requirements of the type of bulkheads in which they are fitted.

(b) Notwithstanding the requirements of the tables in Regulation 20 of this Chapter:
   (i) All windows and sidescuttles in bulkheads separating accommodation and service spaces and control stations from weather shall be constructed with frames of steel or other suitable material. The glass shall be retained by a metal glazing bead or angle.
   (ii) Special attention shall be given to the fire integrity of windows facing open or enclosed lifeboat and liferaft embarkation areas and to windows situated below such areas in such a position that their failure during a fire would impede the launching of, or embarkation into, lifeboats or liferafts.

**Regulation 27**

*Restriction of Combustible Materials*

(a) Except in cargo spaces, mail rooms, baggage rooms, or refrigerated compartments of service spaces, all linings, grounds, ceilings and insulations shall be of non-combustible materials. Partial bulkheads or decks used to subdivide a space for utility or artistic treatment shall also be of non-combustible material.

(b) Vapour barriers and adhesives used in conjunction with insulation, as well as insulation of pipe fittings, for cold service systems need not be non-combustible, but they shall be kept to the minimum quantity.
practicable and their exposed surfaces shall have qualities of resistance to the propagation of flame to the satisfaction of the Administration.

(c) Bulkheads, linings and ceilings in all accommodation and service spaces may have combustible veneer, provided that such veneer shall not exceed 2 millimetres (1/12 inch) within any such spaces except corridors, stairway enclosures and control stations where it shall not exceed 1.5 millimetres (1/17 inch).

(d) The total volume of combustible facings, mouldings, decorations and veneers in any accommodation and service space shall not exceed a volume equivalent to 2.5 millimetres (1/10 inch) veneer on the combined area of the walls and ceilings. In the case of ships fitted with an automatic sprinkler system complying with the provisions Regulation 12 of this Chapter, the above volume may include some combustible material used for erection of “C” class divisions.

(e) All exposed surfaces in corridors or stairway enclosures and surfaces in concealed or inaccessible spaces in accommodation and service spaces and control stations shall have low flame-spread characteristics.*

(f) Furniture in the passages and stairway enclosures shall be kept to a minimum.

(g) Paints, varnishes and other finishes used on exposed interior surfaces shall not be of a nature to offer an undue fire hazard in the judgment of the Administration and shall not be capable of producing excessive quantities of smoke or other toxic properties.

(h) Primary deck coverings, if applied, within accommodation and service spaces and control stations, shall be of approved material which will not readily ignite, or give rise to toxic or explosive hazards at elevated temperatures.†

(i) Waste-paper receptacles shall be constructed of non-combustible materials and with solid sides and bottoms.

† Reference is made to Improved Provisional Guidelines on Test Procedures for Primary Deck Coverings, adopted by the Organization by Resolution A.214 (VII).
Regulation 28

Miscellaneous Items

Requirements Applicable to all Portions of the Ship

(a) Pipes penetrating “A” or “B” Class divisions shall be of a material approved by the Administration having regard to the temperature such divisions are required to withstand. Pipes conveying oil or combustible liquids shall be of a material approved by the Administration having regard to the fire risk. Materials readily rendered ineffective by heat shall not be used for overboard scuppers, sanitary discharges, and other outlets which are close to the water-line and where the failure of the material in the event of fire would give rise to danger of flooding.

Requirements Applicable to Accommodation and Service Spaces, Control Stations, Corridors and Stairways

(b) (i) Air spaces enclosed behind ceilings, panelling or linings shall be suitably divided by close-fitting draught stops not more than 14 metres (46 feet) apart.

(ii) In the vertical direction, such spaces, including those behind linings of stairways, trunks, etc., shall be closed at each deck.

(c) The construction of ceiling and bulkheading shall be such that it will be possible, without impairing the efficiency of the fire protection, for the fire patrols to detect any smoke originating in concealed and inaccessible places, except where in the opinion of the Administration there is no risk of fire originating in such places.

Regulation 29

Automatic Sprinkler and Fire Alarm and Fire Detection Systems or Automatic Fire Alarm and Fire Detection Systems

In any ship to which this Part applies there shall be installed throughout each separate zone, whether vertical or horizontal, in all accommodation and service spaces and, where it is considered necessary by the Administration, in control stations, except spaces which afford no substantial fire risk (such as void spaces, sanitary spaces, etc.) either:

(i) an automatic sprinkler and fire alarm and fire detection system of an approved type, complying with the provisions of Regulation 12 of this Chapter and installed and so arranged as to protect such spaces; or
(ii) an automatic fire alarm and fire detection system of an approved type, complying with the provisions of Regulation 13 of this Chapter, and installed and so arranged as to detect the presence of fire in such spaces.

Regulation 30

Protection of Special Category Spaces

Provisions Applicable to Special Category Spaces whether above or below the Bulkhead Deck

(a) General

(i) The basic principle underlying the provisions in this Regulation is that as normal main vertical zoning may not be practicable in special category spaces, equivalent protection must be obtained in such spaces on the basis of a horizontal zone concept and the provision of an efficient fixed fire-extinguishing system. Under this concept a horizontal zone for the purpose of this Regulation may include special category spaces on more than one deck provided that the overall height of the zone does not exceed 10 metres (33 feet).

(ii) All requirements laid down in Regulations 23 and 25 of this Chapter for maintaining the integrity of vertical zones shall be applied equally to decks and bulkheads forming the boundaries separating horizontal zones from each other and from the remainder of the ship.

(b) Structural Protection

(i) Boundary bulkheads of special category spaces shall be insulated as required for Category (11) spaces in Table 1 of Regulation 20 of this Chapter and the horizontal boundaries as required for Category (11) spaces in Table 3 of that Regulation.

(ii) Indicators shall be provided on the navigating bridge which shall indicate when any fire door leading to or from the special category spaces is closed.

(c) Fixed Fire-Extinguishing System*

Each special category space shall be fitted with an approved fixed pressure water-spraying system for manual operation which shall protect

* Reference is made to Recommendation on Fixed Fire Extinguishing Systems for Special Category Spaces adopted by the Organization by Resolution A.123 (V).
all parts of any deck and vehicle platform, if any, in such space, provided
that the Administration may permit the use of any other fixed
fire-extinguishing system that has been shown by full-scale test in
conditions simulating a flowing petrol fire in a special category space to be
not less effective in controlling fires likely to occur in such a space.

(d) **Patrols and Detection**

(i) An efficient patrol system shall be maintained in special category
spaces. In any such space in which the patrol is not maintained by a
continuous fire watch at all times during the voyage there shall be
provided in that space an automatic fire detection system of an
approved type.

(ii) Manual fire alarms shall be provided as necessary throughout the
special category spaces and one shall be placed close to each exit
from such spaces.

(e) **Fire-Extinguishing Equipment**

There shall be provided in each special category space:

(i) a number of hydrants with hoses and dual-purpose nozzles of an
approved type so arranged that at least two jets of water each from
a single length of hose not emanating from the same hydrant may
reach any part of such space;

(ii) at least three water fog applicators;

(iii) one portable applicator unit complying with the provisions of
Regulation 7 (d) of this Chapter, provided that at least two such
units are available in the ship for use in such spaces; and

(iv) such number of portable fire extinguishers of an approved type as
the Administration may deem sufficient.

(f) **Ventilation System**

(i) There shall be provided an effective power ventilation system for
the special category spaces sufficient to give at least 10 air changes
per hour. The system for such spaces shall be entirely separated
from other ventilation systems and shall be operating at all times
when vehicles are in such spaces. The Administration may require
an increased number of air changes when vehicles are being loaded
and unloaded.

(ii) The ventilation shall be such as to prevent air stratification and the
formation of air pockets.

(iii) Means shall be provided to indicate on the navigating bridge any
loss or reduction of the required ventilating capacity.
Additional Provisions Applicable only to Special Category Spaces above the Bulkhead Deck

(g) **Scuppers**

In view of the serious loss of stability which could arise due to large quantities of water accumulating on the deck or decks consequent on the operation of the fixed pressure water-spraying system, scuppers shall be fitted so as to ensure that such water is rapidly discharged directly overboard.

(h) **Precautions against Ignition of Inflammable Vapours**

(i) Equipment which may constitute a source of ignition of inflammable vapours and in particular electrical equipment and wiring, shall be installed at least 450 millimetres (18 inches) above the deck, provided that if the Administration is satisfied that the installation of such electrical equipment and wiring below this level is necessary for the safe operation of the ship, such electrical equipment and wiring shall be of a type approved for use in an explosive petrol and air mixture. Electrical equipment installed at more than 450 millimetres (18 inches) above the deck shall be of a type so enclosed and protected as to prevent the escape of sparks. The reference to a level of 450 millimetres (18 inches) above the deck shall be construed to mean each deck on which vehicles are carried and on which explosive vapours might be expected to accumulate.

(ii) Electrical equipment and wiring, if installed in an exhaust ventilation duct, shall be of a type approved for use in explosive petrol and air mixtures and the outlet from any exhaust duct shall be sited in a safe position, having regard to other possible sources of ignition.

Additional Provisions applicable only to Special Category Spaces below the Bulkhead Deck

(i) **Bilge Pumping and Drainage**

In view of the serious loss of stability which could arise due to large quantities of water accumulating on the deck or tank top consequent on the operation of the fixed pressure water-spraying system, the Administration may require pumping and drainage facilities to be provided additional to the requirements of Regulation 18 of Chapter II-1 of the present Convention.
(j) **Precautions against Ignition of Inflammable Vapours**

(i) Electrical equipment and wiring, if fitted, shall be of a type suitable for use in explosive petrol and air mixtures. Other equipment which may constitute a source of ignition of inflammable vapours shall not be permitted.

(ii) Electrical equipment and wiring, if installed in an exhaust ventilation duct, shall be of a type approved for use in explosive petrol and air mixtures and the outlet from any exhaust duct shall be sited in a safe position, having regard to other possible sources of ignition.

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**Regulation 31**

*Protection of Cargo Spaces other than Special Category Spaces intended for the Carriage of Motor Vehicles with Fuel in their Tanks for their own Propulsion*

In any cargo space (other than special category spaces) containing motor vehicles with fuel in their tanks for their own propulsion, the following provisions shall be complied with:

(a) **Fire Detection**

There shall be provided an approved fire detection and fire alarm system.

(b) **Fire-Extinguishing Arrangements**

(i) There shall be fitted a fixed gas fire-extinguishing system which shall comply with the provisions of Regulation 8 of this Chapter, except that if a carbon dioxide system is fitted, the quantity of gas available shall be at least sufficient to give a minimum volume of free gas equal to 45 per cent of the gross volume of the largest of such cargo spaces which is capable of being sealed, and the arrangements shall be such as to ensure that the gas is introduced rapidly and effectively into the space. Any other fixed gas fire-extinguishing system or fixed high expansion froth fire-extinguishing system may be fitted provided it gives equivalent protection.

(ii) There shall be provided for use in any such space such number of portable fire extinguishers of an approved type as the Administration may deem sufficient.

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(c) *Ventilation System*

(i) In any such cargo space there shall be provided an effective power ventilation system sufficient to give at least 10 air changes per hour. The system for such cargo spaces shall be entirely separated from other ventilation systems and shall be operating at all times when vehicles are in such spaces.

(ii) The ventilation shall be such as to prevent air stratification and the formation of air pockets.

(iii) Means shall be provided to indicate on the navigating bridge any loss or reduction of the required ventilating capacity.

(d) *Precautions against Ignition of Inflammable Vapours*

(i) Electrical equipment and wiring, if fitted, shall be of a type suitable for use in explosive petrol and air mixtures. Other equipment which may constitute a source of ignition of inflammable vapours shall not be permitted.

(ii) Electrical equipment and wiring, if installed in an exhaust ventilation duct, shall be of a type approved for use in explosive petrol and air mixtures and the outlet from any exhaust duct shall be sited in a safe position, having regard to other possible sources of ignition.

**Regulation 32**

*Maintenance of Fire Patrols, etc., and Provision for Fire-Extinguishing Equipment*

(a) *Fire Patrols and Detection, Alarms and Public Address Systems*

(i) An efficient patrol system shall be maintained so that an outbreak of fire may be promptly detected. Each member of the fire patrol shall be trained to be familiar with the arrangements of the ship as well as the location and operation of any equipment he may be called upon to use.

(ii) Manual alarms shall be fitted throughout the accommodation and service spaces to enable the fire patrol to give an alarm immediately to the navigating bridge or main fire control station.

(iii) An approved fire alarm or fire detecting system shall be provided which will automatically indicate at one or more suitable points or stations the presence or indication of fire and its location in any cargo space which, in the opinion of the Administration, is not accessible to the patrol system, except where it is shown to the satisfaction of the Administration that the ship is engaged on
voyages of such short duration that it would be unreasonable to apply this requirement.

(iv) The ship shall at all times when at sea, or in port (except when out of service), be so manned or equipped as to ensure that any initial fire alarm is immediately received by a responsible member of the crew.

(v) A special alarm, operated from the navigating bridge or fire control station, shall be fitted to summon the crew. This alarm may be part of the ship’s general alarm system but it shall be capable of being sounded independently of the alarm to the passenger spaces.

(vi) A public address system or other effective means of communication shall be available throughout the accommodation and service spaces and control stations.

(b) *Fire Pumps and Fire Main System*

The ship shall be provided with fire pumps, fire main system, hydrants and hoses complying with the provisions of Regulation 5 of this Chapter and shall comply with the following requirements:

(i) In a ship of 4,000 tons gross tonnage and upwards, there shall be provided at least three independently-driven fire pumps and, in a ship of less than 4,000 tons gross tonnage, at least two such fire pumps.

(ii) In a ship of 1,000 tons gross tonnage and upwards, the arrangement of sea connexions, fire pumps and sources of power for operating them shall be such as to ensure that a fire in any one compartment will not put all the fire pumps out of action.

(iii) In a ship of 1,000 tons gross tonnage and upwards, the arrangement of fire pumps, fire mains and hydrants shall be such that at least one effective jet of water as stipulated in paragraph (c) of Regulation 5 of this Chapter is immediately available from any one hydrant in an interior location. Arrangements shall also be made to ensure the continuation of the output of water by the automatic starting of a required fire pump.

(iv) In a ship of less than 1,000 tons gross tonnage the arrangements shall be to the satisfaction of the Administration.

(c) *Fire Hydrants, Hoses and Nozzles*

(i) The ship shall be provided with fire hoses the number and diameter of which shall be to the satisfaction of the Administration. There shall be at least one fire hose for each of the hydrants required by paragraph (d) of Regulation 5 of this Chapter and these hoses shall
be used only for the purposes of extinguishing fires or testing the fire-extinguishing apparatus at fire drills and surveys.

(ii) In accommodation and service spaces and in machinery spaces, the number and position of hydrants shall be such that the requirements of paragraph (d) of Regulation 5 of this Chapter may be complied with when all watertight doors and all doors in main vertical zone bulkheads are closed.

(iii) The arrangements shall be such that at least two jets of water can reach any part of any cargo space when empty.

(iv) All required hydrants in machinery spaces shall be fitted with hoses having in addition to the nozzles required in paragraph (g) of Regulation 5 of this Chapter nozzles suitable for spraying water on oil, or alternatively dual-purpose nozzles. Additionally, each machinery space of Category A shall be provided with at least two suitable water fog applicators.∗

(v) Water spray nozzles or dual-purpose nozzles shall be provided for at least one quarter of the number of hoses required in parts of the ship other than machinery spaces.

(vi) For each pair of breathing apparatus there shall be provided one water fog applicator which shall be stored adjacent to such apparatus.

(vii) Where, in any machinery space of Category A, access is provided at a low level from an adjacent shaft tunnel, two hydrants fitted with hoses with dual-purpose nozzles shall be provided external to, but near the entrance to that machinery space. Where such access is not provided from a tunnel but is provided from other space or spaces there shall be provided in one of those spaces two hydrants fitted with hoses with dual-purpose nozzles near the entrance to the machinery space of Category A. Such provision need not be made when the tunnel or adjacent spaces are not part of an escape route.

(d) International Shore Connexion

(i) A ship of 1,000 tons gross tonnage and upwards shall be provided with at least one international shore connexion, complying with the provisions of paragraph (h) of Regulation 5 of this Chapter.

∗ A water fog applicator might consist of a metal “L”-shaped pipe, the long limb being about 2 metres (6 feet) in length capable of being fitted to a fire hose and the short limb being about 250 millimetres (10 inches) in length fitted with a fixed water fog nozzle or capable of being fitted with a water spray nozzle.
(ii) Facilities shall be available enabling such a connexion to be used on either side of the ship.

(c) **Portable Fire Extinguishers in Accommodation and Service Spaces and Control Stations**

The ship shall be provided in accommodation and service spaces and control stations with such approved portable fire extinguishers as the Administration may deem to be appropriate and sufficient.

(f) **Fixed Fire-Extinguishing Arrangements in Cargo Spaces**

(i) The cargo spaces of ships of 1,000 tons gross tonnage and upwards shall be protected by a fixed gas fire-extinguishing system complying with the provisions of Regulation 8 of this Chapter, or by a fixed high expansion froth fire-extinguishing system which gives equivalent protection.

(ii) Where it is shown to the satisfaction of the Administration that a ship is engaged on voyages of such short duration that it would be unreasonable to apply the requirements of sub-paragraph (i) of this paragraph and also in ships of less than 1,000 tons gross tonnage, the arrangements in cargo spaces shall be to the satisfaction of the Administration.

(g) **Fire-Extinguishing Appliances in Boiler Rooms, etc.**

Spaces containing oil-fired boilers or oil fuel units shall be provided with the following arrangements:

(i) There shall be any one of the following fixed fire-extinguishing systems:

1. A pressure water-spraying system complying with the provisions of Regulation 11 of this Chapter.
2. A gas system complying with the provisions of Regulation 8 of this Chapter.
3. A froth system complying with the provisions of Regulation 9 of this Chapter.
4. A high expansion froth system complying with the provisions of Regulation 10 of this Chapter.

In each case if the engine and boiler rooms are not entirely separate, or if fuel oil can drain from the boiler room into the engine room, the combined engine and boiler rooms shall be considered as one compartment.
(ii) There shall be in each boiler room at least one set of portable air-froth equipment complying with the provisions of paragraph (d) of Regulation 7 of this Chapter.

(iii) There shall be at least two approved portable extinguishers discharging froth or equivalent in each firing space in each boiler room and each space in which a part of the oil fuel installation is situated. There shall be not less than one approved froth-type extinguisher of at least 136 litres (30 gallons) capacity or equivalent in each boiler room. These extinguishers shall be provided with hoses on reels suitable for reaching any part of the boiler room.

(iv) In each firing space there shall be a receptacle containing sand, sawdust impregnated with soda or other approved dry material, in such quantity as may be required by the Administration. Alternatively an approved portable extinguisher may be substituted therefor.

(h) Fire-Extinguishing Appliances in Spaces containing Internal Combustion Type Machinery

Spaces containing internal combustion machinery used either for main propulsion, or for other purposes when such machinery has in the aggregate a total power output of not less than 373 kW, shall be provided with the following arrangements:

(i) There shall be one of the fire-extinguishing systems required by sub-paragraph (g) (i) of this Regulation.

(ii) There shall be at least one set of portable air-froth equipment complying with the provisions of paragraph (d) of Regulation 7 of this Chapter.

(iii) There shall be in each such space approved froth-type fire extinguishers each of at least 45 litres (10 gallons) capacity or equivalent sufficient in number to enable froth or its equivalent to be directed on to any part of the fuel and lubricating oil pressure systems, gearing and other fire hazards. In addition, there shall be provided a sufficient number of portable froth extinguishers or equivalent which shall be so located that an extinguisher is not more than 10 metres (33 feet) walking distance from any point in the space; provided that there shall be at least two such extinguishers in each such space.
(i) **Fire-Extinguishing Arrangements in Spaces containing Steam Turbines or enclosed Steam Engines**

In spaces containing steam turbines or enclosed steam engines used either for main propulsion or for other purposes when such machinery has in the aggregate a total power output of not less than 373 kW:

(i) There shall be provided froth fire extinguishers each of at least 45 litres (10 gallons) capacity or equivalent sufficient in number to enable froth or its equivalent to be directed on to any part of the pressure lubrication system, on to any part of the casings enclosing pressure lubricated parts of the turbines, engines or associated gearing, and any other fire hazards. Provided that such extinguishers shall not be required if protection at least equivalent to this sub-paragraph is provided in such spaces by a fixed fire-extinguishing system fitted in compliance with sub-paragraph (g) (i) of this Regulation.

(ii) There shall be provided a sufficient number of portable froth extinguishers or equivalent which shall be so located that an extinguisher is not more than 10 metres (33 feet) walking distance from any point in the space; provided that there shall be at least two such extinguishers in each such space, and such extinguishers shall not be required in addition to any provided in compliance with sub-paragraph (h) (iii) of this Regulation.

(j) **Fire-Extinguishing Appliances in other Machinery Spaces**

Where, in the opinion of the Administration, a fire hazard exists in any machinery space for which no specific provisions for fire-extinguishing appliances are prescribed in paragraphs (g), (h) and (i) of this Regulation there shall be provided in, or adjacent to, that space such number of approved portable fire extinguishers or other means of fire extinction as the Administration may deem sufficient.

(k) **Fixed Fire-Extinguishing Appliances not required by this Part**

Where a fixed fire-extinguishing system not required by this Part of this Chapter is installed, such a system shall be to the satisfaction of the Administration.

(l) **Special Requirements for Machinery Spaces**

(i) For any machinery space of Category A to which access is provided at a low level from an adjacent shaft tunnel there shall be provided in addition to any watertight door and on the side remote from that machinery space a light steel fire-screen door which shall be operable from each side.

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(ii) An automatic fire detection and alarm system shall be fitted when the Administration considers such special precautions warranted in any machinery space in which the installation of automatic and remote control systems and equipment have been approved in lieu of continuous manning of the space.

(m) Fireman’s Outfits and Personal Equipment

(i) The minimum number of fireman’s outfits complying with the requirements of Regulation 14 of this Chapter, and of additional sets of personal equipment, each such set comprising the items stipulated in sub-paragraphs (a) (i), (ii) and (iii) of that Regulation, to be carried shall be as follows:

1. two fireman’s outfits; and in addition
2. for every 80 metres (262 feet) or part thereof, of the aggregate of the lengths of all passenger spaces and service spaces on the deck which carries such spaces or, if there is more than one such deck, on the deck which has the largest aggregate of such lengths, two fireman’s outfits and two sets of personal equipment, each such set comprising the items stipulated in Regulation 14 (a) (i), (ii) and (iii) of this Chapter.

(ii) For each fireman’s outfit which includes a self-contained breathing apparatus as provided in paragraph (b) of Regulation 14 of this Chapter, spare charges shall be carried on a scale approved by the Administration.

(iii) Fireman’s outfits and sets of personal equipment shall be stored in widely separated positions ready for use. At least two fireman’s outfits and one set of personal equipment shall be available at any one position.

Regulation 33

Arrangements for Oil Fuel, Lubricating Oil and other Inflammable Oils

(a) Oil Fuel Arrangements

In a ship in which oil fuel is used, the arrangements for the storage, distribution and utilization of the oil fuel shall be such as to ensure the safety of the ship and persons on board and shall at least comply with the following provisions:

(i) No oil fuel which has a flashpoint of less than 60°C (140°F) (closed cup test) as determined by an approved flashpoint apparatus shall be used as fuel, except in emergency generators, in which case the flashpoint shall be not less than 43°C (110°F).
Provided that the Administration may permit the general use of fuel oil having a flashpoint of not less than 43°C (110°F) subject to such additional precautions as it may consider necessary and on condition that the temperature of the space in which such fuel is stored or used shall not be allowed to rise within 10°C (18°F) below the flashpoint of the fuel.

(ii) As far as practicable no part of the oil fuel system containing heated oil under pressure exceeding 1.8 kilogrammes per square centimetre (25 pounds per square inch) gauge shall be so concealed that defects and leakage cannot readily be observed. In way of such parts of the oil fuel system the machinery space shall be adequately illuminated.

(iii) The ventilation of machinery spaces shall be sufficient under all normal conditions to prevent accumulation of oil vapour.

(iv) (1) As far as practicable, oil fuel tanks shall be part of the ship’s structure and shall be located outside machinery spaces of Category A. When oil fuel tanks, except double bottom tanks, are necessarily located adjacent to machinery spaces of Category A, they shall preferably have a common boundary with the double bottom tanks, and the area of the tank boundary common with the machinery space shall be kept to a minimum. In general, the use of free-standing oil fuel tanks shall be avoided but when such tanks are employed they shall not be situated in machinery spaces of Category A.

(2) No oil tank shall be situated where spillage or leakage therefrom can constitute a hazard by falling on heated surfaces. Precautions shall be taken to prevent any oil that may escape under pressure from any pump, filter or heater from coming into contact with heated surfaces.

(v) Every oil fuel pipe which if damaged would allow oil to escape from a storage, settling or daily service tank situated above the double bottom shall be fitted with a cock or valve on the tank capable of being closed from a safe position outside the space concerned in the event of a fire arising in the space in which such tanks are situated. In the special case of deep tanks situated in any shaft or pipe tunnel or similar space, valves on the tanks shall be fitted but control in event of fire may be effected by means of an additional valve on the pipe or pipes outside the tunnel or similar space.

(vi) Safe and efficient means of ascertaining the amount of oil fuel contained in any oil tank shall be provided. Sounding pipes with
suitable means of closure may be permitted if their upper ends terminate in safe positions. Other means of ascertaining the amount of oil fuel contained in any oil fuel tank may be permitted if they do not require penetration below the top of the tank, and providing their failure or overfilling of the tanks will not permit release of fuel thereby.

(vii) Provisions shall be made to prevent over-pressure in any oil tank or in any part of the oil fuel system, including the filling pipes. Any relief valves and air or overflow pipes shall discharge to a position which, in the opinion of the Administration, is safe.

(viii) Oil fuel pipes shall be of steel or other approved material, provided that restricted use of flexible pipes shall be permissible in positions where the Administration is satisfied that they are necessary. Such flexible pipes and end attachments shall be of approved fire-resisting materials of adequate strength and shall be constructed to the satisfaction of the Administration.

(b) **Lubricating Oil Arrangements**

The arrangements for the storage, distribution and utilization of oil used in pressure lubrication systems shall be such as to ensure the safety of the ships and persons on board, and such arrangements in machinery spaces of Category A and, whenever practicable, in other machinery spaces shall at least comply with the provisions of sub-paragraphs (ii), (iv) (2), (v), (vi) and (vii) of paragraph (a) of this Regulation.

(c) **Arrangements for other Inflammable Oils**

The arrangements for the storage, distribution and utilization of other inflammable oils employed under pressure in power transmission systems, control and activating systems and heating systems shall be such as to ensure the safety of the ship and persons on board. In locations where means of ignition are present such arrangements shall at least comply with the provisions of sub-paragraphs (a) (iv) (2) and (a) (vi), and with the provisions of sub-paragraph (a) (viii) in respect of strength and construction, of this Regulation.

**Regulation 34**

**Special Arrangements in Machinery Spaces**

(a) The provisions of this Regulation shall apply to machinery spaces of Category A and, where the Administration considers it desirable, to other machinery spaces.
(b) (i) The number of skylights, doors, ventilators, openings in funnels to permit exhaust ventilation and other openings to machinery spaces shall be reduced to a minimum consistent with the needs of ventilation and the proper and safe working of the ship.

(ii) The flaps of such skylights where fitted shall be of steel. Suitable arrangements shall be made to permit the release of smoke in the event of fire, from the space to be protected.

(iii) Such doors other than power-operated watertight doors shall be arranged so that positive closure is assured in case of fire in the space, by power-operated closing arrangements or by the provision of self-closing doors capable of closing against an inclination of 3\(\frac{1}{2}\) degrees opposing closure and having a fail-safe hook-back facility, provided with a remotely operated release device.

(c) Windows shall not be fitted in machinery space casings.

(d) Means of control shall be provided for:

(i) opening and closure of skylights, closure of openings in funnels which normally allow exhaust ventilation, and closure of ventilator dampers;

(ii) permitting the release of smoke;

(iii) closure of power-operated doors or release mechanism on doors other than power-operated watertight doors;

(iv) stopping ventilating fans; and

(v) stopping forced and induced draught fans, oil fuel transfer pumps, oil fuel unit pumps and other similar fuel pumps.

(e) The controls required for ventilating fans shall comply with the provisions of paragraph (f) of Regulation 25 of this Chapter. The controls for any required fixed fire-extinguishing system and those required by sub-paragraphs (d) (i), (ii), (iii) and (v) of this Regulation and of sub-paragraph (a) (v) of Regulation 33 of this Chapter shall be situated at one control position, or grouped in as few positions as possible to the satisfaction of the Administration. Such position or positions shall be located where they will not be cut off in the event of fire in the space they serve, and shall have a safe access from the open deck.
PART C—FIRE SAFETY MEASURES FOR PASSENGER SHIPS CARRYING NOT MORE THAN 36 PASSENGERS

Regulation 35

Structure

(a) The hull, superstructure, structural bulkheads, decks and deckhouses shall be constructed of steel or other equivalent material.

(b) Where fire protection in accordance with paragraph (b) of Regulation 40 of this Chapter is employed, the superstructure may be constructed of, for example, aluminium alloy, provided that:

(i) for the temperature rise of the metallic cores of “A” Class divisions when exposed to the standard fire test, due regard is given to the mechanical properties of the material;

(ii) the Administration is satisfied that the amount of combustible materials used in the relevant part of the ship is suitably reduced;

(iii) adequate provision is made to ensure that in the event of fire, arrangements for stowage, launching and embarkation into survival craft remain as effective as if the superstructure were constructed of steel;

(iv) crowns and casings of boiler and machinery spaces are of steel construction adequately insulated, and the openings therein, if any, are suitably arranged and protected to prevent spread of fire.

Regulation 36

Main Vertical Zones

(a) The hull, superstructure and deckhouses shall be subdivided into main vertical zones. Steps and recesses shall be kept to a minimum, but where they are necessary, they shall be of “A” Class divisions.

(b) As far as practicable, the bulkheads forming the boundaries of the main vertical zones above the bulkhead deck shall be in line with watertight subdivision bulkheads situated immediately below the bulkhead deck.

(c) Such bulkheads shall extend from deck to deck and to the shell or other boundaries.

(d) On ships designed for special purposes, such as automobile or railroad car ferries, where installation of such bulkheads would defeat the purpose
for which the ship is intended, equivalent means for controlling and limiting a fire shall be substituted and specifically approved by the Administration.

Regulation 37

Openings in “A” Class Divisions

(a) Where “A” Class divisions are pierced for the passage of electric cables, pipes, trunks, ducts, etc., for girders, beams or other structures, arrangements shall be made to ensure that the fire resistance is not impaired.

(b) Where of necessity, a duct passes through a main vertical zone bulkhead, a fail-safe automatic closing fire damper shall be fitted adjacent to the bulkhead. The damper shall also be capable of being manually closed from both sides of the bulkhead. The operating position shall be readily accessible and be marked in red light-reflecting colour. The duct between the bulkhead and the damper shall be of steel or other equivalent material and, if necessary, to an insulating standard such as to comply with paragraph (a) of this Regulation. The damper shall be fitted on at least one side of the bulkhead with a visible indicator showing if the damper is in the open position.

(c) Except for hatches between cargo, store, and baggage spaces, and between such spaces and the weather decks, all openings shall be provided with permanently attached means of closing which shall be at least as effective for resisting fires as the divisions in which they are fitted.

(d) The construction of all doors and door frames in “A” Class divisions, with the means of securing them when closed, shall provide resistance to fire as well as to the passage of smoke and flame as far as practicable equivalent to that of the bulkheads in which the doors are situated. Watertight doors need not be insulated.

(e) It shall be possible for each door to be opened from either side of the bulkhead by one person only.

(f) Fire doors in main vertical zone bulkheads and stairway enclosures, other than power-operated watertight doors and those which are normally locked, shall be of the self-closing type capable of closing against an inclination of $3\frac{1}{2}$ degrees opposing closure. All such doors, except those that are normally closed, shall be capable of release from a control
station, either simultaneously or in groups, and also individually from a position at the door. The release mechanism shall be so designed that the door will automatically close in the event of disruption of the control system; however, approved power-operated watertight doors will be considered acceptable for this purpose. Hold-back hooks, not subject to control station release, will not be permitted. When double swing doors are permitted, they shall have a latch arrangement which is automatically engaged by the operation of the door release system.

Regulation 38
Fire Integrity of “A” Class Divisions

Where “A” Class divisions are required under this Part, the Administration, in deciding the amount of insulation to be provided, shall be guided by the provisions of Part B of this Chapter, but may accept a reduction of the amount of insulation below that stipulated by that Part.

Regulation 39
Separation of Accommodation Spaces from Machinery, Cargo and Service Spaces

The boundary bulkheads and decks separating accommodation spaces from machinery, cargo and service spaces shall be constructed of “A” Class divisions, and these bulkheads and decks shall have an insulation value to the satisfaction of the Administration having regard to the nature of the adjacent spaces.

Regulation 40
Protection of Accommodation and Service Spaces

The accommodation and service spaces shall be protected in accordance with the provisions of either paragraph (a) or (b) of this Regulation.

(a) (i) Within the accommodation spaces, all enclosure bulkheads other than those required to be of “A” Class divisions, shall be constructed of “B” Class divisions of non-combustible materials, which may, however, be faced with combustible materials in accordance with sub-paragraph (iii) of this paragraph.

(ii) All corridor bulkheads shall extend from deck to deck. Ventilation openings may be permitted in the doors in “B” Class bulkheads, preferably in the lower portion. All other enclosure bulkheads shall
extend from deck to deck vertically, and to the shell or other boundaries transversely, unless non-combustible ceilings or linings such as will ensure fire integrity are fitted, in which case the bulkheads may terminate at the ceilings or linings.

(iii) Except in cargo spaces, mail rooms, baggage rooms, or refrigerated compartments of service spaces, all linings, grounds, ceilings and insulations shall be of non-combustible materials. The total volume of combustible facings, mouldings, decorations and veneers in any accommodation or public space shall not exceed a volume equivalent to 2.54 millimetres (1/10 inch) veneer on the combined area of the walls and ceilings. All exposed surfaces in corridors or stairway enclosures and in concealed or inaccessible spaces shall have low flame-spread characteristics.

(b) (i) All corridor bulkheads in accommodation spaces shall be of steel or be constructed of “B” Class panels.

(ii) A fire detecting system of an approved type shall be installed and so arranged as to detect the presence of fire in all enclosed spaces appropriated to the use or service of passengers or crew (except spaces which afford no substantial fire hazard) and automatically to indicate at one or more points or stations where it can be most quickly observed by officers and crew, the presence or indication of fire and also its location.

**Regulation 41**

*Deck Coverings†*

Primary deck coverings within accommodation spaces, control stations, stairways and corridors shall be of approved material which will not readily ignite.

**Regulation 42**

*Protection of Stairways and Lifts in Accommodation and Service Spaces*

(a) All stairways and means of escape in accommodation and service spaces shall be of steel or other suitable materials.

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† Reference is made to Improved Provisional Guidelines on Test Procedures for Primary Deck Coverings, adopted by the Organization by Resolution A.214 (VII).
(b) Passenger and service lift trunks, vertical trunks for light and air to passenger spaces, etc., shall be of “A” Class divisions. Doors shall be of steel or other equivalent material and when closed shall provide fire resistance at least as effective as the trunks in which they are fitted.

Regulation 43  
Protection of Control Stations and Store-rooms

(a) Control stations shall be separated from the remainder of the ship by “A” Class bulkheads and decks.

(b) The boundary bulkheads of baggage rooms, mail rooms, store-rooms, paint and lamp lockers, galleys and similar spaces shall be of “A” Class divisions. Spaces containing highly inflammable stores shall be so situated as to minimize the danger to passengers or crew in the event of fire.

Regulation 44  
Windows and Sidescuttles

(a) All windows and sidescuttles in bulkheads separating accommodation spaces from weather shall be constructed with frames of steel or other suitable material. The glass shall be retained by a metal glazing bead.

(b) All windows and sidescuttles in bulkheads within accommodation spaces shall be constructed so as to preserve the integrity requirements of the type of bulkhead in which they are fitted.

Regulation 45  
Ventilation Systems

Power ventilation of machinery spaces shall be capable of being stopped from an easily accessible position outside the machinery spaces.

Regulation 46  
Details of Construction

(a) Paints, varnishes and similar preparations having a nitro-cellulose or other highly inflammable base shall not be used in any part of the ship.

(b) Pipes penetrating “A” or “B” Class divisions shall be of a material approved by the Administration having regard to the temperature such
divisions are required to withstand. Pipes conveying oil or combustible liquids shall be of a material approved by the Administration having regard to the fire risk. Materials readily rendered ineffective by heat shall not be used for overboard scuppers, sanitary discharges, and other outlets which are close to the water-line and where the failure of the material in the event of fire would give rise to danger of flooding.

(c) In spaces containing main propulsion machinery, or oil-fired boilers, or auxiliary internal combustion type machinery of total power output of 746 kW or over, the following measures shall be taken:

(i) skylights shall be capable of being closed from outside the space;
(ii) skylights containing glass panels shall be fitted with external shutters of steel or other equivalent material permanently attached;
(iii) any window permitted by the Administration in casings of such spaces shall be of the non-opening type, and shall be fitted with an external shutter of steel or other equivalent material permanently attached; and
(iv) in the windows and skylights referred to in sub- paragraphs (i), (ii) and (iii) of this paragraph, wire reinforced glass shall be used.

Regulation 47

Fire Detection Systems and Fire-Extinguishing Equipment

(a) Patrols and Detection

(i) An efficient patrol system shall be maintained in all ships so that any outbreak of fire may be promptly detected. Manual fire alarms shall be fitted throughout the passenger and crew accommodation to enable the fire patrol to give an alarm immediately to the navigating bridge or fire control station.

(ii) An approved fire alarm or fire detecting system shall be provided which will automatically indicate at one or more suitable points or stations the presence or indication of fire and its location in any part of the ship which, in the opinion of the Administration, is not accessible to the patrol system, except where it is shown to the satisfaction of the Administration that the ship is engaged on voyages of such short duration that it would be unreasonable to apply this requirement.

(iii) The ship, whether new or existing, shall at all times when at sea, or in port (except when out of service), be so manned or equipped as to ensure that any initial fire alarm is immediately received by a responsible member of the crew.
(b) Fire Pumps and Fire Main System

The ship shall be provided with fire pumps, fire main system, hydrants and hoses complying with Regulation 5 of this Chapter and with the following requirements:

(i) A ship of 4,000 tons gross tonnage and upwards shall be provided with at least three independently driven fire pumps and every ship of less than 4,000 tons gross tonnage with at least two such fire pumps.

(ii) In a ship of 1,000 tons gross tonnage and upwards, the arrangement of sea connexions, pumps and sources of power for operating them shall be such as to ensure that a fire in any one compartment will not put all the fire pumps out of action.

(iii) In a ship of less than 1,000 tons gross tonnage the arrangement shall be to the satisfaction of the Administration.

(c) Fire Hydrants, Hoses and Nozzles

(i) The ship shall be provided with such number of fire hoses as the Administration may deem sufficient. There shall be at least one fire hose for each of the hydrants required by paragraph (d) of Regulation 5 of this Chapter and these hoses shall be used only for the purposes of extinguishing fires or testing the fire-extinguishing apparatus at fire drills and surveys.

(ii) In accommodation, service and machinery spaces, the number and position of hydrants shall be such that the requirements of paragraph (d) of Regulation 5 of this Chapter may be complied with when all watertight doors and all doors in main vertical zone bulkheads are closed.

(iii) The arrangements shall be such that at least two jets of water can reach any part of any cargo space when empty.

(iv) All required hydrants in the machinery spaces of ships with oil-fired boilers or internal combustion type propelling machinery shall be fitted with hoses having nozzles as required in paragraph (g) of regulation 5 of this Chapter.

(d) International Shore Connexion

(i) A ship of 1,000 tons gross tonnage and upwards shall be provided with at least one international shore connexion, complying with paragraph (h) of Regulation 5 of this Chapter.

(ii) Facilities shall be available enabling such a connexion to be used on either side of the ship.
(c) **Portable Fire Extinguishers in Accommodation and Service Spaces**

The ship shall be provided in accommodation and service spaces with such approved portable fire extinguishers as the Administration may deem to be appropriate and sufficient.

(f) **Fixed Fire-Extinguishing Arrangements in Cargo Spaces**

(i) The cargo spaces of ships of 1,000 tons gross tonnage and upwards shall be protected by a fixed gas fire-extinguishing system complying with Regulation 8 of this Chapter.

(ii) Where it is shown to the satisfaction of the Administration that a ship is engaged on voyages of such short duration that it would be unreasonable to apply the requirements of sub-paragraph (i) of this paragraph and also in ships of less than 1,000 tons gross tonnage, the arrangements in cargo spaces shall be to the satisfaction of the Administration.

(g) **Fire-Extinguishing Appliances in Boiler Rooms, etc.**

Where main or auxiliary oil-fired boilers are situated, or in spaces containing oil fuel units or settling tanks, a ship shall be provided with the following arrangements:

(i) There shall be any one of the following fixed fire-extinguishing installations:

1. a pressure water-spraying system complying with Regulation 11 of this Chapter;
2. a gas fire-extinguishing installation complying with Regulation 8 of this Chapter;
3. a fixed froth installation complying with Regulation 9 of this Chapter. (The Administration may require fixed or mobile arrangements by pressure water or froth spraying to fight fire above the floor plates.)

In each case if the engine and boiler rooms are not entirely separate, or if fuel oil can drain from the boiler room into the engine room bilges, the combined engine and boiler rooms shall be considered as one compartment.

(ii) There shall be at least two approved portable extinguishers discharging froth or other approved medium suitable for extinguishing oil fires, in each firing space in each boiler room and each space in which a part of the oil fuel installation is situated. There shall be not less than one approved froth type extinguisher of at least 136 litres (30 gallons) capacity or equivalent in each boiler room. These extinguishers shall be provided with hoses on reels.
suitable for reaching any part of the boiler room and spaces containing any part of the oil fuel installations.

(iii) In each firing space there shall be a receptacle containing sand, sawdust impregnated with soda or other approved dry material, in such quantity as may be required by the Administration. Alternatively an approved portable extinguisher may be substituted therefor.

(h) Fire-Fighting Appliances in Spaces containing Internal Combustion Type Machinery

Where internal combustion type engines are used, either for main propulsion or for auxiliary purposes associated with a total power output of not less than 746 kW, a ship shall be provided with the following arrangements:

(i) there shall be one of the fixed arrangements required by sub-paragraph (g) (i) of this Regulation;

(ii) there shall be in each engine space one approved froth-type extinguisher of not less than 45 litres (10 gallons) capacity or equivalent and also one approved portable froth-type extinguisher for each 746 kW of engine power output or part thereof; but the total number of portable extinguishers so supplied shall be not less than two and need not exceed six.

(i) Fire-Fighting Arrangements in Spaces containing Steam Turbines and not requiring any Fixed Installation

The Administration shall give special consideration to the fire-extinguishing arrangements to be provided in spaces containing steam turbines which are separated from boiler rooms by watertight bulkheads.

(j) Fireman’s Outfits and Personal Equipment

(i) The minimum number of fireman’s outfits complying with the requirements of Regulation 14 of this Chapter, and of additional sets of personal equipment, each such set comprising the items stipulated in sub-paragraphs (a) (i), (ii) and (iii) of that Regulation, to be carried, shall be as follows:

(1) two fireman’s outfits; and in addition

(2) for every 80 metres (262 feet) or part thereof, of the aggregate of the lengths of all passenger spaces and service spaces on the deck which carries such spaces or, if there is more than one such deck, on the deck which has the largest aggregate of such lengths, two fireman’s outfits and two sets of personal equipment, each such set comprising the items
stipulated in Regulation 14 (a) (i), (ii) and (iii) of this Chapter.

(ii) For each fireman’s outfit which includes a self-contained breathing apparatus as provided in paragraph (b) of Regulation 14 of this Chapter, spare charges shall be carried on a scale approved by the Administration.

(iii) Fireman’s outfits and sets of personal equipment shall be stored in widely separated positions ready for use. At least two fireman’s outfits and one set of personal equipment shall be available at any one position.

**Regulation 48**

*Means of Escape*

(a) In and from all passenger and crew spaces and spaces in which crew are normally employed, other than machinery spaces, stairways and ladderways shall be arranged so as to provide ready means of escape to the lifeboat embarkation deck. In particular the following precautions shall be complied with:

(i) below the bulkhead deck, two means of escape, at least one of which shall be independent of watertight doors, shall be provided for each watertight compartment or similarly restricted space or group of spaces. One of these means of escape may be dispensed with by the Administration, due regard being paid to the nature and the location of spaces concerned, and to the number of persons who normally might be quartered or employed there;

(ii) above the bulkhead deck, there shall be at least two practical means of escape from each main vertical zone or similarly restricted space or group of spaces at least one of which shall give access to a stairway forming a vertical escape; and

(iii) at least one of the means of escape shall be by means of a readily accessible enclosed stairway, which shall provide as far as practicable continuous fire shelter from the level of its origin to the lifeboat embarkation deck. The width, number and continuity of the stairways shall be to the satisfaction of the Administration.
(b) In machinery spaces, two means of escape, one of which may be a watertight door, shall be provided from each engine room, shaft tunnel and boiler room. In machinery spaces, where no watertight door is available, the two means of escape shall be formed by two sets of steel ladders as widely separated as possible leading to doors in the casing similarly separated and from which access is provided to the embarkation deck. In the case of ships of less than 2,000 tons gross tonnage, the Administration may dispense with this requirement, due regard being paid to the width and the disposition of the casing.

**Regulation 49**

*Oil Fuel used for Internal Combustion Engines*

No internal combustion engine shall be used for any fixed installation in a ship if its fuel has a flashpoint of 43°C (110°F) or less (closed cup test) as determined by an approved flashpoint apparatus.

**Regulation 50**

*Special Arrangements in Machinery Spaces*

(a) Means shall be provided for stopping ventilating fans serving machinery and cargo spaces and for closing all doorways, ventilators, annular spaces around funnels and other openings to such spaces. These means shall be capable of being operated from outside such spaces in case of fire.

(b) Machinery driving forced and induced draught fans, oil fuel transfer pumps, oil fuel unit pumps and other similar fuel pumps shall be fitted with remote controls situated outside the space concerned so that they may be stopped in the event of a fire arising in the space in which they are located.

(c) Every oil fuel suction pipe from a storage, settling or daily service tank situated above the double bottom shall be fitted with a cock or valve capable of being closed from outside the space concerned in the event of a fire arising in the space in which such tanks are situated. In the special case of deep tanks situated in any shaft or pipe tunnel, valves on the tanks shall be fitted but control in event of fire may be effected by means of an additional valve on the pipeline or lines outside the tunnel or tunnels.
PART D—FIRE SAFETY MEASURES FOR CARGO SHIPS*

Regulation 51

General Requirements for Cargo Ships of 4,000 tons Gross Tonnage and Upwards other than Tankers Covered by Part E of this Chapter

(a) The hull, superstructure, structural bulkheads, decks and deckhouses shall be constructed of steel, except where the Administration may sanction the use of other suitable material in special cases, having in mind the risk of fire.

(b) In accommodation spaces, the corridor bulkheads shall be of steel or be constructed of “B” Class panels.

(c) Deck coverings within accommodation spaces on the decks forming the crown of machinery and cargo spaces shall be of a type which will not readily ignite.†

(d) Interior stairways below the weather deck shall be of steel or other suitable material. Crew lift trunks within accommodation shall be of steel or equivalent material.

(e) Bulkheads of galleys, paint stores, lamp rooms, boatswain’s stores when adjacent to accommodation spaces and emergency generator rooms if any, shall be of steel or equivalent material.

(f) In accommodation and machinery spaces, paints, varnishes and similar preparations having a nitro-cellulose or other highly inflammable base shall not be used.

(g) Pipes conveying oil or combustible liquids shall be of a material approved by the Administration having regard to the fire risk. Materials readily rendered ineffective by heat shall not be used for overboard scuppers, sanitary discharges, and other outlets which are close to the water-line and where the failure of the material in the event of fire would give rise to danger of flooding.

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* Reference is made to Recommendation on Safety Measures for Periodically Unattended Machinery Spaces of Cargo Ships additional to those normally considered necessary for an Attended Machinery Space, adopted by the Organization by Resolution A.211 (VII).

† Reference is made to Improved Provisional Guidelines on Test Procedures for Primary Deck Coverings, adopted by the Organization by Resolution A.214 (VII).
(h) Power ventilation of machinery spaces shall be capable of being stopped from an easily accessible position outside the machinery spaces.

Regulation 52

Fire-Extinguishing Systems and Equipment

(a) Application

Where ships have a lower gross tonnage than those quoted in this Regulation, the arrangements for the items covered in this Regulation shall be to the satisfaction of the Administration.

(b) Fire Pumps and Fire Main System

The ship shall be provided with fire pumps, fire main system, hydrants and hoses complying with Regulation 5 of this Chapter and with the following requirements:

(i) A ship of 1,000 tons gross tonnage and upwards shall be provided with two independently driven power pumps.

(ii) In a ship of 1,000 tons gross tonnage and upwards if a fire in any one compartment could put all the pumps out of action, there must be an alternative means of providing water for fire fighting. In a ship of 2,000 tons gross tonnage and upwards this alternative means shall be a fixed emergency pump independently driven. This emergency pump shall be capable of supplying two jets of water to the satisfaction of the Administration.

(c) Fire Hydrants, Hoses and Nozzles

(i) In a ship of 1,000 tons gross tonnage and upwards the number of fire hoses to be provided, each complete with couplings and nozzles, shall be one for each 30 metres (100 feet) length of the ship and one spare but in no case less than five in all. This number does not include any hoses required in any engine or boiler room. The Administration may increase the number of the hoses required so as to ensure that hoses in sufficient number are available and accessible at all times, having regard to the type of the ship and the nature of the trade on which the ship is employed.

(ii) In accommodation, service and machinery spaces, the number and position of hydrants shall be such as to comply with the requirements of paragraph (d) of Regulation 5 of this Chapter.

(iii) In a ship the arrangements shall be such that at least two jets of water can reach any part of any cargo space when empty.

(iv) All required hydrants in the machinery spaces of ships with oil-fired boilers or internal combustion type propelling machinery
shall be fitted with hoses having nozzles as required in paragraph (g) of Regulation 5 of this Chapter.

(d) *International Shore Connexion*

(i) A ship of 1,000 tons gross tonnage and upwards shall be provided with at least one international shore connexion, complying with paragraph (h) of Regulation 5 of this Chapter.

(ii) Facilities shall be available enabling such a connexion to be used on either side of the ship.

(e) *Portable Fire Extinguishers in Accommodation and Service Spaces*

The ship shall be provided in accommodation and service spaces with such approved portable fire extinguishers as the Administration may deem to be appropriate and sufficient; in any case, their number shall not be less than five for ships of 1,000 tons gross tonnage and upwards.

(f) *Fixed Fire-Extinguishing Arrangements in Cargo Spaces*

(i) Cargo spaces of ships of 2,000 tons gross tonnage and upwards shall be protected by a fixed fire-extinguishing system complying with Regulation 8 of this Chapter.

(ii) The Administration may exempt from the requirements of sub-paragraph (i) of this paragraph the cargo holds of any ship (other than the tanks of a tanker):

1. if they are provided with steel hatch covers and effective means of closing all ventilators and other openings leading to the holds;

2. if the ship is constructed and intended solely for carrying such cargoes as ore, coal or grain; or

3. where it is shown to the satisfaction of the Administration that the ship is engaged on voyages of such short duration that it would be unreasonable to apply the requirement.

(iii) Every ship in addition to complying with the requirements of this Regulation shall, while carrying explosives of such nature or in such quantity as are not permitted to be carried in passenger ships under Regulation 7 of Chapter VII of this Convention comply with the following requirements:

1. Steam shall not be used in any compartment containing explosives. For the purpose of this sub-paragraph, “compartment” means all spaces contained between two adjacent permanent bulkheads and includes the lower hold and all cargo spaces above it.
(2) In addition, in each compartment containing explosives and in adjacent cargo compartments, there shall be provided a smoke- or fire-detection system in each cargo space.

(g) *Fire-Extinguishing Appliances in Boiler Rooms, etc.*

Where main or auxiliary oil-fired boilers are situated, or in spaces containing oil fuel units or settling tanks, a ship of 1,000 tons gross tonnage and upwards shall be provided with the following arrangements:

(i) There shall be any one of the following fixed fire-extinguishing installations:

   (1) A pressure water-spraying system complying with Regulation 11 of this Chapter.

   (2) A fire-extinguishing installation complying with Regulation 8 of this Chapter.

   (3) A fixed froth installation complying with Regulation 9 of this Chapter. (The Administration may require fixed or mobile arrangements by pressure water or froth spraying to fight fire above the floor plates).

   In each case if the engine and boiler rooms are not entirely separate, or if fuel oil can drain from the boiler room into the engine room bilges, the combined engine and boiler rooms shall be considered as one compartment.

(ii) There shall be at least two approved portable extinguishers discharging froth or other approved medium suitable for extinguishing oil fires in each firing space in each boiler room and each space in which a part of the oil fuel installation is situated. In addition, there shall be at least one extinguisher of the same description with a capacity of 9 litres (2 gallons) for each burner, provided that the total capacity of the additional extinguisher or extinguishers need not exceed 45 litres (10 gallons) for any one boiler room.

(iii) In each firing space there shall be a receptacle containing sand, sawdust impregnated with soda, or other approved dry material in such quantity as may be required by the Administration. Alternatively an approved portable extinguisher may be substituted therefor.
(h) **Fire-Fighting Appliances in Spaces containing Internal Combustion Type Machinery**

Where internal combustion type engines are used, either for main propulsion machinery, or for auxiliary purposes associated with a total power output of not less than 746 kW, a ship of 1,000 tons gross tonnage and upwards shall be provided with the following arrangements:

(i) There shall be one of the fixed arrangements required by sub-paragraph (g) (i) of this Regulation.

(ii) There shall be in each engine space one approved froth-type extinguisher of not less than 45 litres (10 gallons) capacity or equivalent and also one approved portable froth extinguisher for each 746 kW of engine power output or part thereof; but the total number of portable extinguishers so supplied shall be not less than two and need not exceed six.

(i) **Fire-Fighting Arrangements in Spaces containing Steam Turbines and not requiring any Fixed Installation**

The Administration shall give special consideration to the fire-extinguishing arrangements to be provided in spaces containing steam turbines which are separated from boiler rooms by watertight bulkheads.

(j) **Fireman’s Outfits and Personal Equipment**

(i) The ship, whether new or existing, shall carry at least two fireman’s outfits complying with the requirements of Regulation 14 of this Chapter. Furthermore, Administrations may require in large ships additional sets of personal equipment and in tankers and special ships such as factory ships additional fireman’s outfits.

(ii) For each fireman’s outfit which includes a self-contained breathing apparatus as provided in paragraph (b) of Regulation 14 of this Chapter, spare charges shall be carried on a scale approved by the Administration.

(iii) The fireman’s outfits and personal equipment shall be stored so as to be easily accessible and ready for use and, where more than one fireman’s outfit and set of personal equipment are carried, they shall be stored in widely separated positions.

**Regulation 53**

*Means of Escape*

(a) In and from all crew and passenger spaces and spaces in which crew are normally employed, other than machinery spaces, stairways and ladders
shall be arranged so as to provide ready means of escape to the lifeboat
embarkation deck.

(b) In machinery spaces, two means of escape, one of which may be a
watertight door, shall be provided from each engine room, shaft tunnel and
boiler room. In machinery spaces, where no watertight door is available,
the two means of escape shall be formed by two sets of steel ladders as
widely separated as possible leading to doors in the casing similarly
separated and from which access is provided to the embarkation deck. In
the case of ships of less than 2,000 tons gross tonnage, the Administration
may dispense with this requirement, due regard being paid to the width and
the disposition of the casing.

Regulation 54

Special Arrangements in Machinery Spaces

(a) Means shall be provided for stopping ventilating fans serving machinery
and cargo spaces and for closing all doorways, ventilators, annular spaces
around funnels and other openings to such spaces. These means shall be
capable of being operated from outside such spaces in case of fire.

(b) Machinery driving forced and induced draught fans, oil fuel transfer
pumps, oil fuel unit pumps and other similar fuel pumps shall be fitted with
remote controls situated outside the space concerned so that they may be
stopped in the event of a fire arising in the space in which they are located.

(c) Every oil fuel suction pipe from a storage, settling or daily service tank
situated above the double bottom shall be fitted with a cock or valve
capable of being closed from outside the space concerned in the event of a
fire arising in the space in which such tanks are situated. In the special case
of deep tanks situated in any shaft or pipe tunnel, valves on the tanks shall
be fitted but control in event of fire may be effected by means of an
additional valve on the pipeline or lines outside the tunnel or tunnels.

PART E—FIRE SAFETY MEASURES FOR TANKERS

Regulation 55

Application

(a) This Part shall apply to all new tankers carrying crude oil and petroleum
products having a flashpoint not exceeding 60°C (140°F) (closed cup test)
as determined by an approved flashpoint apparatus and whose Reid vapour
pressure is below that of atmospheric pressure, and other liquid products having a similar fire hazard.

(b) In addition, all ships covered by this Part shall comply with the requirements of Regulations 52, 53 and 54 of this Chapter, except that paragraph (f) of Regulation 52 need not apply to tankers complying with Regulation 60 of this Chapter.

(c) Where cargoes other than those referred to in paragraph (a) of this Regulation which introduce additional fire hazards are intended to be carried, additional safety measures shall be required to the satisfaction of the Administration.

(d) Combination carriers shall not carry solid cargoes unless all cargo tanks are empty of oil and gas freed or unless, in each case, the Administration is satisfied with the arrangements provided.

Regulation 56
Location and Separation of Spaces

(a) Machinery spaces of Category A shall be positioned aft of cargo tanks and slop tanks and shall be isolated from them by a cofferdam, cargo pump room or oil fuel bunker tank; they shall also be situated aft of such cargo pump rooms and cofferdams, but not necessarily aft of the oil fuel bunker tanks. However, the lower portion of the pump room may be recessed into such spaces to accommodate pumps provided the deck head of the recess is in general not more than one-third of the moulded depth above the keel except that in the case of ships of not more than 25,000 metric tons deadweight, where it can be demonstrated that for reasons of access and satisfactory piping arrangements this is impracticable, the Administration may permit a recess in excess of such height, but not exceeding one half of the moulded depth above the keel.

(b) Accommodation spaces, main cargo control stations, control stations and service spaces shall be positioned aft of all cargo tanks, slop tanks, cargo pump rooms and cofferdams which isolate cargo or slop tanks from machinery spaces of Category A. Any common bulkhead separating a cargo pump room, including the pump room entrance, from accommodation and service spaces and control stations shall be constructed to “A-60” Class. Where deemed necessary, accommodation spaces, control stations, machinery spaces other than those of Category A and service spaces may be permitted forward of all cargo tanks, slop tanks, cargo pump rooms and cofferdams subject to an equivalent standard of
safety and appropriate availability of fire-extinguishing arrangements being provided to the satisfaction of the Administration.

(c) Where the fitting of a navigation position above the cargo tank area is shown to be necessary it shall be for navigation purposes only and it shall be separated from the cargo tank deck by means of an open space with a height of at least 2 metres. The fire protection of such navigation position shall in addition be as required for control spaces as set forth in paragraphs (a) and (b) of Regulation 57 and other provisions as applicable of this Part.

(d) Means shall be provided to keep deck spills away from the accommodation and service areas. This may be accomplished by provision of a permanent continuous coaming of a suitable height extending from side to side. Special consideration shall be given to the arrangements associated with stern loading.

(e) Exterior boundaries of superstructures and deckhouses enclosing accommodation and service spaces and including any overhanging decks which support such accommodation, shall be insulated to “A-60” Class for the whole of the portions which face cargo oil tanks and for 3 metres aft of the front boundary. In the case of the sides of these superstructures and deckhouses, such insulation shall be carried as high as is deemed necessary by the Administration.

(f) In boundaries, facing cargo tanks, of superstructures and deckhouses containing accommodation and service spaces the following provisions shall apply:

(i) No doors shall be permitted in such boundaries, except that doors to those spaces not having access to accommodation and service spaces, such as cargo control stations, provision rooms, and storerooms may be permitted by the Administration. Where such doors are fitted, the boundaries of the space shall be insulated to “A-60” Class. Bolted plates for removal of machinery may be fitted in such boundaries.

(ii) Portlights in such boundaries shall be of a fixed (non-opening) type. Pilot house windows may be non-fixed (opening).

(iii) Portlights in the first tier on the main deck shall be fitted with inside covers of steel or equivalent material.

The requirements of this paragraph, where applicable, except in the case of access to the navigating bridge spaces, shall also be applied to the
boundaries of the superstructures and deckhouses for a distance of 5 metres measured longitudinally from the forward end of such structures.

Regulation 57

Construction

(a)  (i) The hull, superstructure, structural bulkheads, decks and deckhouses shall be constructed of steel or other equivalent material.

(ii) Bulkheads between cargo pump rooms, including their trunks and machinery spaces of Category A shall be “A” Class and shall have no penetrations which are less than “A-0” Class or equivalent in all respects, other than the cargo pump shaft glands and similar glanded penetrations.

(iii) Bulkheads and decks forming divisions separating machinery spaces of Category A and cargo pump rooms, including their trunks, respectively, from the accommodation and service spaces shall be of “A-60” Class. Such bulkheads and decks and any boundaries of machinery spaces of Category A and cargo pump rooms shall not be pierced for windows or portlights.

(iv) The requirements of sub-paragraphs (ii) and (iii) of this paragraph, however, do not preclude the installation of permanent approved gas-tight lighting enclosures for illuminating the pump rooms provided that they are of adequate strength and maintain the integrity and gas-tightness of the bulkhead as “A” Class. Further, it does not preclude the use of windows in a control room located entirely within a machinery space.

(v) Control stations shall be separated from adjacent enclosed spaces by means of “A” Class bulkheads and decks. The insulation of these control station boundaries shall be to the satisfaction of the Administration having in mind the risk of fire in adjacent spaces.

(vi) Casing doors in machinery spaces of Category A shall be self-closing and comply with the related provisions of sub-paragraph (b) (vii) of this Regulation.

(vii) The surface of the insulation on interior boundaries of machinery spaces of Category A shall be impervious to oil and oil vapours.

(viii) Primary deck coverings, if applied, shall be of approved materials which will not readily ignite.∗

∗ Reference is made to Improved Provisional Guidelines on Test Procedures for Primary Deck Coverings, adopted by the Organization by Resolution A.214 (VII).
(ix) Interior stairways shall be of steel or other suitable material.

(x) When adjacent to accommodation spaces, bulkheads of galleys, paint stores, lamp rooms and boatswain’s stores shall be of steel or equivalent material.

(xi) Paints, varnishes and other finishes used on exposed interior surfaces shall not be of a nature to offer an undue fire hazard in the judgment of the Administration and shall not be capable of producing excessive quantities of smoke or other toxic properties.

(xii) Pipes conveying oil or combustible liquids shall be of a material approved by the Administration having regard to the fire risk. Materials readily rendered ineffective by heat shall not be used for overboard scuppers, sanitary discharges, and other outlets which are close to the water-line and where the failure of the material in the event of fire would give rise to danger of flooding.

(xiii) Power ventilation of machinery spaces shall be capable of being stopped from an easily accessible position outside the machinery spaces.

(xiv) Skylights to machinery spaces of Category A and cargo pump rooms shall comply with the provisions of sub-paragraph (a) (iii) of this Regulation in respect of windows and portlights and in addition shall be so arranged as to be capable of being readily closed from outside the spaces which they serve.

(b) Within the accommodation and service spaces and control stations the following conditions shall apply:

(i) Corridor bulkheads including doors shall be of “A” or “B” Class divisions extending from deck to deck. Where continuous “B” Class ceilings and/or linings are fitted on both sides of the bulkhead, the bulkhead may terminate at the continuous ceiling or lining. Doors of cabins and public spaces in such bulkheads may have a louvre in the lower half.

(ii) Air spaces enclosed behind ceilings, panellings, or linings shall be divided by close fitting draught stops spaced not more than 14 metres apart.

(iii) Ceilings, linings, bulkheads and insulation except for insulation in refrigerated compartments shall be of non-combustible material. Vapour barriers and adhesives used in conjunction with insulation, as well as insulation of pipe fittings for cold service systems need not be non-combustible, but they shall be kept to the minimum quantity practicable and their exposed surfaces shall have
resistance to propagation of flame to the satisfaction of the Administration.

(iv) The framing, including grounds and the joint pieces of bulkheads, linings, ceilings and draught stops, if fitted, shall be of non-combustible material.

(v) All exposed surfaces in corridors and stairway enclosures and surfaces in concealed or inaccessible spaces shall have low flame-spread characteristics.

(vi) Bulkheads, linings and ceilings may have combustible veneer, provided that such veneer shall not exceed 2 millimetres within any such space except corridors, stairway enclosures and control stations where it shall not exceed 1.5 millimetres.

(vii) Stairways which penetrate only a single deck shall be protected at least at one level by “A” or “B” Class divisions and self-closing doors so as to limit the rapid spread of fire from one deck to another. Crew lift trunks shall be of “A” Class divisions. Stairways and lift trunks which penetrate more than a single deck shall be surrounded by “A” Class divisions and protected by self-closing steel doors at all levels. Self-closing doors shall not be fitted with hold-back hooks. However, hold-back arrangements fitted with remote release fittings of the failsafe type may be utilized.

(c) Ducts provided for ventilation of machinery spaces of Category “A” shall not in general pass through accommodation and service spaces or control stations, except that the Administration may permit relaxation from this requirement provided that:

(i) the ducts are constructed of steel and each is insulated to “A-60” Class; or

(ii) the ducts are constructed of steel and are fitted with an automatic fire damper close to the boundary penetrated and are insulated to “A-60” Class from the machinery space of Category A to a point at least 5 metres beyond the fire damper.

(d) Ducts provided for ventilation of accommodation and service spaces or control stations shall not in general pass through machinery spaces of Category A except that the Administration may permit relaxation from this requirement provided that ducts are constructed of steel and an automatic fire damper is fitted close to the boundaries penetrated.

∗ Reference is made to Improved Provisional Guidelines on Test Procedures for Primary Deck Coverings, adopted by the Organization by Resolution A.214 (VII).
Regulation 58

Ventilation

(a) The arrangement and positioning of openings in the cargo tank deck from which gas emission can occur shall be such as to minimize the possibility of gas being admitted to enclosed spaces containing a source of ignition, or collecting in the vicinity of deck machinery and equipment which may constitute an ignition hazard. In every case the height of the outlet above the deck and the discharge velocity of the gas shall be considered in conjunction with the distance of any outlet from any deckhouse opening or source of ignition.

(b) The arrangement of ventilation inlets and outlets and other deckhouse and superstructure boundary space openings shall be such as to complement the provisions of paragraph (a) of this Regulation. Such vents especially for machinery spaces shall be situated as far aft as practicable. Due consideration in this regard should be given when the ship is equipped to load or discharge at the stern. Sources of ignition such as electrical equipment shall be so arranged as to avoid an explosion hazard.

(c) Cargo pump rooms shall be mechanically ventilated and discharges from the exhaust fans shall be led to a safe place on the open deck. The ventilation of these rooms shall have sufficient capacity to minimize the possibility of accumulation of inflammable vapours. The number of changes of air shall be at least 20 times per hour, based upon the gross volume of the space. The air ducts shall be arranged so that all of the space is effectively ventilated. The ventilation shall be of the suction type.

Regulation 59

Means of Escape

In addition to the requirements of paragraph (a) of Regulation 53 of this Chapter, consideration shall be given by the Administration to the availability of emergency means of escape for personnel from each cabin.

Regulation 60

Cargo Tank Protection

(a) For tankers of 100,000 metric tons deadweight and upwards and combination carriers of 50,000 metric tons deadweight and upwards, the protection of the cargo tanks deck area and cargo tanks shall be achieved
by a fixed deck froth system and a fixed inert gas system in accordance with the requirements of Regulations 61 and 62 of this Part except that in lieu of the above installations the Administration, after having given consideration to the ship arrangement and equipment, may accept other combinations of fixed installations if they afford protection equivalent to the above, in accordance with Regulation 5 of Chapter I of this Convention.

(b) To be considered equivalent, the system proposed in lieu of the deck froth system shall:
   (i) be capable of extinguishing spill fires and also preclude ignition of spilled oil not yet ignited; and
   (ii) be capable of combating fires in ruptured tanks.

(c) To be considered equivalent, the system proposed in lieu of the fixed inert gas system shall:
   (i) be capable of preventing dangerous accumulations of explosive mixtures in intact cargo tanks during normal service throughout the ballast voyage and necessary in-tank operations; and
   (ii) be so designed as to minimize the risk of ignition from the generation of static electricity by the system itself.

(d) In tankers of less than 100,000 metric tons deadweight and combination carriers of less than 50,000 metric tons deadweight the Administration, in applying the requirements of paragraph (f) of Regulation 52 of this Chapter, may accept a froth system, capable of discharging froth internally or externally, to the tanks. The details of such installation shall be to the satisfaction of the Administration.

**Regulation 61**

*Fixed Deck Froth System*

The fixed deck froth system referred to in paragraph (a) of Regulation 60 of this Chapter shall be designed as follows:

(a) The arrangements for providing froth shall be capable of delivering froth to the entire cargo tank area as well as into any cargo tank, the deck of which has been ruptured.

(b) The system shall be capable of simple and rapid operation. The main control station for the system shall be suitably located outside of the
cargo tank area, adjacent to the accommodation spaces and readily accessible and operable in the event of fire in the areas protected.

(c) The rate of supply of froth solution shall be not less than the greater of the following:

(i) 0.6 litres per minute per square metre of the cargo deck area, where cargo deck area means the maximum breadth of the ship times the total longitudinal extent of the cargo tank spaces, or

(ii) 6 litres per minute per square metre of the horizontal sectional area of the single tank having the largest such area.

Sufficient froth concentrate shall be supplied to ensure at least 20 minutes of froth generation when using solution rates stipulated in sub-paragraph (i) or (ii) of this paragraph, whichever is the greater. The froth expansion ratio (i.e. the ratio of the volume of froth produced to the volume of the mixture of water and froth-making concentrate supplied) shall not generally exceed 12 to 1. Where systems essentially produce low expansion froth but at an expansion ratio slightly in excess of 12 to 1, the quantity of froth solution available shall be calculated as for 12 to 1 expansion ratio systems. When medium expansion ratio froth (between 50 to 1 and 150 to 1 expansion ratio) is employed the application rate of the froth and the capacity of a monitor installation shall be to the satisfaction of the Administration.

(d) Froth from the fixed froth system shall be supplied by means of monitors and froth applicators. At least 50 per cent of the required froth rate shall be delivered from each monitor.

(e) (i) The number and position of monitors shall be such as to comply with paragraph (a) of this Regulation. The capacity of any monitor in litres per minute of froth solution shall be at least three times the deck area in square metres protected by that monitor, such area being entirely forward of the monitor.

(ii) The distance from the monitor to the farthest extremity of the protected area forward of that monitor shall not be more than 75 per cent of the monitor throw in still air conditions.

(f) A monitor and hose connexion for a froth applicator shall be situated both port and starboard at the poop front or accommodation spaces facing the cargo deck. Applicators shall be provided for flexibility of action during fire-fighting operations and to cover areas screened from the monitors.
(g) Valves shall be provided in both the froth main and the fire main immediately forward of every monitor position to isolate damaged sections of these mains.

(h) Operation of a deck froth system at its required output shall permit the simultaneous use of the minimum required number of jets of water at the required pressure from the fire main.

**Regulation 62**

*Inert Gas System*

The inert gas system referred to in paragraph (a) of Regulation 60 of this Chapter shall be capable of providing on demand a gas or mixture of gases to the cargo tank so deficient in oxygen that the atmosphere within a tank may be rendered inert, i.e. incapable of propagating flame. Such a system shall satisfy the following conditions:

(a) The need for fresh air to enter a tank during normal operations shall be eliminated, except when preparing a tank for entry by personnel.

(b) Empty tanks shall be capable of being purged with inert gas to reduce the hydrocarbon content of a tank after discharge of cargo.

(c) The washing of tanks shall be capable of being carried out in an inert atmosphere.

(d) During cargo discharge, the system shall be such as to ensure that the volume of gas referred to in paragraph (f) of this Regulation is available. At other times sufficient gas to ensure compliance with paragraph (g) of this Regulation shall be continuously available.

(e) Suitable means for purging the tanks with fresh air as well as with inert gas shall be provided.

(f) The system shall be capable of supplying inert gas at a rate of at least 125 per cent of the maximum rated capacity of the cargo pumps.

(g) Under normal running conditions, when tanks are being filled or have been filled with inert gas, a positive pressure shall be capable of being maintained at the tank.

(h) Exhaust gas outlets for purging shall be suitably located in the open air and shall be to the same general requirements as prescribed for
ventilating outlets of tanks, referred to in paragraph (a) of Regulation 58 of this Chapter.

(i) A scrubber shall be provided which will effectively cool the gas and remove solids and sulphur combustion products.

(j) At least two fans (blowers) shall be provided which together shall be capable of delivering at least the amount of gas stipulated in paragraph (f) of this Regulation.

(k) The oxygen content in the inert gas supply shall not normally exceed 5 per cent by volume.

(l) Means shall be provided to prevent the return of hydrocarbon gases or vapours from the tanks to the machinery spaces and uptakes and prevent the development of excessive pressure or vacuum. In addition, an effective water lock shall be installed at the scrubber or on deck. Branch piping for inert gas shall be fitted with stop valves or equivalent means of control at every tank. The system shall be so designed as to minimize the risk of ignition from the generation of static electricity.

(m) Instrumentation shall be fitted for continuously indicating and permanently recording at all times when inert gas is being supplied the pressure and oxygen content of the gas in the inert gas supply main on the discharge side of the fan. Such instrumentation should preferably be placed in the cargo control room if fitted but in any case shall be easily accessible to the officer in charge of cargo operations. Portable instruments suitable for measuring oxygen and hydrocarbon gases or vapour and the necessary tank fittings shall be provided for monitoring the tank contents.

(n) Means for indicating the temperature and pressure of the inert gas main shall be provided.

(o) Alarms shall be provided to indicate:
   (i) high oxygen content of gas in the inert gas main;
   (ii) low gas pressure in the inert gas main;
   (iii) low pressure in the supply to the deck water seal, if such equipment is installed;
   (iv) high temperature of gas in the inert gas main; and
   (v) low water pressure to the scrubber
and automatic shut-downs of the system shall be arranged on predetermined limits being reached in respect of sub-paragraphs (iii), (iv) and (v) of this paragraph.

(p) The master of any ship equipped with an inert gas system shall be provided with an instruction manual covering operational, safety and occupational health requirements relevant to the system.

**Regulation 63**

*Cargo Pump Room*

Each cargo pump room shall be provided with a fixed fire-fighting system operated from a readily accessible position outside the pump room. The system shall use water-spray or another suitable medium satisfactory to the Administration.

**Regulation 64**

*Hose Nozzles*

All hose water nozzles provided shall be of an approved dual purpose type (i.e. spray/jet type) incorporating a shut-off.

**PART F—SPECIAL FIRE SAFETY MEASURES FOR EXISTING PASSENGER SHIPS**

(For the purposes of this Part of this Chapter, all references to Regulation . . . (1948) mean references to Regulations of Chapter II of the International Convention for the Safety of Life at Sea, 1948, and all references to Regulation . . . (1960) mean, unless otherwise stated, references to Regulations of Chapter II of the International Convention for the Safety of Life at Sea, 1960)

**Regulation 65**

*Application*

Any passenger ship carrying more than 36 passengers shall at least comply as follows:

(a) A ship, the keel of which was laid before 19 November 1952, shall comply with the provisions of Regulations 66 to 85 inclusive of this Part.
(b) A ship, the keel of which was laid on or after 19 November 1952 but before 26 May 1965, shall comply with the provisions of the International Convention for the Safety of Life at Sea, 1948, relating to the fire safety measures applicable in that Convention to new ships and shall also comply with the provisions of Regulations 68 (b) and (c), 75, 77 (b), 78, 80 (b), 81 (b) to (g), 84 and 85 of this Part.

(c) A ship, the keel of which was laid on or after 26 May 1965, but before the present Convention comes into force, shall, unless it complies with Parts A and B of this Chapter, comply with the provisions of the International Convention for the Safety of Life at Sea, 1960 relating to the fire safety measures applicable in that Convention to new ships and shall also comply with Regulations 68 (b) and (c), 80 (b), 81 (b), (c) and (d) and 85 of this Part.

**Regulation 66**

*Structure*

The structural components shall be of steel or other suitable material in compliance with Regulation 27 (1948), except that isolated deckhouses containing no accommodation and decks exposed to the weather may be of wood if structural fire protection measures are taken to the satisfaction of the Administration.

**Regulation 67**

*Main Vertical Zones*

The ship shall be subdivided by “A” Class divisions into main vertical zones in compliance with Regulation 28 (1948). Such divisions shall have as far as practicable adequate insulating value, taking into account the nature of the adjacent spaces as provided for in Regulation 26 (c) (iv) (1948).

**Regulation 68**

*Openings in Main Vertical Zone Bulkheads*

(a) The ship shall comply substantially with Regulation 29 (1948).

(b) Fire doors shall be of steel or equivalent material with or without non-combustible insulation.
(c) In the case of ventilation trunks and ducts having a cross-sectional area of 0.02 square metres (31 square inches) or more which pass through main zone divisions, the following additional provisions shall apply:

(i) for trunks and ducts having cross-sectional areas between 0.02 square metres (31 square inches) and 0.075 square metres (116 square inches) inclusive, fire dampers shall be of a fail-safe automatic closing type, or such trunks and ducts shall be insulated for at least 457 millimetres (18 inches) on each side of the division to meet the applicable bulkhead requirements;

(ii) for trunks and ducts having a cross-sectional area exceeding 0.075 square metres (116 square inches), fire dampers shall be of a fail-safe automatic closing type.

**Regulation 69**

*Separation of Accommodation Spaces from Machinery, Cargo and Service Spaces*

The ship shall comply with Regulation 31 (1948).

**Regulation 70**

*Application relative to Methods I, II and III*

Each accommodation space and service space in a ship shall comply with all the provisions stipulated in one of the paragraphs (a), (b), (c) or (d) of this Regulation:

(a) When a ship is being considered for acceptance in the context of Method I, a network of non-combustible “B” Class bulkheads shall be provided in substantial compliance with Regulation 30 (a) (1948) together with maximum use of non-combustible materials in compliance with Regulation 39 (a) (1948).

(b) When a ship is being considered for acceptance in the context of Method II:

(i) an automatic sprinkler and fire alarm system shall be provided which shall be in substantial compliance with Regulations 42 and 48 (1948), and

(ii) the use of combustible materials of all kinds shall be reduced as far as is reasonable and practicable.
(c) When a ship is being considered for acceptance in the context of Method III, a network of fire-retarding bulkheads shall be fitted from deck to deck in substantial compliance with Regulation 30 (b) (1948), together with an automatic fire detection system in substantial compliance with Regulation 43 (1948). The use of combustible and highly inflammable materials shall be restricted as prescribed in Regulations 39 (b) and 40 (g) (1948). Departure from the requirements of Regulations 39 (b) and 40 (g) (1948) may be permitted if a fire patrol is provided at intervals not exceeding 20 minutes.

(d) When a ship is being considered for acceptance in the context of Method III:

(i) additional “A” Class divisions shall be provided within the accommodation spaces in order to reduce in these spaces the mean length of the main vertical zones to about 20 metres (65.5 feet); and

(ii) an automatic fire detection system shall be provided in substantial compliance with Regulation 43 (1948); and

(iii) all exposed surfaces, and their coatings, of corridor and cabin bulkheads in accommodation spaces shall be of limited flam-spreading power; and

(iv) the use of combustible materials shall be restricted as prescribed in Regulation 39 (b) (1948). Departure from the requirements of Regulation 39 (b) (1948) may be permitted if a fire patrol is provided at intervals not exceeding 20 minutes; and

(v) additional non-combustible “B” Class divisions shall be fitted from deck to deck forming a network of fire-retarding bulkheads within which the area of any compartment, except public spaces, will in general not exceed 300 square metres (3,200 square feet).

**Regulation 71**

*Protection of Vertical Stairways*

The stairways shall comply with Regulation 33 (1948) except that, in cases of exceptional difficulty, the Administration may permit the use of non-combustible “B” Class divisions and doors instead of “A” Class divisions and doors for stairway enclosures. Moreover, the Administration may permit exceptionally the retention of a wooden stairway subject to its being sprinkler-protected and satisfactorily enclosed.
Regulation 72
Protection of Lifts (Passenger and Service), Vertical Trunks for Light and Air, etc.

The ship shall comply with Regulation 34 (1948).

Regulation 73
Protection of Control Stations

The ship shall comply with Regulation 35 (1948), except however that in cases where the disposition or construction of control stations is such as to preclude full compliance, e.g. timber construction of wheelhouse, the Administration may permit the use of free-standing non-combustible “B” Class divisions to protect the boundaries of such control stations. In such cases, where spaces immediately below such control stations constitute a significant fire hazard, the deck between shall be fully insulated as an “A” Class division.

Regulation 74
Protection of Store-rooms, etc.

The ship shall comply with Regulation 36 (1948).

Regulation 75
Windows and Sidescuttles

Skylights of engine and boiler spaces shall be capable of being closed from outside such spaces.

Regulations 76
Ventilation Systems

(a) All power ventilation, except cargo and machinery space ventilation, shall be fitted with master controls so located outside the machinery space and in readily accessible positions, that it shall not be necessary to go more than three stations in order to stop all the ventilation fans to spaces other than machinery and cargo spaces. Machinery space ventilation shall be provided with a master control operable from a position outside the machinery space.
(b) Efficient insulation shall be provided for exhaust ducts from galley ranges where the ducts pass through accommodation spaces.

**Regulation 77**

*Miscellaneous Items*

(a) The ship shall comply with Regulation 40 (a), (b) and (f) (1948), except that in Regulation 40 (a) (i) (1948), 20 metres (65.5 feet) may be substituted for 13.73 metres (45 feet).

(b) Fuel pumps shall be fitted with remote controls situated outside the space concerned so that they may be stopped in the event of a fire arising in the space in which they are located.

**Regulation 78**

*Cinematograph Film*

Cellulose-nitrate-based film shall not be used in cinematograph installations on board ship.

**Regulation 79**

*Plans*

Plans shall be provided in compliance with Regulation 44 (1948).

**Regulation 80**

*Pumps, Fire Main Systems, Hydrants and Hoses*

(a) The provisions of Regulation 45 (1948) shall be complied with.

(b) Water from the fire main shall, as far as practicable, be immediately available, such as by maintenance of pressure or by remote control of fire pumps, which control shall be easily operable and readily accessible.

**Regulation 81**

*Fire Detection and Extinction Requirements*

(a) The requirements of Regulation 50 (a) to (o) (1948) inclusive shall be complied with, subject to further provisions of this Regulation.
Patrols, Detection and Communication System

(b) Each member of any fire patrol required by this Part shall be trained to be familiar with the arrangements of the ship as well as the location and operation of any equipment he may be called upon to use.

(c) A special alarm to summon the crew shall be fitted which may be part of the ship’s general alarm system.

(d) A public address system or other effective means of communication shall also be available throughout the accommodation, public and service spaces.

Machinery and Boiler Spaces

(e) The number, type and distribution of fire extinguishers shall comply with paragraphs (g) (ii), (g) (iii) and (h) (ii) of Regulation 64 (1960).

International Shore Connexion

(f) The provisions of Regulation 64 (d) (1960) shall be complied with.

Fireman’s Outfits

(g) The provisions of Regulation 64 (j) (1960) shall be complied with.

Regulation 82

Ready Availability of Fire-Fighting Appliances

The provisions of Regulation 66 (1960) shall be complied with.

Regulation 83

Means of Escape

The provisions of Regulation 54 (1948) shall be complied with.

Regulation 84

Emergency Source of Electrical Power

The provisions of Regulation 22 (a), (b) and (c) (1948) shall be complied with except that the location of the emergency source of electrical power shall be in accordance with the requirements of Regulation 25 (a) (1960).
Regulation 85

*Practice Musters and Drills*

At the fire drills mentioned in Regulation 26 of Chapter III of the International Convention for the Safety of Life at Sea, 1960 each member of the crew shall be required to demonstrate his familiarity with the arrangements and facilities of the ship, his duties, and any equipment he may be called upon to use. Masters shall be required to familiarize and instruct the crews in this regard.
CHAPTER III

LIFE-SAVING APPLIANCES, ETC.

Regulation 1

Application

(a) This Chapter, except where it is otherwise expressly provided, applies as follows to new ships engaged on international voyages:
   Part A—Passenger ships and cargo ships.
   Part B—Passenger ships.
   Part C—Cargo ships.

(b) In the case of existing ships engaged on international voyages, the keels of which were laid or which were at a similar stage of construction on or after the date of coming into force of the International Convention for the Safety of Life at Sea, 1960, the requirements of Chapter III of that Convention applicable to new ships as defined in that Convention shall apply.

(c) In the case of existing ships engaged on international voyages, the keels of which were laid or which were at a similar stage of construction before the date of coming into force of the International Convention for the Safety of Life at Sea, 1960, and which do not already comply with the provisions of Chapter III of that Convention relating to new ships, the arrangements in each ship shall be considered by the Administration with a view to securing, so far as this is practicable and reasonable, and as early as possible, substantial compliance with the requirements of Chapter III of that Convention. The proviso to sub-paragraph (b) (i) of Regulation 27 of this Chapter may, however, be applied to existing ships referred to in this paragraph only if:
   (i) the provisions of Regulations 4, 8, 14, 18 and 19 and paragraphs (a) and (b) of Regulation 27 of this Chapter are complied with;
   (ii) the liferafts carried in accordance with the provisions of paragraph (b) of Regulation 27 comply with the requirements of either Regulation 15 or Regulation 16, and of Regulation 17 of this Chapter; and
   (iii) the total number of persons on board shall not be increased as the result of the provision of liferafts unless the ship fully complies with the provisions of:
(1) Part B of Chapter II–1;
(2) sub-paragraphs (a) (iii) and (iv) of Regulation 21 or sub-paragraph (a) (iii) of Regulation 48 of Chapter II–2, as applicable; and
(3) paragraphs (a), (b), (e) and (f) of Regulation 29 of this Chapter.

PART A—GENERAL

(Part A applies to both passenger ships and cargo ships)

Regulation 2

Definitions

For the purpose of this Chapter:
(a) “Short international voyage” means an international voyage in the course of which a ship is not more than 200 miles from a port or place in which the passengers and crew could be placed in safety, and which does not exceed 600 miles in length between the last port of call in the country in which the voyage begins and the final port of destination.
(b) “Liferaft” means a liferaft complying with either Regulation 15 or Regulation 16 of this Chapter.
(c) “Approved launching device” means a device approved by the Administration, capable of launching from the embarkation position a liferaft fully loaded with the number of persons it is permitted to carry and with its equipment.
(d) “Certificated lifeboatman” means any member of the crew who holds a certificate of efficiency issued under the provisions of Regulation 32 of this Chapter.
(e) “Buoyant apparatus” means flotation equipment (other than lifeboats, liferafts, lifebuoys and life-jackets) designed to support a specified number of persons who are in the water and of such construction that it retains its shape and properties.

Regulation 3

Exemptions

(a) The Administration, if it considers that the sheltered nature and conditions of the voyage are such as to render the application of the full requirements of this Chapter unreasonable or unnecessary, may to that extent exempt from the requirements of this Chapter individual ships or classes of ships
which, in the course of their voyage, do not go more than 20 miles from the nearest land.

(b) In the case of passenger ships which are employed in special trades for the carriage of large numbers of special trade passengers, such as the pilgrim trade, the Administration, if satisfied that it is impracticable to enforce compliance with the requirements of this Chapter, may exempt such ships, when they belong to its country, from those requirements, provided that they comply fully with the provisions of:

(i) the Rules annexed to the Special Trade Passenger Ships Agreement, 1971; and

(ii) the Rules annexed to the Protocol on Space Requirements for Special Trade Passenger Ships, 1973, when it enters into force.

Regulation 4

Ready Availability of Lifeboats, Liferafts and Buoyant Apparatus

(a) The general principle governing the provision of lifeboats, liferafts and buoyant apparatus in a ship to which this Chapter applies is that they shall be readily available in case of emergency.

(b) To be readily available, the lifeboats, liferafts and buoyant apparatus shall comply with the following conditions:

(i) they shall be capable of being put into the water safely and rapidly even under unfavourable conditions of trim and of 15 degree of list;

(ii) it shall be possible to effect embarkation into the lifeboats and liferafts rapidly and in good order;

(iii) the arrangement of each lifeboat, liferaft and article of buoyant apparatus shall be such that it will not interfere with the operation of other boats, liferafts and buoyant apparatus.

(c) All the life-saving appliances shall be kept in working order and available for immediate use before the ship leaves port and at all times during the voyage.

Regulation 5

Construction of Lifeboats

(a) All lifeboats shall be properly constructed and shall be of such form and proportions that they shall have ample stability in a seaway, and sufficient freeboard when loaded with their full complement of persons and equipment. All lifeboats shall be capable of maintaining positive stability
when open to the sea and loaded with their full complement of persons and equipment.

(b) (i) All lifeboats shall have rigid sides and internal buoyancy only. The Administration may approve lifeboats with a rigid shelter, provided that it may be readily opened from both inside and outside, and does not impede rapid embarkation and disembarkation or the launching and handling of the lifeboat.

(ii) Motor lifeboats may be fitted to the satisfaction of the Administration with a means for preventing the entry of water at the fore end.

(iii) All lifeboats shall be not less than 7.3 metres (24 feet) in length except where owing to the size of the ship, or for other reasons, the Administration considers the carriage of such lifeboats unreasonable or impracticable. In no ship shall the lifeboats be less than 4.9 metres (16 feet) in length.

(c) No lifeboat may be approved the weight of which when fully laden with persons and equipment exceeds 20,300 kilogrammes (20 tons) or which has a carrying capacity calculated in accordance with Regulation 7 of this Chapter of more than 150 persons.

(d) All lifeboats permitted to carry more than 60 persons but not more than 100 persons shall be either motor lifeboats complying with the requirements of Regulation 9 of this Chapter or be lifeboats fitted with an approved means of mechanical propulsion complying with Regulation 10 of this Chapter. All lifeboats permitted to carry more than 100 persons shall be motor lifeboats complying with the requirements of Regulation 9 of this Chapter.

(e) All lifeboats shall be of sufficient strength to enable them to be safely lowered into the water when loaded with their full complement of persons and equipment. All lifeboats shall be of such strength that they will not suffer residual deflection if subjected to an overload of 25 per cent.

(f) All lifeboats shall have a mean sheer at least equal to 4 per cent of their length. The sheer shall be approximately parabolic in form.

(g) In lifeboats permitted to carry 100 or more persons the volume of the buoyancy shall be increased to the satisfaction of the Administration.

(h) All lifeboats shall have inherent buoyancy, or shall be fitted with watertight air cases or other equivalent non-corrodible buoyant material which shall not be adversely affected by oil or oil products, sufficient to float the boat and its equipment when the boat is flooded and open to the sea. An additional volume of watertight air cases or other equivalent non-corrodible buoyant material, which shall not be adversely affected by oil or oil products, equal to at least one-tenth of the cubic capacity of the
boat shall also be provided. The Administration may permit the watertight air cases to be filled with a non-corrodible buoyant material which shall not be adversely affected by oil or oil products.

(i) All thwarts and side-seats shall be fitted as low in the lifeboat as practicable.

(j) The block coefficient of the cubic capacity as determined in accordance with Regulation 6 of this Chapter of all lifeboats, except wooden lifeboats made of planks, shall be not less than 0.64 provided that any such lifeboat may have a block coefficient of less than 0.64 if the Administration is satisfied with the sufficiency of the metacentric height and freeboard when the lifeboat is loaded with its full complement of persons and equipment.

**Regulation 6**

*Cubic Capacity of Lifeboats*

(a) The cubic capacity of a lifeboat shall be determined by Simpson’s (Stirling’s) Rule or by any other method giving the same degree of accuracy. The capacity of a square-sterned lifeboat shall be calculated as if the lifeboat had a pointed stern.

(b) For example, the capacity in cubic metres (or cubic feet) of a lifeboat, calculated by the aid of Simpson’s Rule, may be considered as given by the following formula:

\[
\text{Capacity} = \frac{L}{12} (4A + 2B + 4C)
\]

L being the length of the lifeboat in metres (or feet) from the inside of the planking or plating at the stem to the corresponding point at the stern post: in the case of a lifeboat with a square stern, the length is measured to the inside of the transom.

A, B, C denote respectively the areas of the cross-sections at the quarter-length forward, amidships, and the quarter-length aft, which correspond to the three points obtained by dividing L into four equal parts. (The areas corresponding to the two ends of the lifeboat are considered negligible.)

The areas A, B, C shall be deemed to be given in square metres (or square feet) by the successive application of the following formula to each of the three cross-sections:

\[
\text{Area} = \frac{h}{12} (a + 4b + 2c + 4d + e)
\]
h being the depth measured in metres (or in feet) inside the planking or plating from the keel to the level of the gunwale, or, in certain cases, to a lower level as determined hereafter.

a, b, c, d, e denote the horizontal breadths of the lifeboat measured in metres (or in feet) at the upper and lower points of the depth and at the three points obtained by dividing h into four equal parts (a and e being the breadths at the extreme point, and c at the middle of point of h).

(c) If the sheer of the gunwale, measure at the two points situated at a quarter of the length of the lifeboat from the ends, exceeds 1 per cent of the length of the lifeboat the depth employed in calculating the area of the cross-sections A or C shall be deemed to be the depth amidships plus 1 per cent of the length of the lifeboat.

(d) If the depth of the lifeboat amidships exceeds 45 per cent of the breadth, the depth employed in calculating the area of the amidship cross-section B shall be deemed to be equal to 45 per cent of the breadth, and the depth employed in calculating the areas of the quarter-length sections A and C is obtained by increasing this last figure by an amount equal to 1 per cent of the length of the lifeboat, provided that in no case shall the depths employed in the calculation exceed the actual depths at these points.

(e) If the depth of the lifeboat is greater than 1.22 metres (4 feet) the number of persons given by the application of this Rule shall be reduced in proportion to the ratio of 1.22 metres (4 feet) to the actual depth, until the lifeboat has been satisfactorily tested afloat with that number of persons on board, all wearing life-jackets.

(f) The Administration shall impose, by suitable formulae, a limit for the number of persons allowed in lifeboats with very fine ends and in lifeboats very full in form.

(g) The Administration may assign to a lifeboat constructed of wooden planks capacity equal to the product of the length, the breadth and the depth multiplied by 0.6 if it is evident that this formula does not give a greater capacity than that obtained by the above method. The dimensions shall then be measured in the following manner:

Length—From the intersection of the outside of the planking with the stem to the corresponding point at the stern post or, in the case of a square-stered boat, to the after side of the transom.

Breadth—From the outside of the planking at the point where the breadth of the boat is greatest.

Depth—Amidships inside the planking from the keel to the level of the gunwale, but the depth used in calculating the cubic capacity may not in any case exceed 45 per cent of the breadth.
In all cases the shipowner has the right to require that the cubic capacity of the lifeboat shall be determined by exact measurement.

(h) The cubic capacity of a motor lifeboat or a lifeboat fitted with other propelling gear shall be obtained from the gross capacity by deducting a volume equal to that occupied by the motor and its accessories or the gearbox of the other propelling gear, and, when carried, the radiotelegraph installation and searchlight with their accessories.

**Regulation 7**

*Carrying Capacity of Lifeboats*

The number of persons which a lifeboat shall be permitted to accommodate shall be equal to the greatest whole number obtained by dividing the capacity in cubic metres by:

- In the case of a lifeboat of 7.3 metres (24 feet) in length or over: 0.283 (or where the capacity is measured in cubic feet 10);
- 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 shall in no case exceed the number of adult persons wearing life-jackets which can be seated without in any way interfering with the use of oars or the operation of other propulsion equipment.

**Regulation 8**

*Number of Motor Lifeboats to be carried*

(a) In every passenger ship there shall be carried on each side of the ship at least one motor lifeboat complying with the requirements of Regulation 9 of this Chapter.

Provided that in passenger ships in which the total number of persons which the ship is certified to carry, together with the crew, does not exceed 30, only one such motor lifeboat shall be required.

(b) In every cargo ship of 1,600 tons gross tonnage and upwards, except tankers, ships employed as whale factory ships, ships employed as fish processing or canning factory ships, and ships engaged in the carriage of persons in the whaling, fish processing or canning industries, there shall be

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carried at least one motor lifeboat complying with the requirements of Regulation 9 of this Chapter.

c) In every tanker of 1,600 tons gross tonnage and upwards, in every ship employed as a whale factory ship, in every ship employed as a fish processing or canning factory ship and in every ship engaged in the carriage of persons employed in the whaling, fish processing or canning industries, there shall be carried on each side at least one motor lifeboat complying with the requirements of Regulation 9 of this 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 engine and kept so as to be at all times ready for use; it shall be capable of being readily started in all conditions; sufficient fuel for 24 hours continuous operation at the speed specified in sub-paragraph (iii) of this paragraph shall be provided.

(ii) The engine and its accessories shall be suitably enclosed to ensure operation under adverse weather conditions, and the engine casing shall be fire-resisting. Provision shall be made for going astern.

(iii) The speed ahead in smooth water when loaded with its full complement of persons and equipment shall be:

1. In the case of motor lifeboats required by Regulation 8 of this Chapter to be carried in passenger ships, tankers, ships employed as whale factory ships, ships employed as fish processing or canning factory ships and ships engaged in the carriage of persons employed in the whaling, fish processing 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 appliances of a motor lifeboat shall be increased above that required by Regulation 5 of this Chapter by the amount, if any, by which the volume of the internal buoyancy appliances required to support the engine and its accessories, and, if fitted, the searchlight and radio-telegraph installation and their accessories, exceeds the volume of the internal buoyancy appliances required, at the rate of 0.0283 cubic metres (one cubic foot) per person, to support the additional persons which the lifeboat could accommodate if the motor and its accessories, and, if fitted, 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 than a motor lifeboat, shall comply with the following conditions:

(a) The propelling gear shall be of an approved type and shall have sufficient power to enable the lifeboat to be readily cleared from the ship’s side when launched and to be able to hold course under adverse weather conditions. If the gear is manually operated it shall be capable of being worked by persons untrained in its use and shall be 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 time when the propelling gear is in operation.

(c) The volume of the internal buoyancy of a mechanically propelled 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, two spare buoyant oars, and a buoyant steering oar; one set and a half of thole pins or crutches, attached to the lifeboat by lanyard or chain; a boat hook;

   (ii) two plugs for each plug hole (plugs are not required when proper automatic valves are fitted) attached to the lifeboat by 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 of suitable matches in a watertight container;

   (vi) a mast or masts, with galvanized wire stays together with sails (coloured orange);

   (vii) an efficient compass in binnacle, to be luminised or fitted 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 secured to the 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 of the lifeboat and be ready for use;

(xi) a vessel containing 4½ litres (1 gallon) of vegetable, fish or animal oil. The vessel shall be so constructed that the oil can be easily distributed on the water, and so arranged that it can be attached to the sea-anchor;

(xii) a food ration, determined by the Administration, for each person the lifeboat is certified to carry. These rations shall be kept in airtight receptacles which are to be stowed in a watertight container;

(xiii) watertight receptacles containing 3 litres (6 pints) 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 together with an approved de-salting apparatus capable of providing 1 litre (2 pints) of drinking water per person; a rustproof dipper with lanyard; a rustproof graduated drinking vessel;

(xiv) four parachute signals of approved type capable of giving a bright red light at a high altitude; six hand flares of an approved type giving a bright red light;

(xv) two buoyant smoke signals of an approved type (for day-time use) capable of giving off a volume of orange-coloured smoke;

(xvi) approved means to enable persons to cling to the boat should it be upturned, in the form of bilge keels or keel rails, 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 in the Morse Code together with one spare set of batteries and one spare bulb in a waterproof container;

(xix) a daylight-signalling mirror of an approved type;

(xx) a jack-knife fitted with a tin-opener to be kept attached to 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 visible colour capable of protecting the occupants against injury by exposure; and

(xxvii) one copy of the illustrated table of life-saving signals referred to in Regulation 16 of Chapter V.

(b) In the case of ships engaged on voyages of such duration that in the opinion of the Administration the items specified in sub-paragraphs (vi), (xii), (xix), (xx) and (xxv) of paragraph (a) of this Regulation are unnecessary, the Administration may allow them to be dispensed with.

(c) Notwithstanding the provisions of paragraph (a) of this Regulation, motor lifeboats or other approved mechanically propelled lifeboats need 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 means to enable persons in the water to climb into the lifeboat.

(e) Every motor lifeboat shall carry portable fire-extinguishing equipment of an approved type capable of discharging froth or other suitable substance for extinguishing oil fires.

Regulation 12

Security of Lifeboat Equipment

All items of lifeboat equipment, with the exception of the boat hook which shall be kept free for fending off purposes, shall be suitably secured within the lifeboat. The lashing shall be carried out in such a manner as to ensure the security of the equipment and so as not to interfere with the lifting hooks or to prevent ready embarkation. All items of lifeboat equipment shall be as small and light in weight as possible and shall be packed in suitable and compact form.

Regulation 13

Portable Radio Apparatus for Survival Craft

(a) An approved portable radio apparatus for survival craft complying with the requirements set out in Regulation 14 of Chapter IV shall be carried in all ships except those on which there is carried on each side of the ship a motor lifeboat fitted with a radiotelegraph installation complying with the provisions of Regulation 14 of this Chapter and of Regulation 13 of Chapter IV. All this equipment shall be kept together in the chartroom or other suitable place ready to be moved to one or other of the lifeboats in the event of an emergency. However, in tankers of 3,000 tons gross
tonnage and upwards in which lifeboats are fitted amidships and aft this equipment shall be kept in a suitable place in the vicinity of those lifeboats which are furthest away from the ship’s main transmitter.

(b) In the case of ships engaged on voyages of such duration that in the opinion of the Administration portable radio apparatus for survival craft is unnecessary, the Administration may allow such equipment to be dispensed with.

**Regulation 14**

*Radio Apparatus and Searchlights in Motor Lifeboats*

(a) (i) Where the total number of persons on board a passenger ship engaged on international voyages which are not short international voyages, a ship employed as a whale factory ship, a ship employed as a fish processing or canning factory ship or a ship engaged in the carriage of persons employed in the whaling, fish processing or canning industries, is more than 199 but less than 1,500, a radiotelegraph apparatus complying with the requirements set out in this Regulation and in Regulation 13 of Chapter IV shall be fitted in at least one of the motor lifeboats required under Regulation 8 of this Chapter to be carried in that ship.

(ii) Where the total number of persons on board such a ship is 1,500 or more, such a radiotelegraph apparatus shall be fitted in every motor lifeboat required under Regulation 8 of this Chapter to be carried in that ship.

(b) The radio apparatus shall be installed in a cabin large enough to accommodate both the equipment and the person using it.

(c) The arrangements shall be such that the efficient operation of the transmitter and receiver shall not be interfered with by the engine while it is running, whether a battery is on charge or not.

(d) The radio battery shall not be used to supply power to any engine starting motor or ignition system.

(e) The motor lifeboat engine shall be fitted with a dynamo for recharging the radio battery, and for other services.

(f) A searchlight shall be fitted in each motor lifeboat required to be carried under paragraph (a) of Regulation 8 of this Chapter in passenger ships and under paragraph (c) of that Regulation in ships employed as whale factory ships, fish processing or canning factory ships and ships engaged in the carriage of persons employed in the whaling, fish processing or canning industries.
(g) The searchlight shall include a lamp of at least 80 watts, an efficient reflector and a source of power which will give effective illumination of a light-coloured object having a width of about 18 metres (60 feet) at a distance of 180 metres (200 yards) for a total period of six hours and shall be capable of working for at least three hours continuously.

Regulation 15

Requirements for Inflatable Liferafts

(a) Every inflatable liferaft shall be so constructed that, when fully inflated and floating with the cover uppermost, it shall be stable in a seaway.

(b) The liferaft shall be so constructed that if it is dropped into the water from a height of 18 metres (60 feet) neither the liferaft nor its equipment will be damaged. If the raft is to be stowed on the ship at a height above the water of more than 18 metres (60 feet), it shall be of a type which has been satisfactorily drop-tested from a height at least equal to the height at which it is to be stowed.

(c) The construction of the liferaft shall include a cover which shall automatically be set in place when the liferaft is inflated. This cover shall be capable of protecting the occupants against injury from exposure, and means shall be provided for collecting rain. The top of the cover shall be fitted with a lamp which derives its luminosity from a sea-activated cell and a similar lamp shall also be fitted inside the liferaft. The cover of the liferaft shall be of a highly visible colour.

(d) The liferaft shall be fitted with a painter and shall have a line securely becketed round the outside. A lifeline shall also be fitted around the inside of the liferaft.

(e) The liferaft shall be capable of being readily righted by one person if it inflates in an inverted position.

(f) The liferaft shall be fitted at each opening with efficient means to enable persons in the water to climb on board.

(g) The liferaft shall be contained in a valise or other container so constructed as to be capable of withstanding hard wear under conditions met with at sea. The liferaft in its valise or other container shall be inherently buoyant.

(h) The buoyancy of the liferaft shall be so arranged as to ensure by a division into an even number of separate compartments, half of which shall be capable of supporting out of the water the number of persons which the liferaft is permitted to accommodate, or by some other equally efficient means, that there is a reasonable margin of buoyancy if the raft is damaged or partially fails to inflate.
(i) The total weight of the liferaft, its valise or other container and its equipment shall not exceed 180 kilogrammes (400 lbs.).

(j) The number of persons which an inflatable liferaft shall be permitted to accommodate shall be equal to:

   (i) the greatest whole number obtained by dividing by 96 the volume, measured in cubic decimetres (or by 3.4 the volume, measured in cubic feet) of the main buoyancy tubes (which for this purpose shall include neither the arches nor the thwart or thwarts if fitted) when inflated; or

   (ii) the greatest whole number obtained by dividing by 3,720 the area measured in square centimetres (or by 4 the area, measured in square feet) of the floor (which for this purpose may include the thwart or thwarts if fitted) of the liferaft when inflated whichever number shall be the less.

(k) The floor of the liferaft shall be waterproof and shall be capable of being sufficiently insulated against cold.

(l) The liferaft shall be inflated by a gas which is not injurious to the occupants and the inflation shall take place automatically either on the pulling of a line or by some other equally simple and efficient method. Means shall be provided whereby the topping-up pump or bellows required by Regulation 17 of this Chapter may be used to maintain pressure.

(m) The liferaft shall be of approved material and construction, and shall be so constructed as to be capable of withstanding exposure for 30 days afloat in all sea conditions.

(n) No liferaft shall be approved which has a carrying capacity calculated in accordance with paragraph (j) of this Regulation of less than six persons. The maximum number of persons calculated in accordance with that paragraph for which an inflatable liferaft may be approved shall be at the discretion of the Administration, but shall in no case exceed 25.

(o) The liferaft shall be capable of operating throughout a temperature range of 66°C to minus 30°C (150°F to minus 22°F).

(p) (i) The liferaft shall be so stowed as to be readily available in 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 from the vessel in the event of sinking.

   (ii) If used, lashings shall be fitted with an automatic release system of a hydrostatic or equivalent nature approved by the Administration.

   (iii) The liferaft required by paragraph (c) of Regulation 35 of this Chapter may be securely fastened.
(q) The liferaft shall be fitted with arrangements enabling it to be readily towed.

**Regulation 16**

*Requirements for Rigid Liferafts*

(a) Every rigid liferaft shall be so constructed that if it is dropped into the water from its stowed position neither the liferaft nor its equipment will be damaged.

(b) The deck area of the liferaft shall be situated within that part of the liferaft which affords protection to its occupants. The area of that deck shall be at least 0.3720 square metres (4 square feet) for every person the liferaft is permitted to carry. The nature of the deck shall be such as to prevent so far as practicable the ingress of water and it shall effectively support the occupants out of the water.

(c) The liferaft shall be fitted with a cover or equivalent arrangement of a highly visible colour, which shall be capable of protecting the occupants against injury from exposure whichever way up the liferaft is floating.

(d) The equipment of the liferaft shall be so stowed as to be readily available whichever way up the liferaft is floating.

(e) The total weight of a liferaft and its equipment carried in passenger ships shall not exceed 180 kilogrammes (400 lbs.). Liferafts carried in cargo ships may exceed 180 kilogrammes (400 lbs.) in weight if they are capable of being launched from both sides of the ship or if there are provided means for putting them into the water mechanically.

(f) The liferaft must at all times be effective and stable when floating either way up.

(g) The liferaft shall have at least 96 cubic decimetres (3.4 cubic feet) of air cases or equivalent buoyancy for each person it is permitted to carry which must be placed as near as possible to the sides of the raft.

(h) The liferaft shall have a painter attached and a lifeline securely becketed round the outside. A lifeline shall also be fitted around the inside of the raft.

(i) The liferaft shall be fitted at each opening with efficient means to enable persons in the water to climb on board.

(j) The liferaft shall be so constructed as not to be affected by oil or oil products.

(k) A buoyant light of the electric battery type shall be attached to the liferaft by a lanyard.
(l) The liferaft shall be fitted with arrangements enabling it to be readily towed.

(m) Liferafts shall be so stowed as to float free in the event of the 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 least 30 metres (100 feet) of buoyant line.
   
   (ii) For liferafts which are permitted to accommodate not more than 12 persons: one knife and one baler; for liferafts which are permitted to accommodate 13 persons or more: two knives and two balers.
   
   (iii) Two sponges.
   
   (iv) Two sea-anchors, one permanently attached to the liferaft and one spare.
   
   (v) Two paddles.
   
   (vi) One repair outfit capable of repairing punctures in buoyancy compartments.
   
   (vii) One topping-up pump or bellows, unless the liferaft complies 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 suitable for signalling in the Morse Code, together with one spare set of batteries and one spare bulb in a waterproof container.
   
   (xii) One daylight-signalling mirror and one signalling whistle.
   
   (xiii) Two parachute distress signals of an approved type, capable of giving a bright red light at a high altitude.
   
   (xiv) Six hand flares of an approved type, capable of giving a bright red light.
   
   (xv) One set of fishing tackle.
   
   (xvi) A food ration, determined by the Administration, for each person the liferaft is permitted to accommodate.
   
   (xvii) Watertight receptacles containing 1½ litres (3 pints) of fresh water for each person the liferaft is permitted to accommodate, of which ½ litre (1 pint) per person may be replaced by a suitable de-salting apparatus capable of producing an equal amount of fresh water.
(xviii) Six anti-seasickness tablets for each person the liferaft is deemed fit to accommodate.

(xix) Instructions on how to survive in the liferaft; and

(xx) one copy of the illustrated table of life-saving signals referred to in Regulation 16 of Chapter V.

(b) In the case of passenger ships engaged on short international voyages of such duration that in the opinion of the Administration all the items specified in paragraph (a) of this Regulation are unnecessary, the Administration may allow one or more liferafts, not being less than one-sixth of the number of liferafts carried in any such ship, to be provided with the equipment specified in sub-paragraphs (i) to (vii) inclusive, (xi) and (xix) of paragraph (a) of this Regulation, and with one-half of the equipment specified in sub-paragraphs (xiii) and (xiv) of that paragraph and the remainder of the liferafts carried to be provided with the equipment specified in sub-paragraphs (i) to (vii) inclusive and (xix) of that paragraph.

**Regulation 18**

*Training in the use of Liferafts*

The Administration shall so far as is practicable and reasonable take steps with a view to ensuring that crews of ships in which liferafts are carried are trained in their launching and use.

**Regulation 19**

*Embarkation into Lifeboats and Liferafts*

(a) Suitable arrangements shall be made for embarkation into the lifeboats, which shall include:

(i) a ladder at each set of davits to afford access to the lifeboats when waterborne, except that in passenger ships, ships employed as whale factory ships, ships employed as fish processing or canning factory ships and ships engaged in the carriage of persons employed in the whaling, fish processing or canning industries, the Administration may permit such ladders to be replaced by approved devices provided that there shall not be less than one ladder on each side of the ship;

(ii) means for illuminating the lifeboats and their launching gear during preparation for and the process of launching, and also for illuminating the water into which the lifeboats are launched until the process of launching is completed;
(iii) arrangements for warning the passengers and crew that the ship is about to be abandoned; and

(iv) means for preventing any discharge of water into the lifeboats.

(b) Suitable arrangements shall also be made for embarkation into the liferafts, which shall include:

(i) sufficient ladders to facilitate embarkation into the liferafts when waterborne except that in passenger ships, ships employed as whale factory ships, ships employed as fish processing or canning factory ships, and ships engaged in the carriage of persons employed in the whaling, fish processing or fish canning industries, the Administration may permit the replacement of some or all of such ladders by approved devices;

(ii) where there are carried liferafts for which approved launching devices are provided, means for illuminating those liferafts and launching devices during the preparation for and the process of launching, and also for illuminating the water into which those liferafts are launched until the process of launching is completed;

(iii) means for illuminating the stowage position of liferafts for which approved launching devices are not provided;

(iv) arrangements for warning the passengers and crew that the ship is about to be abandoned; and

(v) means for preventing any discharge of water into the liferafts at fixed launching positions, including those under approved launching devices.

**Regulation 20**

*Marking of Lifeboats, Liferafts and Buoyant Apparatus*

(a) The dimensions of a lifeboat and the number of persons which it is permitted to carry shall be marked on it in clear permanent characters. The name and port of registry of the ship to which the lifeboat belongs shall be painted on each side of the bow.

(b) Buoyant apparatus shall be marked with the number of persons in the same manner.

(c) The number of persons shall be marked in the same manner on inflatable liferafts and also on the valise or container in which the inflatable liferaft is contained. Every inflatable liferaft shall also bear a serial number and the manufacturer’s name so that the owner of the liferaft can be ascertained.
(d) Every rigid liferaft shall be marked with the name and port of registry of the ship in which it is carried, and with the number of persons it is permitted to carry.

(e) No lifeboat, liferaft or buoyant apparatus shall be marked for a greater number of persons than that obtained in the manner specified in 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 water for 24 hours 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 name and port of registry of the ship in which it is carried.

(b) Lifebuoys filled with rushes, cork shavings or granulated cork, or any other loose granulated material, or whose buoyancy depends upon air compartments which require to be inflated, are prohibited.

(c) Lifebuoys made of plastic or other synthetic compounds shall be capable of retaining their buoyant properties and durability in contact with sea water or oil products, or under variations of temperature or climatic changes prevailing in open sea voyages.

(d) Lifebuoys shall be fitted with becket s securely seized. At least one lifebuoy on each side of the ship shall be fitted with a buoyant lifeline of at least 27.5 metres (15 fathoms) in length.

(e) In passenger ships not less than one-half of the total number of 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 with efficient self-igniting lights.

(f) The self-igniting lights required by paragraph (e) of this Regulation shall be such that they cannot be extinguished by water. They shall be capable of burning for not less than 45 minutes and shall have a luminous intensity of not less than 2 candela in all directions of the upper hemisphere. The lights shall be kept near the lifebuoys to which they belong, with the
necessary means of attachment. Self-igniting lights used in tankers shall be of an approved electric battery type.*

(g) All lifebuoys shall be so placed as to be readily accessible to the persons on board, and at least two of the lifebuoys provided with self-igniting lights in accordance with paragraph (e) of this Regulation shall also be provided with an efficient self-activating smoke signal capable of producing smoke of a highly visible colour for at least 15 minutes, and shall be capable of quick release from the navigating bridge.

(h) Lifebuoys shall always be capable of being rapidly cast loose and shall not be permanently secured in any way.

**Regulation 22**

*Life-jackets*

(a) Ships shall carry for every person on board a life-jacket of an approved type and, in addition, unless these life-jackets can be adapted for use by children, a sufficient number of life-jackets suitable for children. Each life-jacket shall be suitably marked showing that it has been approved by the Administration.

(b) In addition to the life-jackets required by paragraph (a) of this Regulation there shall be carried on passenger ships life-jackets for 5 per cent of the total number of persons on board. These life-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 so far as possible all risk of its being put on incorrectly, except that it shall be capable of being worn inside out.

* The following ranges of visibilities of the light might be expected in given atmospheric conditions.

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<thead>
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<th>Atmospheric transmissivity factor</th>
<th>Meteorological range of visibility (miles)</th>
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<td>0.9</td>
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</tr>
</tbody>
</table>

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(iii) it shall be capable of lifting the face of an exhausted or unconscious person out of the water and holding it above the water with the body inclined backwards from its vertical position;
(iv) it shall be capable of turning the body in the water from any position to a safe floating position with the body inclined 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, firmly secured by a cord;
(viii) the buoyancy of the life-jacket required to provide the foregoing performance shall not be reduced by more than 5 per cent after 24 hours’ submergence in fresh water.

(d) A life-jacket, the buoyancy of which depends on inflation, may be permitted for use by the crews of all ships except passenger ships and tankers provided that:
   (i) it has two separate inflatable compartments;
   (ii) it is capable of being inflated both mechanically and by mouth; and
   (iii) it complies with the requirements of paragraph (c) of this Regulation with either compartment inflated separately.

(e) Life-jackets shall be so placed as to be readily accessible and their 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 not less than 230 metres (250 yards) with reasonable accuracy, and shall include not less 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 and by night, including at least twelve parachute signals capable of giving a bright red light at a high altitude.
Regulation 25

Muster List and Emergency Procedure

(a) Special duties to be undertaken in the event of an emergency shall be allotted to each member of the crew.

(b) The muster list shall show all the special duties and shall indicate, in particular, the station to which each member must go, and the duties that he has to perform.

(c) The muster list for each passenger ship shall be in a form approved by the Administration.

(d) Before the vessel sails, the muster list shall be completed. Copies shall be posted in several parts of the ship, and in particular in the crew’s quarters.

(e) The muster list shall show the duties assigned to the different members of the crew in connexion with:

   (i) the closing of the watertight doors, valves and closing mechanisms of scuppers, ash-shoots and fire doors;

   (ii) the equipping of the lifeboats (including the portable radio 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 extinction of fire, having regard to the ship’s fire control plans.

(f) The muster list shall show the several duties assigned to the members of the stewards department in relation to the passengers in case of emergency. These duties shall include:

   (i) warning the passengers;

   (ii) seeing that they are suitably clad and have put on their life-jackets in a proper manner;

   (iii) assembling the passengers at muster stations;

   (iv) keeping order in the passages and on the stairways, 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 the extinction of 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 signals for calling all the crew to their boat, liferaft and fire stations, and shall give full particulars of these signals. These signals shall be made on the whistle or siren and, except on passenger ships on short international voyages and on cargo ships of less than 45.7 metres (150 feet) in length, they shall be supplemented by other signals which shall be electrically operated. All these signals shall be operable from the bridge.

Regulation 26

Practise Musters and Drills

(a) (i) In passenger ships, musters of the crew for boat drill and fire drill shall take place weekly when practicable and there shall be such a muster when a passenger ship leaves the final port of departure on an international voyage which is not a short international voyage.

(ii) In cargo ships, a muster of the crew for boat drill and fire drill shall take place at intervals of not more than one month, provided that a muster of the crew for boat drill and fire drill shall take place within 24 hours of leaving a port if more than 25 per cent of the crew have been replaced at that port.

(iii) On the occasion of the monthly muster in cargo ships the boat’s equipment shall be examined to ensure that it is complete.

(iv) The date upon which musters are held, and details of any training and drills in fire fighting which are carried out on board shall be recorded in such log book as may be prescribed by the Administration. If in any week (for passenger ships) or month (for cargo ships) no muster or a part muster only is held, an entry shall be made stating the circumstances and extent of the muster held. A report of the examination of the boat’s equipment on cargo ships shall be entered in the log book, which shall also record the occasions on which the lifeboats are swung out and lowered in compliance with paragraph (c) of this Regulation.

(b) In passenger ships, except those engaged on short international voyages, a muster of the passengers shall be held within 24 hours after leaving port.

(c) Different groups of lifeboats shall be used in turn at successive boat drills and every lifeboat shall be swung out and, if practicable 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 signal for summoning passengers to muster stations shall be a succession of seven or more short blasts followed by one long blast on the whistle or siren. This shall be supplemented in passenger ships, except those engaged on short international voyages, by other signals, which shall be electrically operated, throughout the ship operable from the bridge. The meaning of all signals affecting passengers, with precise instructions on what they are to do in an emergency, shall be clearly stated in appropriate languages on cards posted in their cabins and in conspicuous places in other passenger quarters.

**PART B—PASSENGER SHIPS ONLY**

**Regulation 27**

*Lifeboats, Liferafts and Buoyant Apparatus*

(a) Passenger ships shall carry two boats attached to davits—one on each side of the ship—for use in an emergency. These boats shall be of an 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) of this Regulation, provided that they comply fully with the requirements for 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 be kept ready for immediate use while the ship is at sea. In ships in which the requirements of paragraph (h) of Regulation 29 are met by means of appliances fitted to the sides of the lifeboats, such appliances shall not be required to be fitted to the two boats provided to meet the requirements of this Regulation.

(b) Passenger ships engaged on international voyages which are not short international voyages shall carry:

(i) Lifeboats on each side of such aggregate capacity as will accommodate half the total number of persons on board. Provided that the Administration may permit the substitution of lifeboats by liferafts of the same total capacity so however that there shall never be less than sufficient lifeboats on each side of the ship to accommodate 37\(\frac{1}{2}\) per cent of all on board.

(ii) Liferafts of sufficient aggregate capacity to accommodate 25 per cent of the total number of persons on board, together with buoyant apparatus for 3 per cent of that number. Provided that ships which have a factor of subdivision of 0.33 or less shall be permitted to carry, in lieu of liferafts for 25 per cent of all on 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 short international voyages shall be provided with sets of davits in accordance with its length as specified in Column A of the Table in Regulation 28 of this Chapter. Each set of davits shall have a lifeboat attached to it and these lifeboats shall provide at least the minimum capacity required by Column C of the Table or the capacity required to provide accommodation for all on board if this is less.

Provided that when in the opinion of the Administration it is impracticable or unreasonable to place on a ship engaged on short international voyages the number of sets of davits required by Column A of the Table in Regulation 28, the Administration may authorize, under exceptional conditions, a smaller number of davits, except that this number shall never be less than the minimum number fixed by Column B of the Table, and that the total capacity of the lifeboats on the ship will be at least equal to the minimum capacity required by Column C or the capacity required to provide for all persons on board if this is less.

(ii) If the lifeboats so provided are not sufficient to accommodate all on board, additional lifeboats under davits or liferafts shall 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 provisions of sub-paragraph (ii) of this paragraph in any ship engaged on short international voyages the number of persons carried shall not exceed the total capacity of the lifeboats provided in accordance with sub-paragraphs (i) and (ii) of this paragraph unless the Administration considers that this is necessitated by the volume of traffic and then only if the ship complies with the provisions of paragraph (d) of Regulation 1 of Chapter II–1.

(iv) Where under the provisions of sub-paragraph (iii) of this paragraph the Administration has permitted the carriage of persons in excess of the lifeboat capacity and is satisfied that it is impracticable in that ship to stow the liferafts carried in accordance with sub-paragraph (ii) of this paragraph it may permit a reduction in the number of lifeboats.

Provided that:

1. the number of lifeboats shall, in the case of ships of 58 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) the number of lifeboats and liferafts shall always be sufficient to accommodate the total number of persons on board.

(v) Every passenger ship engaged on short international voyages shall carry in addition to the lifeboats and liferafts required by the provisions of this paragraph, liferafts sufficient to accommodate 10 per cent of the total number of persons for whom there is accommodation in the lifeboats carried in that ship.

(vi) Every passenger ship engaged on short international voyages shall also carry buoyant apparatus for at least 5 per cent of the total number of persons on board.

(vii) The Administration may permit individual ships or classes of ships with short international voyage certificates to proceed on voyages in excess of 600 miles but not exceeding 1,200 miles if such ships comply with the provisions of paragraph (d) of Regulation 1 of Chapter II–1, if they carry lifeboats which provide for 75 per cent of the persons on board and otherwise comply with 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 provided on a ship engaged on short international voyages to each of which must be attached a lifeboat in accordance with Regulation 27 of this Chapter;

(B) the smaller number of sets of davits which may be authorized exceptionally on a ship engaged on short international voyages under Regulation 27 of this Chapter; and

(C) the minimum lifeboat capacity required for a ship engaged on short international voyages.
### Schedule 1

**International Convention for the Safety of Life at Sea, 1974**

<table>
<thead>
<tr>
<th>Registered length of ship</th>
<th>(A) Minimum number of sets of davits</th>
<th>(B) Smaller number of sets of davits authorized exceptionally</th>
<th>(C) Minimum capacity of lifeboats</th>
</tr>
</thead>
<tbody>
<tr>
<td>Metres</td>
<td>Feet</td>
<td></td>
<td></td>
</tr>
<tr>
<td>31 and under</td>
<td>37</td>
<td>100 and under</td>
<td>120</td>
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<tr>
<td>37</td>
<td>43</td>
<td>120</td>
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<td>58</td>
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<td>390</td>
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<td>119</td>
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<td>410</td>
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<td>140</td>
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<td>460</td>
<td>490</td>
</tr>
<tr>
<td>149</td>
<td>159</td>
<td>490</td>
<td>520</td>
</tr>
<tr>
<td>159</td>
<td>168</td>
<td>520</td>
<td>550</td>
</tr>
</tbody>
</table>

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 to the satisfaction of the Administration in such a way that:
(i) they can all be launched in the shortest possible time and in not more than 30 minutes;
(ii) they will not impede in any way the prompt handling of any of the other lifeboats, liferafts or buoyant apparatus or the marshalling of the persons on board at the launching stations, or their embarkation;
(iii) the lifeboats, and the liferafts for which approved launching devices are required to be carried, shall be capable of being put into the water loaded with their full complement of persons and equipment even in unfavourable conditions of trim and of 15 degrees of list either way; and
(iv) the liferafts for which approved launching devices are not 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 proper measures are taken to prevent lifeboats on a lower deck being fouled by those stowed on a deck above.

(d) Lifeboats, and liferafts for which approved launching devices are required to be carried, shall not be placed in the bow of the ship. They shall be stowed in such positions as to ensure safe launching having particular regard to clearance from the propeller and steeply overhanging portions of the hull aft.

(e) Davits shall be of approved design and shall be suitably placed to 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 for operating lifeboats weighing not more than 2,300 kilogrammes (2¼ tons) in their turning out condition;
(ii) gravity type for operating lifeboats weighing more than 2,300 kilogrammes (2¼ tons) in their turning out condition.

(g) Davits, falls, blocks and all other gear shall be of such strength that the lifeboats can be turned out manned by a launching crew and then safely lowered with the full complement of persons and equipment, with the ship listed to 15 degrees either way and with a 10 degrees trim.

(h) Skates or other suitable means shall be provided to facilitate launching the lifeboats against a list of 15 degrees.
(i) Means shall be provided for bringing the lifeboats against the ship’s side and there holding them so that persons may be safely embarked.

(j) Lifeboats, together with the emergency boats required by Regulation 27 of this Chapter, shall be served by 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 falls or falls of another approved material with or without winches (except that the emergency boats shall be required to be served by winches which are capable of quick recovery 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 to the davit span, and the falls and lifelines shall be long enough to reach the water with the ship at its lightest sea-going draught and listed to 15 degrees either way. Lower fall blocks shall be fitted with a suitable ring or long link for attaching to the sling hooks unless an approved type of disengaging gear is fitted.

(l) Where mechanically-powered appliances are fitted for the recovery of the lifeboats, efficient hand gear shall also be provided. Where davits are recovered by action of the falls by power, safety devices shall be 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 falls ready for service and arrangements shall be made for speedily, but not necessarily simultaneously, detaching the lifeboats from the falls. The point of attachment of the lifeboats to the falls shall be at such height above the gunwale as to ensure stability when lowering the lifeboats.

(n) (i) In passenger ships engaged on international voyages which are not short international voyages in which there are carried lifeboats and liferafts in accordance with sub-paragraph (b) (i) of Regulation 27 of this Chapter, there shall be provided approved launching devices sufficient in number in the opinion of the Administration to enable that number of liferafts which, together with the lifeboats, is required in accordance with that sub-paragraph to provide accommodation for all on board, to be put into the water loaded with the number of persons they are permitted to accommodate, in not more than thirty minutes in calm conditions. Approved launching devices so provided shall, so far as practicable, be distributed equally on each side of the ship and there shall never be less than one such device on each side. No such devices need, however, be provided for the additional liferafts required to be carried by sub-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 international voyages, 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 shall not be more than the number which, in the opinion of the Administration, can be put into the water fully loaded with the number of persons they are permitted to carry by that device in not more than 30 minutes in calm conditions.

**Regulation 30**

*Lighting for Decks, Lifeboats, Liferafts, etc.*

(a) Provision shall be made for an electric or equivalent system of lighting sufficient for all the requirements of safety in the different parts of a passenger ship, and particularly for decks on which the lifeboats and liferafts are stowed. The self-contained emergency source of electrical power required by Regulation 25 of Chapter II–1 shall be capable of supplying where necessary this lighting system and also the 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 by passengers or crew shall be continuously lighted by an emergency lamp. The power for these emergency lamps shall be so arranged that they will be supplied from the emergency source of power referred to in paragraph (a) of this 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 in charge of each lifeboat and a second-in-command shall also be nominated. 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 with their several duties.

(b) A man capable of working the motor shall be assigned to each motor lifeboat.

(c) A man capable of working the radio and searchlight installations shall be assigned to each lifeboat carrying this equipment.
Schedule 1  International Convention for the Safety of Life at Sea, 1974

(d) A man practised in the handling and operation of liferafts shall be assigned to each liferaft carried, except where in ships engaged on short international voyages the Administration is satisfied that this is not practicable.

Regulation 32
Certificated Lifeboatmen

(a) In passenger ships there shall be, for every lifeboat carried in order to comply with this Chapter, a number of lifeboatmen at least equal to that specified in the following table:

<table>
<thead>
<tr>
<th>Prescribed complement of lifeboat</th>
<th>The minimum number of certificated lifeboatmen shall be</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 41 persons.............</td>
<td>2</td>
</tr>
<tr>
<td>From 41 to 61 persons...........</td>
<td>3</td>
</tr>
<tr>
<td>From 62 to 85 persons............</td>
<td>4</td>
</tr>
<tr>
<td>Above 85 persons................</td>
<td>5</td>
</tr>
</tbody>
</table>

(b) The allocation of the certificated lifeboatmen to each lifeboat remains within the discretion of the master.

(c) Certificates of efficiency shall be issued under the authority of the Administration. In order to obtain such a certificate an applicant shall prove that he has been trained in all the operations connected with launching lifeboats and other life-saving appliances and in the use of oars and propelling gear; that he is acquainted with the practical handling of lifeboats and of other life-saving equipment, and further, 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 be approved unless it satisfies the following conditions:

(i) It shall be of such size and strength that it can be thrown from the place where it is stowed into the water without being damaged.

(ii) It shall not exceed 180 kilograms (400 lbs.) in weight unless suitable means to the satisfaction of the Administration are 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 near as possible to the sides of the apparatus, and such buoyancy shall not be dependent upon inflation.
(vi) It shall be fitted with a painter and have a line securely becketed round the outside.

(b) The number of persons for which buoyant apparatus is certified shall be the number:

(i) ascertained by dividing the number of kilogrammes of iron which it is capable of supporting in fresh water by 14.5 (or the number of pounds divided by 32), or

(ii) equal to the number of millimetres in the perimeter divided by 305 (or the number of feet in the perimeter), whichever is the 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:

<table>
<thead>
<tr>
<th>Length of ship in metres</th>
<th>Minimum number of buoys</th>
</tr>
</thead>
<tbody>
<tr>
<td>Under 61</td>
<td>Under 200..................</td>
</tr>
<tr>
<td>61 and under 122</td>
<td>200 and under 400........</td>
</tr>
<tr>
<td>122 and under 183</td>
<td>400 and under 600........</td>
</tr>
<tr>
<td>183 and under 244</td>
<td>600 and under 800........</td>
</tr>
<tr>
<td>244 and over</td>
<td>800 and over.............</td>
</tr>
</tbody>
</table>

**PART C—CARGO SHIPS ONLY**

**Regulation 35**

*Number and Capacity of Lifeboats and Liferafts*

(a) (i) Every cargo ship, except ships employed as whale factory ships, fish processing or canning factory ships, and ships engaged in the carriage of persons employed in the whaling, fish processing or canning industries, shall carry lifeboats on each side of the ship of such aggregate capacity as will accommodate all persons on board,
and in addition shall carry liferafts sufficient to accommodate half that number.

Provided that, in the case of such cargo ships engaged on international voyages between near neighbouring countries, the Administration, if it is satisfied that the conditions of the voyage are such as to render the compulsory carriage of liferafts unreasonable or unnecessary, may to that extent exempt individual ships or classes of ships from this requirement.

(ii) (1) Subject to the provisions of sub-paragraph (ii) (2) of this paragraph, every tanker of 3,000 tons gross tonnage and 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 shall be carried aft.

(2) A tanker of 3,000 tons gross tonnage and upwards which has no amidships superstructure may be permitted by the 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 exceed 8.5 metres (28 feet) in length;
   (cc) each such lifeboat shall be stowed as far forward as practicable, but at least so far forward that the after 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 is safe and practicable.

(b) (i) Every ship employed as a whale factory ship, every ship employed as a fish processing or canning factory ship and every ship engaged in the carriage of persons employed in the whaling, fish processing or canning industries shall carry:

   (1) Lifeboats on each side of such aggregate capacity as will accommodate half the total number of persons on board; provided that the Administration may permit the substitution of lifeboats by liferafts of the same total capacity so however that there shall never be less than sufficient lifeboats on each side of the ship to accommodate 37\(\frac{1}{2}\) per cent of all on board.

   (2) Liferafts of sufficient aggregate capacity to accommodate half the total number of persons on board; provided that, if in ships employed as fish processing or canning factory
ships, it is impracticable to carry lifeboats which comply fully with the requirements of this Chapter, the Administration may permit instead the carriage of other boats, which shall however provide not less than the accommodation required by this Regulation and shall have at least the buoyancy and equipment required by this Chapter for lifeboats.

(ii) Every ship employed as a whale factory ship, every ship employed as a fish processing or canning factory ship and every ship engaged in the carriage of persons employed in the whaling, fish processing or canning industries shall carry two boats—one on each side—for use in an emergency. These boats shall be of an approved type and shall be not more than 8.5 metres (28 feet) in length. They may be counted for the purposes of this paragraph provided that they comply fully with the requirements for lifeboats of this Chapter and for the purposes of Regulation 8 provided that in addition they comply with the requirements of Regulation 9, and, where appropriate, Regulation 14 of this Chapter. They shall be kept ready for immediate use while that ship is at sea. In ships in which the requirements of paragraph (g) of Regulation 36 of this Chapter are met by means of appliances fitted to the sides of the lifeboats, such appliances shall not be required to be fitted to the two boats provided to meet the requirements of this Regulation.

(c) Every cargo ship with no amidships superstructure having a registered length of 150 metres (492 feet) and upwards shall carry, in addition to the liferafts required under sub-paragraph (a) (i) of this Regulation, a liferaft capable of accommodating at least six persons which shall be stowed as far forward as is reasonable and practicable.

**Regulation 36**

*Davits and Launching Arrangements*

(a) In cargo ships lifeboats and liferafts shall be stowed to the satisfaction of the Administration.

(b) Every lifeboat shall be attached to a separate set of davits.

(c) Lifeboats and liferafts for which approved launching devices are required to be carried shall preferably be positioned as close to accommodation and service spaces as possible. They shall be stowed in such positions as to ensure safe launching, having particular regard to clearance from the propeller and steeply overhanging portions of the hull, with the object of ensuring so far as practicable that they can be launched down the straight
side of the ship. If positioned forward they shall be stowed abaft the collision bulkhead in a sheltered position and in this respect the Administration shall give special consideration to the strength of the davits.

(d) Davits shall be of approved design and shall be suitably placed to the satisfaction of the Administration.

(e) In tankers of 1,600 tons gross tonnage and upwards, ships employed as whale factory ships, ships employed as fish processing or canning factory ships and ships engaged in the carriage of persons employed in the whaling, fish processing or canning industries, all davits shall be of the gravity type. In other ships, davits shall be as follows:

(i) luffing or gravity type for operating lifeboats weighing not more than 2,300 kilogrammes (2½ tons) in their turning out condition;
(ii) gravity type for operating lifeboats weighing more than 2,300 kilogrammes (2½ tons) in their turning out condition.

(f) Davits, falls, blocks and all other gear shall be of such strength that the lifeboats can be turned out manned by a launching crew and then safely lowered with the full complement of persons and equipment, with the ship listed to 15 degrees either way, and with a 10 degrees trim.

(g) Skates or other suitable means shall be provided to facilitate launching the lifeboats against a list of 15 degrees.

(h) Means shall be provided for bringing the lifeboats against the ship’s side and there holding them so that persons may be safely embarked.

(i) Lifeboats, together with the emergency boats required by sub-paragraph (b) (ii) of Regulation 35 of this Chapter, shall be served by 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 falls or falls of another approved material with or without winches (except that the emergency boats shall be required to be served by winches which are capable of quick recovery of those boats) where they are satisfied that manila rope falls or falls of another approved material are adequate.

(j) At least two lifelines shall be fitted to the davit spans, and the falls and lifelines shall be long enough to reach the water with the ship at its lightest seagoing draught and listed to 15 degrees either way. Lower fall blocks shall be fitted with a suitable ring or long link for attaching to the sling hooks unless an approved type of disengaging gear is fitted.

(k) Where mechanically powered appliances are fitted for the recovery of the lifeboats, efficient hand gear shall also be provided. Where davits are recovered by action of the falls by power, safety devices shall be 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 ready for service, and arrangements shall be made for speedily, but not necessarily simultaneously, detaching the lifeboats from the falls. The point of attachment of the lifeboats to the falls shall be at such height above the gunwale as to ensure stability when lowering the lifeboats.

(m) In ships employed as whale factory ships, ships employed as fish processing or canning factory ships and ships engaged in the carriage of persons employed in the whaling, fish processing or canning industries, in which there are carried lifeboats and liferafts in accordance with sub-paragraph (b) (i) (2) of Regulation 35 no approved launching devices need be provided for the liferafts, but there shall be provided such devices sufficient in number, in the opinion of the Administration, to enable the liferafts carried in accordance with sub-paragraph (b) (i) (1) of that Regulation to be put into the water loaded with the number of persons they are permitted to accommodate, in not more than 30 minutes in calm conditions. Approved launching devices so provided shall, so far as practicable, be distributed equally on each side of the ship. Every liferaft carried on ships in which an approved launching 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 satisfies the requirements of 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 supplied for at least three hours by the emergency source of power required by Regulation 26 of Chapter II–1. In cargo ships of 1,600 tons gross tonnage and upwards the Administration shall ensure that the lighting of the alleyways, stairways and exits is such that the access of all persons on board to the launching stations and stowage positions of lifeboats and liferafts is not impeded.
CHAPTER IV

RADIOTELEGRAPHY AND RADIOTELEPHONY

PART A—APPLICATION AND DEFINITIONS

Regulation 1

Application

(a) Unless expressly provided otherwise, this Chapter applies to all ships to which the present Regulations apply.

(b) This Chapter does not apply to ships to which present Regulations would otherwise apply while such ships are being navigated within the Great Lakes of North America and their connecting and tributary waters 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 shall prevent the use by a ship or survival craft in distress of any means at its disposal to attract attention, make known its position and obtain help.

Regulation 2

Terms and Definitions

For the purpose of this Chapter the following terms shall have the meanings defined below. All other terms which are used in this Chapter and which are also defined in the Radio Regulations shall have the same meanings as defined in those Regulations:

(a) “Radio Regulations” means the Radio Regulations annexed to, or regarded as being annexed to, the most recent International Telecommunication Convention which may be in force at any time.

(b) “Radiotelegraph auto alarm” means an automatic alarm receiving apparatus which responds to the radiotelegraph alarm signal and has been approved.

* Such ships are subject to special requirements relative to radio for safety purposes, as contained in the relevant agreement between Canada and the United States of America.
(c) “Radiotelephone auto alarm” means an automatic alarm receiving apparatus which responds to the radiotelephone alarm signal and has been approved.

(d) “Radiotelephone station”, “Radiotelephone installation” and “Watches-radiotelephone” shall be considered as relating to the medium frequency band, unless expressly provided otherwise.

(e) “Radio Officer” means a person holding at least a first or second class radiotelegraph operator’s certificate, or a radiocommunication operator’s general certificate for the maritime mobile service, complying with the provisions of the Radio Regulations, who is employed in the radiotelegraph station of a ship which is provided with such a station in compliance with the provisions of Regulation 3 or Regulation 4 of this Chapter.

(f) “Radiotelephone operator” means a person holding an appropriate certificate complying with the provisions of the Radio Regulations.

(g) “Existing installation” means:
   (i) an installation wholly installed on board a ship before the date on which the present Convention enters into force irrespective of the date on which acceptance by the respective Administration takes effect; and
   (ii) an installation part of which was installed on board a ship before the date of entry into force of the present Convention and the rest of which consists either of parts installed in replacement of identical parts, or parts which comply with the requirements of this Chapter.

(h) “New installation” means any installation which is not an existing installation.

Regulation 3

Radiotelegraph Station

Passenger ships irrespective of size and cargo ships of 1,600 tons gross tonnage and upwards, unless exempted under Regulation 5 of this Chapter, shall be fitted with a radiotelegraph station complying with the provisions of Regulations 9 and 10 of this Chapter.
Regulation 4
Radiotelephone Station

Cargo ships of 300 tons gross tonnage and upwards but less than 1,600 tons gross tonnage, unless fitted with a radiotelegraph station complying with the provisions of Regulations 9 and 10 of this Chapter shall, provided they are not exempted under Regulation 5 of this Chapter, be fitted with a radiotelephone station complying with the provisions of Regulations 15 and 16 of this Chapter.

Regulation 5
Exemptions from Regulations 3 and 4

(a) The Contracting Governments consider it highly desirable not to deviate from the application of Regulations 3 and 4 of this Chapter; nevertheless the Administration may grant to individual passenger or cargo ships exemptions of a partial and/or conditional nature, or complete exemption from the requirements of Regulation 3 or Regulation 4 of this Chapter.

(b) The exemptions permitted under paragraph (a) of this Regulation shall be granted only to a ship engaged on a voyage where the maximum distance of the ship from the shore, the length of the voyage, the absence of general navigational hazards, and other conditions affecting safety are such as to render the full application of Regulation 3 or Regulation 4 of this Chapter unreasonable or unnecessary. When deciding whether or not to grant exemptions to individual ships, Administrations shall have regard to the effect that exemptions may have upon the general efficiency of the distress service for the safety of all ships. Administrations should bear in mind the desirability of requiring ships which are exempted from the requirement of Regulation 3 of this Chapter to be fitted with a radiotelephone station which complies with the provisions of Regulations 15 and 16 of this Chapter as a condition of exemption.

(c) Each Administration shall submit to the Organization as soon as possible after the first of January in each year a report showing all exemptions granted under paragraphs (a) and (b) of this Regulation during the previous calendar year and giving the reasons for granting such exemptions.
PART B—WATCHES

Regulation 6

Watches—Radiotelegraph

(a) Each ship which in accordance with Regulation 3 or Regulation 4 of this Chapter is fitted with a radiotelegraph station shall, while at sea, carry at least one radio officer and, if not fitted with a radiotelegraph auto alarm shall, subject to the provisions of paragraph (d) of this Regulation, listen continuously on the radiotelegraph distress frequency by means of a radio officer using headphones or a loudspeaker.

(b) Each passenger ship which in accordance with Regulation 3 of this Chapter is fitted with a radiotelegraph station, if fitted with a radiotelegraph auto alarm, shall, subject to the provisions of paragraph (d) of this Regulation, and while at sea, listen on the radiotelegraph distress frequency by means of a radio officer using 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 more than 250 passengers and engaged on a voyage exceeding 16 hours’ duration between two consecutive ports, at least 16 hours’ listening a day in the aggregate. In this case the ship shall carry at least two radio officers;

(iii) if carrying or certificated to carry more than 250 passengers and engaged on a voyage of less than 16 hours’ duration between two consecutive ports, at least 8 hours’ listening a day in the aggregate.

(c) (i) Each cargo ship which in accordance with Regulation 3 of this Chapter is fitted with a radiotelegraph station, if fitted with a radiotelegraph auto alarm, shall, subject to the provisions of paragraph (d) of this Regulation, and while at sea, listen on the radiotelegraph distress frequency by means of a radio officer using headphones or a loudspeaker, for at least 8 hours a day in the aggregate.

(ii) Each cargo ship of 300 tons gross tonnage and upwards but less 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 to the provisions of paragraph (d) of this Regulation, and while at sea, listen on the radiotelegraph distress frequency by means of a radio officer using headphones or a loudspeaker, during such periods as may be determined by the Administration. Administrations shall, 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 a radio officer is required by this Regulation to listen on the radiotelegraph distress frequency, the radio officer may discontinue such listening during the time when he is handling traffic on other frequencies, or performing other essential radio duties, but only if it is impracticable to listen by split headphones or loudspeaker. The listening watch shall always be maintained by a radio officer using headphones or a loudspeaker during the silence periods provided for by the Radio 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 to the provisions of sub-paragraph (i) of this paragraph, on ships other than multi-radio officer passenger ships, the radio officer may, in exceptional cases, i.e. when it is impractical to listen by split headphones or loudspeaker, discontinue listening by order of the master in order to carry out 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, at the discretion of the Administration concerned, is appropriately qualified to perform these duties; and
(2) the ship is fitted with a receiving selector which meets the requirements of the Radio Regulations;
(3) the listening watch is always maintained by a radio officer using headphones or loudspeaker during the silence periods provided for by the Radio Regulations.

(e) In all ships fitted with a radiotelegraph auto alarm this radiotelegraph auto alarm shall, while the ship is at sea, be in operation whenever there is no listening being kept under paragraphs (b), (c) or (d) of this Regulation and, whenever practicable, during direction-finding operations.
(f) The listening periods provided for by this Regulation, including those which are determined by the Administration, should be maintained preferably during periods prescribed for the radiotelegraph service by the Radio Regulations.

Regulation 7

Watches—Radiotelephone

(a) Each ship which is fitted with a radiotelephone station in accordance with Regulation 4 of this Chapter shall, for safety purposes, carry at least one radiotelephone operator (who may be the master, an officer or a member of the crew holding a certificate for radiotelephony) and shall, while at sea, maintain continuous watch on the radiotelephone distress frequency in the place on board from which the ship is usually navigated, by use of a radiotelephone distress frequency watch receiver, using a loudspeaker, a filtered loudspeaker or radiotelephone auto alarm.

(b) Each ship which in accordance with Regulation 3 or Regulation 4 of this Chapter is fitted with a radiotelegraph station shall, while at sea, maintain continuous watch on the radiotelephone distress frequency in a place to be determined by the Administration, by use of a radiotelephone distress frequency watch receiver, using a loudspeaker, a filtered loudspeaker or radiotelephone auto alarm.

Regulation 8

Watches—VHF Radiotelephone

Each ship provided with a Very High Frequency (VHF) radiotelephone station, in accordance with Regulation 18 of Chapter V, shall maintain a listening watch on the bridge for such periods and on such channels as may be required by the Contracting Government referred to in that Regulation.
PART C—TECHNICAL REQUIREMENTS

Regulation 9

Radiotelegraph Stations

(a) The radiotelegraph station shall be so located that no harmful interference from extraneous mechanical or other noise will be caused to the proper reception of radio signals. The station shall be placed as 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 size and of adequate ventilation to enable the main and reserve radiotelegraph installations to be operated efficiently, and shall not be used for any purpose which will interfere with the operation of the radiotelegraph station.

(c) The sleeping accommodation of at least one radio officer shall be situated as near as practicable to the radiotelegraph operating room. In new ships, this sleeping accommodation shall not be within the radiotelegraph operating room.

(d) There shall be provided between the radiotelegraph operating room and the bridge and one other place, if any, from which the ship is navigated, an efficient two-way system for calling and voice communication which shall be independent of the main communication system on the ship.

(e) The radiotelegraph installation shall be installed in such a position that it will be protected against the harmful effects of water or extremes of temperature. It shall be readily accessible both for immediate use in case of distress and for repair.

(f) A reliable clock with a dial not less than 12.5 centimetres (5 inches) in diameter and a concentric seconds hand, the face of which is marked to indicate the silence periods prescribed for the radiotelegraph service by the Radio Regulations, shall be provided. It shall be securely mounted in the radiotelegraph operating room in such a position that the entire dial can be easily and accurately observed by the radio officer from the radiotelegraph operating position and from the position for testing the radiotelegraph auto alarm receiver.

(g) A reliable emergency light shall be provided in the radiotelegraph operating room, consisting of an electric lamp permanently arranged so as to provide satisfactory illumination of the operating controls of the main and reserve radiotelegraph installations and of the clock required by paragraph (f) of this Regulation. In new installations, this lamp shall, if supplied from the reserve source of energy required by sub-paragraph (a) (iii) of Regulation 10 of this Chapter, be controlled by two-way switches.
placed near the main entrance to the radiotelegraph operating room and at the radiotelegraph operating position, unless the layout of the radiotelegraph operating room does not warrant it. These switches shall be clearly labelled to indicate their purpose.

(h) Either an electric inspection lamp, operated from the reserve source of energy required by sub-paragraph (a) (iii) of Regulation 10 of this Chapter and provided with a flexible lead of adequate length, or a flashlight shall be provided and kept in the radiotelegraph operating room.

(i) The radiotelegraph station shall be provided with such spare parts, tools and testing equipment as will enable the radiotelegraph installation to be maintained in efficient working condition while at sea. The testing equipment shall include an instrument or instruments for measuring A.C. volts, D.C. volts and ohms.

(j) If a separate emergency radiotelegraph operating room is provided the 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 shall include a main installation and reserve installation, electrically separate and electrically independent of each other.

(ii) The main installation shall include a main transmitter, main receiver, radiotelephone distress frequency watch receiver, and main source of energy.

(iii) The reserve installation shall include a reserve transmitter, reserve receiver and reserve source of energy.

(iv) A main and a reserve antenna shall be provided and installed, provided that the Administration may except any ship from the provision of a reserve antenna if it is satisfied that the fitting of such an antenna is impracticable or unreasonable, but in such case a suitable spare antenna completely assembled for immediate installation shall be carried. In addition, sufficient antenna wire and insulators shall in all cases be provided to enable a suitable antenna to be erected. The main antenna, if suspended between supports liable to whipping, shall be suitably protected against breakage.
(b) In installations on cargo ships (except those on cargo ships of 1,600 tons gross tonnage and upwards installed on or after 19 November 1952), if the main transmitter complies with all the requirements for the reserve transmitter, the latter is not obligatory.

(c)  
   (i) The main and reserve transmitters shall be capable of being quickly connected with and tuned to the main antenna, and the reserve antenna if one is fitted.
   
   (ii) The main and reserve shall be capable of being quickly connected with any antenna with which they are required to be used.

(d) All parts of the reserve installation shall be placed as high in the ship as is practicable, so that the greatest possible degree of safety may be secured.

(e) The main and reserve transmitters shall be capable of transmitting on the radiotelegraph distress frequency using a class of emission assigned by the Radio Regulations for that frequency. In addition, the main transmitter shall be capable of transmitting on at least two working frequencies in the authorized bands between 405 kHz and 535 kHz, using classes of emission assigned by the Radio Regulations for these frequencies. The reserve transmitter may consist of a ship’s emergency transmitter, as defined in and limited in use by the Radio Regulations.

(f) The main and reserve transmitters shall, if modulated emission is prescribed by the Radio Regulations, have a depth of modulation of not less than 70 per cent and a note frequency between 450 and 1,350 Hz.
(g) The main and reserve transmitters shall, when connected to the main antenna, have a minimum normal range as specified below, that is to say, they must be capable of transmitting clearly perceptible signals from ship to ship by day and under normal conditions and circumstances over the specified ranges. *(Clearly perceptible signals will normally be received if the R.M.S. value of the field strength at the receiver is at least 50 microvolts per metre.)*

<table>
<thead>
<tr>
<th></th>
<th>Minimum normal range in miles</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Main Transmitter</td>
</tr>
<tr>
<td>All passenger ships, and cargo ships of 1,600 tons gross tonnage and upwards</td>
<td>150</td>
</tr>
<tr>
<td>Cargo ships below 1,600 tons gross tonnage</td>
<td>100</td>
</tr>
</tbody>
</table>

* In the absence of a direct measurement of the field strength the following data may be used as a guide for approximately determining the normal range:

<table>
<thead>
<tr>
<th>Normal range in miles</th>
<th>Metre-amperes¹</th>
<th>Total antenna power (watts)²</th>
</tr>
</thead>
<tbody>
<tr>
<td>200</td>
<td>128</td>
<td>200</td>
</tr>
<tr>
<td>175</td>
<td>102</td>
<td>125</td>
</tr>
<tr>
<td>150</td>
<td>76</td>
<td>71</td>
</tr>
<tr>
<td>125</td>
<td>58</td>
<td>41</td>
</tr>
<tr>
<td>100</td>
<td>45</td>
<td>25</td>
</tr>
<tr>
<td>75</td>
<td>34</td>
<td>14</td>
</tr>
</tbody>
</table>

¹ This figure represents the product of the maximum height of the antenna above the deepest load water-line in metres and the antenna current in amperes (R.M.S. value). The values given in the second column of the table correspond to an average value of the ratio

\[
\frac{\text{effective antenna height}}{\text{maximum antenna height}} = 0.47
\]

This ratio varies with local conditions of the antenna and may vary between about 0.3 and 0.7.

² The values given in the third column of the table correspond to an average value of the ratio

\[
\frac{\text{radiated antenna power}}{\text{total antenna power}} = 0.08
\]

This ratio varies considerably according to the values of effective antenna height and antenna resistance.
(h) (i) The main and reserve receivers shall be capable of receiving the radiotelegraph distress frequency and the classes of emission assigned by the Radio Regulations for that frequency.

(ii) In addition, the main receiver shall permit the reception of such of the frequencies and classes of emission used for the transmission of time signals, meteorological messages and such other communications relating to safety of navigation as may be considered necessary by the Administration.

(iii) The radiotelephone distress frequency watch receiver shall be preset to this frequency. It shall be provided with a filtering unit or a device to silence the loudspeaker if on the bridge in the absence of a radiotelephone alarm signal. The device shall be capable of being easily switched in and out and may be used when, in the opinion of the master, conditions are such that maintenance of the listening watch would interfere with the safe navigation of the ship.

(iv) (1) A radiotelephone transmitter, if provided, shall be fitted with an automatic device for generating the radiotelephone alarm signal, so designed as to prevent actuation by mistake, and complying with the requirements of paragraph (e) of Regulation 16 of this Chapter. The device shall be capable of being taken out of operation at any time in order to permit the immediate transmission of a distress message.

(2) Arrangements shall be made to check periodically the proper functioning of the automatic device for generating the radiotelephone alarm signal on frequencies other than the radiotelephone distress frequency using a suitable artificial antenna.

(i) The main receiver shall have sufficient sensitivity to produce signals in headphones or by means of a loudspeaker when the receiver input is as low as 50 microvolts. The reserve receiver shall have sufficient sensitivity to produce such signals when the receiver input is as low as 100 microvolts.
(j) There shall be available at all times, while the ship is at sea, a supply of electrical energy sufficient to operate the main installation over the normal range required by paragraph (g) of this Regulation as well as for the purpose of charging any batteries forming part of the radiotelegraph station. The voltage of the supply for the main installation shall, in the case of new ships, be maintained within ± 10 per cent of the rated voltage. In the case of existing ships, it shall be maintained as near the rated voltage as possible and, if practicable, within ± 10 per cent.

(k) The reserve installation shall be provided with a source of energy independent of the propelling power of the ship and of the ship’s electrical system.

(l) (i) The reserve source of energy shall preferably consist of accumulator batteries, which may be charged from the ship’s electrical system, and shall under all circumstances be capable of being put into operation rapidly and of operating the reserve transmitter and receiver for at least six hours continuously under normal working conditions besides any of the additional loads mentioned in paragraphs (m) and (n) of this Regulation.∗

(ii) The reserve source of energy is required to be of a capacity sufficient to operate simultaneously the reserve transmitter and the VHF installation, when fitted, for at least six hours unless a switching device is fitted to ensure alternate operation only. VHF usage of the reserve source of energy shall be limited to distress, urgency and safety communications. Alternatively, a separate reserve source of energy may be provided for the VHF installation.

(m) The reserve source of energy shall be used to supply the reserve installation and the automatic alarm signal keying device specified in 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) of Regulation 9 of this Chapter;
(iii) the direction-finder;
(iv) the VHF installation;

∗ For the purpose of determining the electrical load to be supplied by the reserve source of energy, the following formula is recommended as a guide:
$$\frac{1}{2} \text{ of the transmitter current consumption with the key down (mark)} + \frac{1}{2} \text{ of the transmitter current consumption with the key up (space)} + \text{ current consumption of receiver and additional circuits connected to the reserve source of energy.}$$
(v) the device for generating the radiotelephone alarm signal, if provided;
(vi) any device, prescribed by the Radio Regulations, to permit changeover from transmission to reception and vice versa.

Subject to the provisions of paragraph (n) of this Regulation, the reserve source of energy shall not be used other than for the purposes specified in this paragraph.

(n) Notwithstanding the provisions of paragraph (m) of this Regulation, the Administration may authorize the use in cargo ships of the reserve source of energy for a small number of low-power emergency circuits which are wholly confined to the upper part of the ship, such as emergency lighting on the boat deck, on condition that these can be readily disconnected if necessary, and that the source of energy is of sufficient capacity to carry the additional load or loads.

(o) The reserve source of energy and its switchboard shall be as high as 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 forming part of the main installation or reserve installation, shall be brought up to the normal fully-charged condition daily.

(q) All steps shall be taken to eliminate so far as is possible the causes of, and to suppress, radio interference from electrical and other apparatus on board. If necessary, steps shall be taken to ensure that the antennae attached to broadcast receivers do not cause interference to the efficient or correct working of the radiotelegraph installation. Particular attention shall be paid to this requirement in the design of new ships.

(r) In addition to a means for manually transmitting the radiotelegraph alarm signal, an automatic radiotelegraph alarm signal keying device shall be provided, capable of keying the main and the reserve transmitters so as to transmit the radiotelegraph alarm signal. The device shall be capable of being taken out of operation at any time in order to permit immediate manual operation of the transmitter. If electrically operated, this keying device shall be capable of operation from the reserve source of energy.

(s) At sea, the reserve transmitter, if not used for communications, shall be tested daily using a suitable artificial antenna, and at least once during each voyage using the reserve antenna if installed. The reserve source of energy shall also be tested daily.

(t) All equipment forming part of the radiotelegraph installation shall be reliable, and shall be so constructed that it is readily accessible for maintenance purposes.
(u) Notwithstanding the provision of Regulation 4 of this Chapter, the Administration may, in the case of cargo ships of less than 1,600 tons gross tonnage, relax the full requirements of Regulation 9 of this Chapter and the present Regulation, provided that the standard of the radiotelegraph station shall in no case fall below the equivalent of that prescribed under Regulation 15 and Regulation 16 of this Chapter for radiotelephone stations, so far as applicable. In particular, in the case of cargo ships of 300 tons gross tonnage and upwards but less than 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 between the radiotelegraph station 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 radiotelegraph auto alarm installed after 26 May 1965 shall comply with the following minimum requirements:

(i) In the absence of interference of any kind it shall be capable of being actuated, without manual adjustment, by any radiotelegraph alarm signal transmitted on the radiotelegraph distress frequency by any coast station, ship's emergency or survival craft transmitter operating in accordance with the Radio Regulations, provided that the strength of the signal at the receiver input is greater than 100 microvolts and less than 1 volt.

(ii) In the absence of interference of any kind, it shall be actuated by either three or four consecutive dashes when the dashes vary in length from 3.5 to as near 6 seconds as possible and the spaces vary in length between 1.5 seconds and the lowest practicable value, preferably not greater than 10 milliseconds.

(iii) It shall not be actuated by atmospherics or by any signal other than the radiotelegraph alarm signal, provided that the received signals do not in fact constitute a signal falling within the tolerance limits indicated in sub-paragraph (ii) above.

(iv) The selectivity of the radiotelegraph auto alarm shall be such as to provide a practically uniform sensitivity over a band extending not
less than 4 kHz and not more than 8 kHz on each side of the radiotelegraph distress frequency and to provide outside this band a sensitivity which decreases as rapidly as possible in conformity with the best engineering practice.

(v) If practicable, the radiotelegraph auto alarm shall, in the presence of atmospherics or interfering signals, automatically adjust itself so that within a reasonably short time it approaches the condition in which it can most readily distinguish the radiotelegraph alarm signal.

(vi) When actuated by a radiotelegraph alarm signal, or in the event of failure of the apparatus, the radiotelegraph auto alarm shall cause a continuous audible warning to be given in the radiotelegraph operating room, in the radio officer’s sleeping accommodation and on the bridge. If practicable, warning shall also be given in the case of failure of any part of the whole alarm 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 regularly testing the radiotelegraph auto alarm, the apparatus shall include a generator pre-tuned to the radiotelegraph distress frequency and a keying device by means of which a radiotelegraph alarm signal of the minimum strength indicated in sub-paragraph (i) above is produced. A means shall also be provided for attaching headphones for the purpose of listening to signals received on the radiotelegraph auto alarm.

(viii) The radiotelegraph auto alarm shall be capable of withstanding vibration, humidity and changes of temperature, equivalent to severe conditions experienced on board ships at sea, and shall continue to operate under such conditions.

(b) Before a new type of radiotelegraph auto alarm is approved, the Administration concerned shall be satisfied, by practical tests made under operating conditions equivalent to those obtaining in practice, that the apparatus complies with paragraph (a) of this Regulation.

(c) In ships fitted with a radiotelegraph auto alarm, its efficiency 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 report that fact to the master or officer on watch on the bridge.

(d) A radio officer shall periodically check the proper functioning of the radiotelegraph auto alarm receiver, with its normal antenna connected, by listening to signals and by comparing them with similar signals received on the radiotelegraph distress frequency on the main installation.
(e) As far as practicable, the radiotelegraph auto alarm, when connected to an antenna shall not affect the accuracy of the direction-finder.

**Regulation 12**

*Direction-Finders*

(a) (i) The direction-finding apparatus required by Regulation 12 of Chapter V shall be efficient and capable of receiving signals with 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 on the radiotelegraph frequencies assigned by the Radio Regulations for the purposes of distress and direction-finding and for maritime radio beacons.

(iii) In the absence of interference the direction-finding apparatus shall have a sensitivity sufficient to permit accurate bearings being taken on a signal having a field strength as low as 50 microvolts per metre.

(iv) As far as is practicable, the direction-finding apparatus shall be so located that as little interference as possible from mechanical or other noise will be caused to the efficient determination of bearings.

(v) As far as is practicable, the direction-finding antenna system shall be erected in such a manner that the efficient determination of bearings will be hindered as little as possible by the close proximity of other antennae, derricks, wire halyards or other large metal objects.

(vi) An efficient two-way means of calling and voice communication shall be provided between the direction-finder and the bridge.

(vii) All direction-finders shall be calibrated to the satisfaction of the Administration on first installation. The calibration shall be verified by check bearings or by a further calibration whenever any changes are made in the position of any antennae or of any structures on deck which might affect appreciably the accuracy of the direction-finder. The calibration particulars shall be checked at yearly intervals, or as near thereto as possible. A record shall be kept of the calibrations and of any checks made of their accuracy.

(b) (i) Radio equipment for homing on the radiotelephone distress frequency shall be capable of taking direction-finding bearings on that frequency without ambiguity of sense within an arc of 30 degrees on either side of the bow.
(ii) When installing and testing the equipment referred to in this paragraph due regard should be given to the relevant recommendation of the International Radio Consultative Committee (CCIR).

(iii) All reasonable steps shall be taken to ensure the homing capability required by this paragraph. In cases where due to technical difficulties the homing capability cannot be achieved, Administrations may grant to individual ships exemptions from the requirements of this paragraph.

Regulation 13

Radiotelegraph Installation for Fitting in Motor Lifeboats

(a) The radiotelegraph installation required by Regulation 14 of Chapter III shall include a transmitter, a receiver and a source of energy. It shall be so designed that it can be used in an emergency by an unskilled person.

(b) The transmitter shall be capable of transmitting on the radiotelegraph distress frequency using a class of emission assigned by the Radio Regulations for that frequency. The transmitter shall also be capable of transmitting on the frequency, and of using a class of 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 modulated emission is prescribed by the Radio Regulations, have a depth of modulation of not less than 70 per cent and a note frequency between 450 and 1,350 Hz.

(d) In addition to a key for manual transmissions, the transmitter shall be fitted with an automatic keying device for the transmission of the radiotelegraph alarm and distress signals.

(e) On the radiotelegraph distress frequency the transmitter shall have a minimum normal range (as specified in paragraph (g) of Regulation 10 of this Chapter) of 25 miles using the fixed antenna.

(f) The receiver shall be capable of receiving the radiotelegraph distress frequency and the classes of emission assigned by the Radio Regulations for that frequency.

(g) The source of energy shall consist of an accumulator battery with sufficient capacity to supply the transmitter for four hours continuously under normal working conditions. If the battery is of a type that requires charging, means

* In the absence of a measurement of the field strength, it may be assumed that this range will be obtained if the product of the height of the antenna above the water-line and the antenna current (R.M.S. value) is 10 metre-amperes.
shall be available for charging it from the ship’s power supply. In addition there shall be a means for charging it after the lifeboat has been launched.

(h) When the power for the radiotelegraph installation and the searchlight required by Regulation 14 of Chapter III are drawn from the same battery, it shall have sufficient capacity to provide for the additional load of the searchlight.

(i) A fixed-type antenna will be provided together with means for supporting it at the maximum practicable height. In addition an antenna supported by a kite or balloon shall be provided if practicable.

(j) At sea a radio officer shall at weekly intervals test the transmitter using a suitable artificial antenna, and shall bring the battery up to 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 III shall include a transmitter, a receiver, an antenna and a source of energy. It shall be so designed that it can be used in an emergency by an unskilled person.

(b) The apparatus shall be readily portable, watertight, capable of floating in sea water and capable of being dropped into the sea without damage. New equipment shall be as lightweight and compact as practicable and shall preferably be capable of use in both lifeboats and liferafts.

(c) The transmitter shall be capable of transmitting on the radiotelegraph distress frequency using a class of emission assigned by the Radio Regulations for that frequency, and, in the bands between 4,000 kHz and 27,500 kHz, of transmitting on the radiotelegraph frequency, and of using a class of emission assigned by the Radio Regulations for survival craft. However, the Administration may permit the transmitter to be capable of transmitting on the radiotelephone distress frequency, and of using a class of emission assigned by the Radio Regulations for that frequency, as an alternative or in addition to transmission on the radiotelegraph frequency assigned by the Radio Regulations for survival craft in the bands between 4,000 kHz and 27,500 kHz.

(d) The transmitter shall, if modulated emission is prescribed by the Radio Regulations, have a depth of modulation of not less than 70 per cent and in the case of radiotelegraph emission have a note frequency between 450 and 1,350 Hz.

(e) In addition to a key for manual transmissions, the transmitter shall be fitted with an automatic keying device for the transmission of the radiotelegraph
alarm and distress signals. If the transmitter is capable of transmitting on the radiotelephone distress frequency, it shall be fitted with an automatic device, complying with the requirements of paragraph (e) of Regulation 16 of this Chapter, for transmitting the radiotelephone alarm signal.

(f) The receiver shall be capable of receiving the radiotelegraph distress frequency and the classes of emission assigned by the Radio Regulations for that frequency. If the transmitter is capable of transmitting on the radiotelephone distress frequency the receiver shall also be capable of receiving that frequency and a class of emission assigned by the Radio Regulations for that frequency.

(g) The antenna shall be either self-supporting or capable of being supported by the mast of a lifeboat at the maximum practicable height. In addition it is desirable that an antenna supported by a kite or balloon shall be provided if practicable.

(h) The transmitter shall supply an adequate radio frequency power to the antenna required by paragraph (a) of this Regulation and shall preferably derive its supply from a hand generator. If operated from a battery, the battery shall comply with conditions laid down by the 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, as appropriate, shall at weekly intervals test the transmitter, using a suitable artificial antenna and shall bring the battery up to full charge if it is of a type which requires charging.

(j) For the purpose of this Regulation, new equipment means equipment supplied to a ship after the date of entry into force of the present Convention.

Regulation 15

Radiotelephone Stations

(a) The radiotelephone station shall be in the upper part of the ship and so located that it is sheltered to the greatest possible extent from noise which might impair the correct reception of messages and signals.

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* It may be assumed that the purposes of this Regulation will be satisfied by the following performance:
  At least 10 watts input to the anode of the final stage or a radio-frequency output of at least 2.0 watts (A2 emission) at 500 kHz into an artificial antenna having an effective resistance of 15 ohms and 100 x 10^{-12} farads capacitance in series. The depth of modulation shall be at least 70 per cent.
(b) There shall be efficient communication between the radiotelephone station and the bridge.

(c) A reliable clock shall be securely mounted in such a position that the entire dial can be easily observed from the radiotelephone operating position.

(d) A reliable emergency light shall be provided, independent of the system which supplies the normal lighting of the radiotelephone installation, and permanently arranged so as to be capable of providing adequate illumination of the operating controls of the radiotelephone installation, of the clock required by paragraph (c) of this Regulation and of the card of instructions required by paragraph (f).

(e) Where a source of energy consists of a battery or batteries, the radiotelephone station shall be provided with a means of assessing the charge condition.

(f) A card of instructions giving a clear summary of the radiotelephone distress procedure shall be displayed in full view of the radiotelephone operating position.

Regulation 16

Radiotelephone Installations

(a) The radiotelephone installation shall include transmitting and receiving equipment, and appropriate sources of energy (referred to in the following paragraphs as “the transmitter”, “the receiver”, “the radiotelephone distress frequency watch receiver”, and “the source of energy” respectively).

(b) The transmitter shall be capable of transmitting on the 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 Radio Regulations for these frequencies. In normal operation a double sideband transmission or a single sideband transmission with full carrier (i.e., A3H) shall have a depth of modulation of at least 70 per cent at peak intensity. Modulation of a single sideband transmission with reduced or suppressed carrier (A3A, A3J) shall be such that the intermodulation products shall not exceed the values given in the Radio Regulations.

(c) (i) In the case of cargo ships of 500 tons gross tonnage and upwards but less than 1,600 tons gross tonnage the transmitter shall have a minimum normal range of 150 miles, i.e., it shall be capable of transmitting clearly perceptible signals from ship to ship by day
and under normal conditions and circumstances over this range.\* (Clearly perceptible signals will normally be received if the R.M.S. value of the field strength produced at the receiver by the unmodulated carrier is at least 25 microvolts per metre.)

(ii) In the case of cargo ships of 300 tons gross tonnage and upwards but less than 500 tons gross tonnage:

(1) for existing installations the transmitter shall have a minimum normal range of at least 75 miles; and

(2) for new installations the transmitter shall produce a power in the antenna of at least 15 watts (unmodulated carrier).

(d) The transmitter shall be fitted with a device for generating the radiotelephone alarm signal by automatic means so designed as to prevent actuation by mistake. The device shall be capable of being taken out of operation at any time in order to permit the immediate transmission of a distress message. Arrangements shall be made to check periodically the proper functioning of the device on frequencies other than the radiotelephone distress frequency using a suitable artificial antenna.

(e) The device required by paragraph (d) of this Regulation shall comply with the following requirements:

(i) The tolerance of the frequency of each tone shall be ± 1.5 per cent.

(ii) The tolerance on the duration of each tone shall be ± 50 milliseconds.

(iii) The interval between successive tones shall not exceed 50 milliseconds.

(iv) The ratio of the amplitude of the stronger tone to that of the weaker shall be within the range 1 to 1.2.

(f) The receiver required by paragraph (a) of this Regulation shall be capable of receiving the radiotelephone distress frequency and at least one other frequency available for maritime radiotelephone stations in 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 are used for the transmission by radiotelephony of meteorological messages and such other communications relating to the safety of navigation as may be considered necessary by the Administration. The receiver shall have sufficient

\* In the absence of field strength measurements, it may be assumed that this range will be obtained by a power in the antenna of 15 watts (unmodulated carrier) with an antenna efficiency of 27 per cent.
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 shall be preset to this frequency. It shall be provided with a filtering unit or a device to silence the loudspeaker in the absence of a radiotelephone alarm signal. The device shall be capable of being easily switched in and out and may be used when, in the opinion of the master, conditions are such that maintenance of the listening watch would interfere with the safe navigation of the ship.

(h) To permit rapid change-over from transmission to reception when manual switching is used, the control for the switching device shall, where practicable, be located on the microphone or the telephone handset.

(i) While the ship is at sea, there shall be available at all times a main source of energy sufficient to operate the installation over the normal range required by paragraph (c) of this Regulation. If batteries are provided they shall under all circumstances have sufficient capacity to operate the transmitter and receiver for at least six hours continuously under normal working conditions. In installations in cargo ships of 500 tons gross tonnage and upwards but less than 1,600 tons gross tonnage made on or after 19 November 1952, a reserve source of energy shall be provided in the upper part of the ship unless the main source of energy is so situated.

(j) The reserve source of energy, if provided, may be used only to supply:
   (i) the radiotelephone installation;
   (ii) the emergency light required by paragraph (d) of Regulation 15 of this Chapter;
   (iii) the device required by paragraph (d) of this Regulation, for generating the radiotelephone alarm signal; and
   (iv) the VHF installation.

(k) Notwithstanding the provisions of paragraph (j) of this Regulation, the Administration may authorize the use of the reserve source of energy, if provided, for a direction-finder, if fitted, and for a number of low-power emergency circuits which are wholly confined to the upper part of the ship, such as emergency lighting on the boat deck, on condition that the additional loads can be readily disconnected, and that the source of energy is of sufficient capacity to carry them.

* For the purpose of determining the electrical load to be supplied by batteries required to have six hours reserve capacity, the following formula is recommended as a guide:

\[
\frac{1}{2} \text{ of the current consumption necessary for speech transmission} \\
+ \text{ current consumption of receiver} \\
+ \text{ current consumption of all additional loads to which the batteries may supply energy in time of distress or emergency.}
\]
(l) While at sea, any battery provided shall be kept charged so as to meet the requirements of paragraph (i) of this Regulation.

(m) An antenna shall be provided and installed and, if suspended between supports liable to whipping, shall in the case of cargo ships of 500 tons gross tonnage and upwards but less than 1,600 tons gross tonnage be protected against breakage. In addition, there shall be a spare antenna completely assembled for immediate replacement or, where this is not practicable, sufficient antenna wire and insulators to enable a spare antenna to be erected. The necessary tools to erect an antenna shall also be provided.

Regulation 17

VHF Radiotelephone Stations

(a) When a VHF radiotelephone station is provided in accordance with Regulation 18 of Chapter V, it shall be in the upper part of the ship and include a VHF radiotelephone installation complying with the 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 the requirements laid down in the Radio Regulations for equipment used in the VHF Maritime Mobile Radiotelephone Service and shall be capable of operation on those channels specified by the Radio Regulations and as may be required by the Contracting Government referred to in Regulation 18 of Chapter V.

(c) The Contracting Government shall not require the transmitter R.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 shall be immediately available on the bridge convenient to the conning position and, where necessary, facilities should also be available to permit radiocommunications from the wings of the bridge.

∗ For guidance purposes, it is assumed that each ship would be fitted 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 terminals for 20 db signal-to-noise ratio.
Regulation 18

Radiotelephone Auto Alarms

(a) The radiotelephone auto alarm shall comply with the following minimum requirements:

(i) the frequencies of maximum response of the tuned circuits, and other tone selecting devices, shall be subject to a tolerance of ± 1.5 per cent in each instance; and the response shall not fall below 50 per cent of the maximum response for frequencies within 3 per cent of the frequency of maximum response;

(ii) in the absence of noise and interference, the automatic receiving equipment shall be capable of operating from the alarm signal in a period of not less than four and not more than six seconds;

(iii) the automatic receiving equipment shall respond to the alarm signal, under conditions of intermittent interference caused by atmospherics and powerful signals other than the alarm signal, preferably without any manual adjustment being required during any period of watch maintained by the equipment;

(iv) the automatic receiving equipment shall not be actuated by atmospherics or by strong signals other than the alarm signal;

(v) the automatic receiving equipment shall be effective beyond the range at which speech transmission is satisfactory;

(vi) the automatic receiving equipment shall be capable of withstanding vibration, humidity, changes of temperature and variations in power supply voltage equivalent to the severe conditions experienced on board ships at sea, and shall continue to operate under such conditions;

(vii) the automatic receiving equipment should, as far as practicable, give warning of faults that would prevent the apparatus from performing its normal functions during watch hours.

(b) Before a new type of radiotelephone auto alarm is approved, the Administration concerned shall be satisfied by practical tests, made under operating conditions equivalent to those obtained in practice, that the apparatus complies with paragraph (a) of this Regulation.
PART D—RADIO LOGS

Regulation 19

Radio Logs

(a) The radio log (diary of the radio service) required by the Radio Regulations for a ship which is fitted with a radiotelegraph station in accordance with Regulation 3 or Regulation 4 of this Chapter shall be kept in the radiotelegraph operating room during the voyage. Every radio officer shall enter in the log his name, the times at which he goes on and off watch, and all incidents connected with the radio service which 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 of the charging of the batteries, in such form as may be prescribed by the Administration;
(iii) a daily statement that the requirement of paragraph (p) of Regulation 10 of this Chapter has been fulfilled;
(iv) details of the tests of the reserve transmitter and reserve source of energy made under paragraph (s) of Regulation 10 of this Chapter;
(v) in ships fitted with a radiotelegraph auto alarm details of tests made under paragraph (c) of Regulation 11 of this Chapter;
(vi) details of the maintenance of the batteries, including a record of the charging (if applicable) required by paragraph (j) of Regulation 13 of this Chapter, and details of the tests required by that paragraph in respect of the transmitters fitted in motor lifeboats;
(vii) details of the maintenance of the batteries, including a record of the charging (if applicable) required by paragraph (i) of Regulation 14 of this Chapter, and details of the tests required by that paragraph in respect of portable radio apparatus for survival craft;
(viii) the time at which the listening watch was discontinued in accordance with paragraph (d) of Regulation 6 of this Chapter, together with the reason and the time at which the listening watch was resumed.

(b) The radio log (diary of the radio service) required by the Radio Regulations for a ship which is fitted with a radiotelephone station in accordance with Regulation 4 of this Chapter shall be kept at the place where listening watch is maintained. Every qualified operator, and every master, officer or crew member carrying out a listening watch in accordance with Regulation
7 of this Chapter, shall enter in the log, with his name, the details of all incidents connected with the radio service which 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 details required by the Radio Regulations;
(ii) the time at which listening watch begins when the ship leaves port, and the time at which it ends when the ship reaches port;
(iii) the time at which listening watch is for any reason discontinued, together with the reason, and the time at which listening watch is resumed;
(iv) details of the maintenance of the batteries (if provided), including a record of the charging required by paragraph (i) of Regulation 16 of this Chapter;
(v) details of the maintenance of the batteries, including a record of the charging (if applicable) required by paragraph (i) of Regulation 14 of this Chapter, and details of the tests required by that paragraph in respect of portable radio apparatus for survival craft.

(c) Radio logs shall be available for inspection by the officers authorized by the Administration to make such inspection.
CHAPTER V
SAFETY OF NAVIGATION

Regulation 1
Application

This Chapter, unless otherwise expressly provided in this Chapter, applies to all ships on all voyages, except ships of war and ships solely navigating the Great Lakes of North America and their connecting and tributary waters as far east as the lower exit of the St. Lambert Lock at Montreal in the Province of Quebec, Canada.

Regulation 2
Danger Messages

(a) The master of every ship which meets with dangerous ice, a dangerous derelict, or any other direct danger to navigation, or a tropical storm, or encounters sub-freezing air temperatures associated with gale force winds causing severe ice accretion on superstructures, or winds of force 10 or above on the Beaufort scale for which no storm warning has been received, is bound to communicate the information by all the means at his disposal to ships in the vicinity, and also to the competent authorities at the first point on the coast with which he can communicate. The form in which the information is sent is not obligatory. It may be transmitted either in plain language (preferably English) or by means of the International Code of Signals. It should be broadcast to all ships in the vicinity and sent to the first point on the coast to which communication can be made, with a request that it be transmitted to the appropriate authorities.

(b) Each Contracting Government will take all steps necessary to ensure that when intelligence of any of the dangers specified in paragraph (a) of this Regulation is received, it will be promptly brought to the knowledge of those concerned and communicated to other interested Governments.

(c) The transmission of messages respecting the dangers specified is free of cost to the ships concerned.

(d) All radio messages issued under paragraph (a) of this Regulation shall be preceded by the Safety Signal, using the procedure as prescribed by the Radio Regulations as defined in Regulation 2 of 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) when danger last observed.

(b) *Tropical Storms* (Hurricanes in the West Indies, Typhoons in the China Sea, Cyclones in Indian waters, and storms of a similar nature in other regions)

   (i) A statement that a tropical storm has been encountered. This obligation should be interpreted in a broad spirit, and information transmitted whenever the master has good reason to believe that a tropical storm is developing or exists in his neighbourhood.

   (ii) Time, date (Greenwich Mean Time) and position of ship when the observation was taken.

   (iii) As much of the following information as is practicable should be included in the message:

        —barometric pressure, preferably corrected (stating millibars, millimetres, or inches, and whether corrected or 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 true direction from 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 observations be made and transmitted hourly, if practicable, but in any case at intervals of not
more than three hours, so long as the ship remains under the influence of the storm.

(d) *Winds of force 10 or above on the Beaufort scale for which no 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 information to that listed under that paragraph but excluding the details concerning sea and swell.

(e) *Sub-freezing air temperatures associated with gale force winds 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*


*Tropical Storm*

TTT Storm. 0030 GMT. August 18. 2004 N., 11354 E. Barometer corrected 994 millibars, tendency down 6 millibars. Wind NW., force 9, heavy squalls. Heavy easterly swell. Course 067, 5 knots.

TTT Storm. Appearances indicate approach of hurricane. 1300 GMT. September 14. 2200 N., 7236 W. Barometer corrected 29.64 inches, tendency down .015 inches. Wind NE., force 8, frequent rain squalls. Course 035, 9 knots.

TTT Storm. Conditions indicate intense cyclone has formed. 0200 GMT. May 4. 1620 N., 9203 E. Barometer uncorrected 753 millimetres, tendency down 5 millimetres. Wind S. by W., force 5. Course 300, 8 knots.

TTT Storm. Typhoon to southeast. 0300 GMT. June 12. 1812 N., 12605 E. Barometer falling rapidly. Wind increasing from N.
TTT Storm. Wind force 11, no storm warning received. 0300 GMT. May 4. 4830 N., 30 W. Barometer corrected 983 millibars, tendency down 4 millibars. Wind SW., force 11 veering. Course 260, 6 knots.

Icing


Regulation 4

Meteorological Services

(a) The Contracting Governments undertake to encourage the collection of meteorological data by ships at sea and to arrange for their examination, dissemination and exchange in the manner most suitable for the purpose of aiding navigation. Administrations shall encourage the use of instruments of a high degree of accuracy, and shall facilitate the checking of such instruments upon request.

(b) In particular, the Contracting Governments undertake to co-operate in carrying out, as far as practicable, the following meteorological arrangements:

(i) To warn ships of gales, storms and tropical storms, both by the issue of radio messages and by the display of appropriate signals at coastal points.

(ii) To issue daily, by radio, weather bulletins suitable for shipping, containing data of existing weather, waves and ice, forecasts and, where practicable, sufficient additional information to enable simple weather charts to be prepared at sea and also to encourage the transmission of suitable facsimile weather charts.

(iii) To prepare and issue such publications as may be necessary for the efficient conduct of meteorological work at sea and to arrange, if practicable, for the publication and making available of daily weather charts for the information of departing ships.

(iv) To arrange for selected ships to be equipped with tested instruments (such as a barometer, a barograph, a psychrometer, and suitable apparatus for measuring sea temperature) for use in this service, and to take meteorological observations at main standard 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 in areas where shipping is sparse; these ships to transmit their observations by radio for the benefit of the various official meteorological
services, repeating the information for the benefit of ships in the vicinity. When in the vicinity of a tropical storm, or of a suspected tropical storm, ships should be encouraged to take and transmit their observations at more frequent intervals whenever practicable, bearing in mind navigational preoccupations of ships’ officers during storm conditions.

(v) To arrange for the reception and transmission by coast radio stations of weather messages from and to ships. Ships which are unable to communicate direct with shore shall be encouraged to 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 ships in the vicinity and also shore stations whenever they experience a wind speed of 50 knots or more (force 10 on the Beaufort scale).

(vii) To endeavour to obtain a uniform procedure in regard to the international meteorological services already specified, and, as far as is practicable, to conform to the Technical Regulations and recommendations made by the World Meteorological Organization, to which the Contracting Governments may refer for study and advice any meteorological question which may arise in carrying out the present Convention.

(c) The information provided for in this Regulation shall be furnished in form for transmission and transmitted in the order of priority prescribed by the Radio Regulations, and during transmission “to all stations” of meteorological information, forecasts and warnings, all ship stations must conform to the provisions of the Radio Regulations.

(d) Forecasts, warnings, synoptic and other meteorological reports intended for ships shall be issued and disseminated by the national service in the best position to serve various zones and areas, in accordance with mutual arrangements made by the Contracting Governments concerned.

Regulation 5

Ice Patrol Service

(a) The Contracting Governments undertake to continue an ice patrol and a service for study and observation of ice conditions in the North Atlantic. During the whole of the ice season the south-eastern, southern and south-western limits of the regions of icebergs in the vicinity of the Grand Banks of Newfoundland shall be guarded for the purpose of informing passing ships of the extent of this dangerous region; for the study of ice
conditions in general; and for the purpose of affording assistance to ships and crews requiring aid within the limits of 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 the study and observation of ice conditions may be assigned other duties by the managing Government, provided that such other duties do not interfere 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 continue the management of the ice patrol service and the study and observation of ice conditions, including the dissemination of information received therefrom. The Contracting Governments specially interested in these services undertake to contribute to the expense of maintaining and operating these services; each contribution to be based upon the total gross tonnage of the vessels of each contributing Government passing through the regions of icebergs guarded by the Ice Patrol; in particular, each Contracting Government specially interested undertakes to contribute annually to the expense of maintaining and operating these services a sum determined by the ratio which the total gross tonnage of that Contracting Government’s vessels passing during the ice season through the regions of icebergs guarded by the Ice Patrol bears to the combined total gross tonnage of the vessels of all contributing Governments passing during the ice season through the regions of icebergs guarded by the Ice Patrol. Non-contracting Governments specially interested may contribute to the expense of maintaining and operating the Ice Patrol and of the proportionate share of each contributing Government.

(b) Each of the contributing Governments has the right to alter or discontinue its contribution, and other interested Governments may undertake to contribute to the expense. The contributing Government which avails itself of this right will continue responsible for its current contribution up to 1 September following the date of giving notice of intention to alter or discontinue its contribution. To take advantage of the said right it must give notice to the managing Government at least six months before the said 1 September.
(c) If, at any time, the United States Government should desire to discontinue these services, or if one of the contributing Governments should express a wish to relinquish responsibility for its pecuniary contribution, or to have its contribution altered, or another Contracting Government should desire to undertake to contribute to the expense, the contributing Governments shall settle the question in accordance with their mutual interests.

(d) The contributing Governments shall have the right by common consent to make from time to time such alterations in the provisions of this Regulation and of Regulation 5 of this Chapter as appear desirable.

(e) Where this Regulation provides that a measure may be taken after agreement among the contributing Governments, proposals made by any Contracting Government for effecting such a measure shall be communicated to the managing Government which shall approach the other 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 Governments and the Contracting Government making the proposals. In particular, the arrangements relating to contributions to the cost of the services shall be reviewed by the contributing Governments at intervals not exceeding three years. 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 of every ship at night is bound to proceed at a moderate speed or to alter his course so as to go well clear of the danger zone.

Regulation 8

*Routeing*

(a) The practice of following, particularly in converging areas, routes adopted for the purpose of separation of the traffic including avoidance of passage through areas designated as areas to be avoided by ships or certain classes of ships, or for the purpose of avoiding unsafe conditions, has contributed to the safety of navigation and is recommended for use by all ships concerned.

(b) The Organization is recognized as the only international body for establishing and adopting measures on an international level concerning routeing and areas to be avoided by ships or certain classes of ships. It will
collate and disseminate to Contracting Governments all relevant information.

(c) The selection of the routes and the initiation of action with regard to them, and the delineation of what constitutes converging areas, will be primarily the responsibility of the Governments concerned. In the development of routeing schemes which impinge upon international waters, or such other schemes they may wish adopted by the Organization, they will give due consideration to relevant information published by the Organization.

(d) Contracting Governments will use their influence to secure the appropriate use of adopted routes and will do everything in their power to ensure adherence to the measures adopted by the Organization in connexion with routeing of ships.

(e) Contracting Governments will also induce all ships proceeding on voyages in the vicinity of the Grand Banks of Newfoundland to avoid, as far as practicable, the fishing banks of Newfoundland north of latitude 43° N and to pass outside regions known or believed to be endangered by ice.

Regulation 9

Misuse of Distress Signals

The use of an international distress signal, except for the purpose of indicating that a ship or aircraft is in distress, and the use of any signal which may be confused with an international distress signal, are prohibited on every ship or aircraft.

Regulation 10

Distress Messages—Obligations and Procedures

(a) The master of a ship at sea, on receiving a signal from any source that a ship or aircraft or survival craft thereof is in distress, is bound to proceed with all speed to the assistance of the persons in distress informing them if possible that he is doing so. If he is unable or, in the special circumstances of the case, considers it unreasonable or unnecessary to proceed to their assistance, he must enter in the logbook the reason for failing to proceed to the assistance of the persons in distress.

(b) The master of a ship in distress, after consultation, so far as may be possible, with the masters of the ships which answer his call for 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 ships requisitioned to comply with the requisition by continuing to proceed with all speed to the assistance of persons in distress.

(c) The master of a ship shall be released from the obligation imposed by paragraph (a) of this Regulation when he learns that one or more ships other than his own have been requisitioned and are complying with the requisition.

(d) The master of a ship shall be released from the obligation imposed by paragraph (a) of this Regulation, and, if his ship has been requisitioned, from the obligation imposed by paragraph (b) of this Regulation, if he is informed by the persons in distress or by the master of another ship which has reached such persons that assistance is no longer necessary.

(e) The provisions of this Regulation do not prejudice the International Convention for the unification of certain rules with regard to Assistance and Salvage at Sea, signed at Brussels on 23 September 1910, particularly the obligation to render assistance imposed by Article 11 of that Convention.

Regulation 11
Signalling Lamps

All ships of over 150 tons gross tonnage, when engaged on international voyages, shall have on board an efficient daylight signalling lamp which shall not be solely dependent upon the ship’s main source of electrical power.

Regulation 12
Shipborne Navigational Equipment

(a) All ships of 1,600 tons gross tonnage and upwards shall be fitted with a radar of a type approved by the Administration. Facilities for plotting radar readings shall be provided on the bridge in those ships.

(b) All ships of 1,600 tons gross tonnage and upwards, when engaged on international voyages, shall be fitted with radio direction-finding apparatus complying with the provisions of Regulation 12 of Chapter IV. The Administration may, in areas where it considers it unreasonable or unnecessary for such apparatus to be carried, exempt any ship of less than 5,000 tons gross tonnage from this requirement, due regard being had to the fact that radio direction-finding apparatus is of value both as a navigational instrument and as an aid to locating ships, aircraft or survival craft.
(c) All ships of 1,600 tons gross tonnage and upwards, when engaged on international voyages, shall be fitted with a gyro-compass in addition to the magnetic compass. The Administration, if it considers it unreasonable or unnecessary to require a gyro-compass, may exempt any ship of less than 5,000 tons gross tonnage from this requirement.

(d) All new ships of 500 tons gross tonnage and upwards, when engaged on international voyages, shall be fitted with an echo-sounding device.

(e) Whilst all reasonable steps shall be taken to maintain the apparatus in an efficient condition, malfunction of the radar equipment, the gyro-compass or the echo-sounding device shall not be considered as making the ship uns seaworthy 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 and upwards, when engaged on international voyages, shall be fitted with radio equipment for homing on the radiotelephone distress frequency complying with the relevant provisions of paragraph (b) of Regulation 12 of Chapter IV.

**Regulation 13**

*Manning*

The Contracting Governments undertake, each for its national ships, to maintain, or, if it is necessary, to adopt, measures for the purpose of ensuring that, from the point of view of safety of life at sea, all ships shall be sufficiently and efficiently manned.

**Regulation 14**

*Aids to Navigation*

The Contracting Governments undertake to arrange for the establishment and maintenance of such aids to navigation, including radio beacons and electronic aids as, in their opinion, the volume of traffic justifies and the degree of risk requires, and to arrange for information relating to these aids to be made available to all concerned.

**Regulation 15**

*Search and Rescue*

(a) Each Contracting Government undertakes to ensure that any necessary arrangements are made for coast watching and for the rescue of persons in
distress at sea round its coasts. These arrangements should include the establishment, operation and maintenance of such maritime safety facilities as are deemed practicable and necessary having regard to the density of the seagoing traffic and the navigational dangers and should, so far as possible, afford adequate means of locating and rescuing such persons.

(b) Each Contracting Government undertakes to make available information concerning its existing rescue facilities and the plans for changes therein, if any.

## Regulation 16

**Life-Saving Signals**

The following signals shall be used by life-saving stations and maritime rescue units when communicating with ships or persons in distress and by ships or persons in distress when communicating with life-saving stations and maritime rescue units. The signals used by aircraft engaged in search and rescue operations to direct ships are indicated in paragraph (d) below. An illustrated table describing the signals listed below shall be readily available to the officer of the watch of every ship to which this Chapter applies.

(a) Replies from life-saving stations or maritime rescue units to distress signals made by a ship or person:

<table>
<thead>
<tr>
<th>Signal</th>
<th>Signification</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>By day</strong>—Orange smoke signal or combined light and sound signal (thunderlight) consisting of three single signals which are fired at intervals of approximately one minute.</td>
<td>“You are seen—assistance will be given as soon as possible.”</td>
</tr>
<tr>
<td><strong>By night</strong>—White star rocket consisting of three single signals which are fired at intervals of approximately one minute.</td>
<td>(Repetition of such signals shall have the same meaning.)</td>
</tr>
</tbody>
</table>

If necessary the day signals may be given at night or the night signals by day.
(b) Landing signals for the guidance of small boats with crews or persons in distress:

<table>
<thead>
<tr>
<th>Signal</th>
<th>Signification</th>
</tr>
</thead>
<tbody>
<tr>
<td>By day—Vertical motion of a white flag or the arms or firing of a green star-signal or signalling the code letter “K” (— · —) given by light or sound-signal apparatus.</td>
<td>“This is the best place to land.”</td>
</tr>
<tr>
<td>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.</td>
<td></td>
</tr>
<tr>
<td>By day—Horizontal motion of a white flag or arms extended horizontally or firing of a red star-signal or signalling the code letter “S” (· · ·) given by light or sound-signal apparatus.</td>
<td>“Landing here highly dangerous.”</td>
</tr>
<tr>
<td>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.</td>
<td></td>
</tr>
<tr>
<td>Signal</td>
<td>Signification</td>
</tr>
<tr>
<td>--------</td>
<td>---------------</td>
</tr>
<tr>
<td>By day—Horizontal motion of a white flag, followed by the placing of the white flag in the ground and 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.</td>
<td>“Landing here highly dangerous. A more favourable location for landing is in the direction indicated.”</td>
</tr>
</tbody>
</table>
By night—Horizontal motion of a white light or flare, followed by the placing of the white 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.

“Landing here highly dangerous. A more favourable location for landing is in the direction indicated.”
(c) Signals to be employed in connexion with the use of shore life-saving apparatus:

<table>
<thead>
<tr>
<th>Signal</th>
<th>Signification</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>By day</strong>—Vertical motion of a white flag or the arms or firing of a green star-signal.</td>
<td>In general—“Affirmative.”</td>
</tr>
<tr>
<td><strong>By night</strong>—Vertical motion of a white light or flare or firing of a green star-signal.</td>
<td>Specifically:</td>
</tr>
<tr>
<td></td>
<td>“Rocket line is held.”</td>
</tr>
<tr>
<td></td>
<td>“Tail block is made fast.”</td>
</tr>
<tr>
<td></td>
<td>“Hawser is made fast.”</td>
</tr>
<tr>
<td></td>
<td>“Man is in the breeches buoy.”</td>
</tr>
<tr>
<td></td>
<td>“Haul away.”</td>
</tr>
</tbody>
</table>

| By day—Horizontal motion of a white flag or arms extended horizontally or firing of a red star-signal. | In general—“Negative.” |
| By night—Horizontal motion of a white light or flare or firing of a red star-signal. | Specifically: |
| | “Slack away.” |
| | “Avast hauling.” |

(d) Signals used by aircraft engaged on search and rescue operations to direct ships towards an aircraft, ship or person in distress (see explanatory Note below):

(i) The following procedures performed in sequence by an aircraft mean that the aircraft is directing a surface craft towards an aircraft or a surface craft in distress:

1. circling the surface craft at least once;
2. crossing the projected course of the surface craft close ahead at a low altitude, opening and closing the throttle or changing the propeller pitch;
3. heading in the direction in which the surface craft is to be directed.

Repetition of such procedures has the same meaning.

(ii) The following procedure performed by an aircraft means that the assistance of the surface craft to which the signal is directed is no longer required:

— crossing the wake of the surface craft close astern at a low altitude, opening and closing the throttle or changing the 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 likely to be employed shall comply with the following requirements:

(a) *Pilot Ladders*

(i) The ladder shall be efficient for the purpose of enabling pilots to embark and disembark safely, kept clean and in good order and may be used by officials and other persons while a ship is arriving at or leaving a port.

(ii) The ladder shall be secured in a position so that it is clear from any possible discharges from the ship, that each step rests firmly against the ship’s side, that it is clear so far as is practicable of the finer lines of the ship and that the pilot can gain safe and convenient access to the ship after climbing not less than 1.5 metres (5 feet) and not more than 9 metres (30 feet). A single length of ladder shall be used capable of reaching the water from the point of access to the ship; in providing for this due allowance shall be made for all conditions of loading and trim of the ship and for an adverse list of 15 degrees. Whenever the distance from sea level to the point of access to the ship is more than 9 metres (30 feet), access from the pilot ladder to the ship shall be by means of an accommodation ladder or other equally safe and convenient means.

(iii) The steps of the pilot ladder shall be:

1. of hardwood, or other material of equivalent properties, made in one piece free of knots, having an efficient non-slip surface; the four lowest steps may be made of rubber of sufficient strength and stiffness or of other suitable material of equivalent characteristics;

2. not less than 480 millimetres (19 inches) long, 115 millimetres (41/2 inches) wide, and 25 millimetres (1 inch) in depth, excluding any non-slip device;

3. equally spaced not less than 300 millimetres (12 inches) nor more than 380 millimetres (15 inches) apart and be secured in such a manner that they will remain horizontal.
(iv) No pilot ladder shall have more than two replacement steps which are secured in position by a method different from that used in the original construction of the ladder and any steps so secured shall be replaced as soon as reasonably practicable by steps secured in position by the method used in the original construction of the ladder. When any replacement step is secured to the side ropes of the ladder by means of grooves in the sides of the step, such grooves shall be in the longer sides of the step.

(v) The side ropes of the ladder shall consist of two uncovered manila ropes not less than 60 millimetres (2 1/4 inches) in circumference on each side. Each rope shall be continuous with no joints below the top step. Two man-ropes properly secured to the ship and not less than 65 millimetres (2 1/2 inches) in circumference and a safety line shall be kept at hand ready for use if required.

(vi) Battens made of hardwood, or other material of equivalent properties, in one piece and not less than 1.80 metres (5 feet 10 inches) long shall be provided at such intervals as will prevent the pilot ladder from twisting. The lowest batten shall be on the fifth step from the bottom of the ladder and the interval between any batten and the next shall not exceed 9 steps.

(vii) Means shall be provided to ensure safe and convenient passage on to or into and off the ship between the head of the pilot ladder or of any accommodation ladder or other appliance provided. Where such passage is by means of a gateway in the rails or bulwark, adequate handholds shall be provided. Where such passage is by means of a bulwark ladder, such ladder shall be securely attached to the bulwark rail or platform and two handhold stanchions shall be fitted at the point of boarding or leaving the ship not less than 0.70 metre (2 feet 3 inches) nor more than 0.80 metre (2 feet 7 inches) apart. Each stanchion shall be rigidly secured to the ship’s structure at or near its base and also at a higher point, shall be not less than 40 millimetres (1 1/2 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 at night such that both the pilot ladder overside and also the position where the pilot boards the ship shall be adequately lit. A lifebuoy equipped with a self-igniting light shall be kept at hand ready for use. A heaving line shall be kept at hand ready for use if required.

(ix) Means shall be provided to enable the pilot ladder to be used on either side of the ship.
(x) The rigging of the ladder and the embarkation and disembarkation of a pilot shall be supervised by a responsible officer of the ship.

(xi) Where on any ship constructional features such as rubbing bands would prevent the implementation of any of these provisions, special arrangements shall be made to the satisfaction of the Administration to ensure that persons are able to embark and disembark safely.

(b) Mechanical Pilot Hoists

(i) A mechanical pilot hoist, if provided, and its ancillary equipment shall be of a type approved by the Administration. It shall be of such design and construction as to ensure that the pilot can be embarked and disembarked in a safe manner including a safe access from the hoist to the deck and vice versa.

(ii) A pilot ladder complying with the provisions of paragraph (a) of this Regulation shall be kept on deck adjacent to the hoist and available for immediate use.

**Regulation 18**

*VHF Radiotelephone Stations*

When a Contracting Government requires ships navigating in an area under its sovereignty to be provided with a Very High Frequency (VHF) radiotelephone station to be used in conjunction with a system which it has established in order to promote safety of navigation, such station shall comply with the provisions of Regulation 17 of Chapter IV and shall be operated in accordance with Regulation 8 of Chapter IV.

**Regulation 19**

*Use of the Automatic Pilot*

(a) In areas of high traffic density, in conditions of restricted visibility and in all other hazardous navigational situations where the 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 possible for the officer of the watch to have available without delay the services of a qualified helmsman who shall be ready at all times to take over steering control.

(c) The change-over from automatic to manual steering and vice versa 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 tables and all other nautical 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 a radiotelephone installation shall carry the International Code of Signals. This publication shall also be carried by any other ship which in the opinion of the Administration has a need to use it.
CHAPTER VI
CARRIAGE OF GRAIN

PART A—GENERAL PROVISIONS

Regulation 1

Application

Unless expressly provided otherwise, this Chapter, including Parts A, B and C, applies to the carriage of grain in all ships to which the present Regulations apply.

Regulation 2

Definitions

(a) The term “grain” includes wheat, maize (corn), oats, rye, barley, rice, pulses, seeds and processed forms thereof, whose behaviour is similar to that of grain in its natural state.

(b) The term “filled compartment” refers to any compartment in which, after loading and trimming as required under Regulation 3, the bulk grain is at its highest possible level.

(c) The term “partly filled compartment” refers to any compartment wherein bulk grain is not loaded in the manner prescribed in paragraph (b) of this Regulation.

(d) The term “angle of flooding” ($\theta_f$) means an angle of heel at which openings in the hull, superstructures or deckhouses, which cannot be closed weathertight, immerse. In applying this definition, small openings through which progressive flooding cannot take place need not be considered as open.

Regulation 3

Trimming of Grain

All necessary and reasonable trimming shall be performed to level all free grain surfaces and to minimize the effect of grain shifting.
(a) In any “filled compartment”, the bulk grain shall be trimmed so as to fill all the spaces under the decks and hatch covers to the maximum extent possible.

(b) After loading, all free grain surfaces in “partly filled compartments” shall be level.

(c) The Administration issuing the document of authorization may, under Regulation 9 of this Chapter, grant dispensation from trimming in those cases where the underdeck void geometry resulting from free flowing grain into a compartment, which may be provided with feeding ducts, perforated decks or other similar means, is taken into account to its satisfaction when calculating the void depths.

**Regulation 4**

*Intact Stability Requirements*

(a) The calculations required by this Regulation shall be based upon the stability information provided in accordance with Regulation 19 of Chapter II–I, 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 carrying bulk grain shall be shown to meet, throughout the voyage, at least the following criteria after taking into account in the manner described in Part B, the heeling moments due to grain shift:

   (i) the angle of heel due to the shift of grain shall be not greater than 12 degrees except that an Administration giving authorization in accordance with Regulation 10 of this Chapter may require a lesser angle of heel if it considers that experience shows this to be necessary;*

   (ii) in the statical stability diagram, the net or residual area between the heeling arm curve and the righting arm curve up to the angle of heel of maximum difference between the ordinates of the two curves, or 40 degrees or the “angle of flooding” (θ), whichever is the least, shall in all conditions of loading be not less than 0.075 metre-radians; and

   (iii) the initial metacentric height, after correction for the free surface effects of liquids in tanks, shall be not less than 0.30 metre.

* 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.
(c) Before loading bulk grain the master shall, if so required by the Contracting Government of the country of the port of loading, demonstrate the ability of the ship at all stages of any voyage to comply with the stability criteria required by paragraph (b) of this Regulation using the information approved and issued under Regulations 10 and 11 of this Chapter.

(d) After loading, the master shall ensure that the ship shall be upright before proceeding to sea.

**Regulation 5**

*Longitudinal Divisions and Saucers*

(a) In both “filled compartments” and “partly filled compartments”, longitudinal divisions may be provided as a device either to reduce the adverse heeling effect of grain shift or to limit the depth of cargo used for securing the grain surface. Such divisions shall be fitted grain-tight and constructed in accordance with the provisions of Section I of Part C of this Chapter.

(b) In a “filled compartment”, a division, if fitted to reduce the 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 underside of the deck or hatch covers as described in Section II of Part B of this Chapter.

Except in the case of linseed and other seeds having similar properties, a longitudinal division beneath a hatchway may be replaced by a saucer formed in the manner described in Section I of Part C of this Chapter.

(c) In a “partly filled compartment”, a division, if fitted, shall extend from one-eighth of the maximum breadth of the compartment above the level of the grain surface and to the same distance below the grain surface. When used to limit the depth of overstowing, the height of the centreline division shall be at least 0.6 metre above the level grain surface.

(d) Furthermore, the adverse heeling effects of grain shift may be reduced by tightly stowing the wings and ends of a compartment with bagged grain or other suitable cargo adequately restrained from shifting.

**Regulation 6**

*Securing*

(a) Unless account is taken of the adverse heeling effect due to grain shift in accordance with these Regulations, the surface of the bulk grain in any
“partly filled compartment” shall be level and topped off with bagged grain tightly stowed and extending to a height of not less than one-sixteenth of the maximum breadth of the free grain surface or 1.2 metres, whichever is the greater. Instead of bagged grain, other suitable cargo exerting at least the same pressure may be used.

(b) The bagged grain or such other suitable cargo shall be supported in the manner described in Section II of Part C of this Chapter. Alternatively, the bulk grain surface may be secured by strapping or lashing as described in that Section.

Regulation 7

Feeders and Trunks

If feeders or trunks are fitted, proper account shall be taken of the effects thereof when calculating the heeling moments as described in Section III of Part B of this Chapter. The strength of the divisions forming the boundaries of such feeders shall conform with the provisions of Section I of Part C of this Chapter.

Regulation 8

Combination Arrangements

Lower holds and ’tween-deck spaces in way thereof may be loaded as one compartment provided that, in calculating transverse heeling moments, proper account is taken of the flow of grain into the lower spaces.

Regulation 9

Application of Parts B and C

An Administration or a Contracting Government on behalf of an Administration may authorize departure from the assumptions contained in Parts B and C of this Chapter in those cases where it considers this to be justified having regard to the provisions for loading or the structural arrangements, provided the stability criteria in paragraph (b) of Regulation 4 of this Chapter are met. Where such authorization is granted under this Regulation, particulars shall be included in the document of authorization or grain loading data.
Regulation 10

Authorization

(a) A document of authorization shall be issued for every ship loaded in accordance with the Regulations of this Chapter either by the Administration or an organization recognized by it or by a Contracting Government on behalf of the Administration. It shall be accepted as evidence that the ship is capable of complying with the requirements of these Regulations.

(b) The document shall accompany and refer to the grain loading stability booklet provided to enable the master to meet the requirements of paragraph (c) of Regulation 4 of this Chapter. This booklet shall meet the requirements of Regulation 11 of this Chapter.

(c) Such a document, grain loading stability data and associated plans may be drawn up in the official language or languages of the issuing country. If the language used is neither English nor French, the text shall include a translation into one of these languages.

(d) A copy of such a document, grain loading stability data and associated plans shall be placed on board in order that the master, if so required, shall produce them for the inspection of the Contracting Government of the country of the port of loading.

(e) A ship without such a document of authorization shall not load grain until the master demonstrates to the satisfaction of the Administration or the Contracting Government of the port of loading on behalf of the Administration that the ship in its proposed loaded condition will comply with the requirements of these Regulations.

Regulation 11

Grain Loading Information

This information shall be sufficient to allow the master to determine in all reasonable loading conditions the heeling moments due to grain shift calculated in accordance with Part B of this Chapter. It shall include the following:

(a) Information which shall be approved by the Administration or by a Contracting Government on behalf of the Administration:

   (i) curves or tables of grain heeling moments for every compartment, filled or partly filled, or combination thereof, including the effects of temporary fittings;

   (ii) tables of maximum permissible heeling moments or other information sufficient to allow the master to demonstrate
compliance with the requirements of paragraph (c) of Regulation 4 of this Chapter;

(iii) details of the scantlings of any temporary fittings and where applicable the provisions necessary to meet the requirements of Section I(E) of Part C of this Chapter;

(iv) typical loaded service departure and arrival conditions and where necessary, intermediate worst service conditions;

(v) a worked example for the guidance of the master;

(vi) loading instructions in the form of notes summarizing the requirements of this Chapter.

(b) Information which shall be acceptable to the Administration or to a Contracting Government on behalf of the Administration:

(i) ship’s particulars;

(ii) lightship displacement and the vertical distance from the intersection of the moulded base line and midship section to the centre of gravity (KG);

(iii) table of free surface corrections;

(iv) capacities and centres of gravity.

Regulation 12

Equivalents

Where an equivalent accepted by the Administration in accordance with Regulation 5 of Chapter I of this Convention is applied, particulars shall be included in the document of authorization or grain loading data.

Regulation 13

Exemptions for Certain Voyages

The Administration, or a Contracting Government on behalf of the Administration may, if it considers that the sheltered nature and conditions of the voyage are such as to render the application of any of the requirements of Regulations 3 to 12 of this Chapter unreasonable or unnecessary, exempt from those particular requirements individual ships or 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 heeling moment due to a shift of cargo surface in ships carrying bulk grain it shall be assumed that:

(i) In “filled compartments” which have been trimmed in accordance with Regulation 3 of this Chapter a void exists under all boundary surfaces having an inclination to the horizontal less than 30 degrees and that the void is parallel to the boundary surface having an average depth calculated according to the formula:

\[ V_d = V_{d1} + 0.75(d - 600) \text{ mm} \]

Where:

\( V_d \) = Average void depth in mm;
\( V_{d1} \) = Standard void depth from Table I below;
\( d \) = Actual girder depth in mm.

In no case shall \( V_d \) be assumed to be less than 100 mm.
<table>
<thead>
<tr>
<th>Distance from hatchend or hatchside to boundary of compartment (metres)</th>
<th>Standard void depth Vd₁ (mm)</th>
</tr>
</thead>
<tbody>
<tr>
<td>0.5</td>
<td>570</td>
</tr>
<tr>
<td>1.0</td>
<td>530</td>
</tr>
<tr>
<td>1.5</td>
<td>500</td>
</tr>
<tr>
<td>2.0</td>
<td>480</td>
</tr>
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<td>450</td>
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<tr>
<td>3.0</td>
<td>440</td>
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<tr>
<td>7.0</td>
<td>520</td>
</tr>
<tr>
<td>7.5</td>
<td>550</td>
</tr>
<tr>
<td>8.0</td>
<td>590</td>
</tr>
</tbody>
</table>

*Notes on Table I:*

For distances greater than 8.0 metres the standard void depth Vd₁ shall be linearly extrapolated at 80 mm increase for each 1.0 metre increase in distance. Where there is a difference in depth between the hatchside girder or its continuation and the hatchend beam the 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 hatchway may be calculated using the lesser depth; and
2. when the hatchend beam is shallower than the hatchside girder or its continuation the voids fore and aft of the hatchway inboard of the continuation of the hatchside girder may be calculated using the lesser depth;
3. where there is a raised deck clear of a hatchway the average void depth measured from the underside of the raised deck shall be calculated using the standard void depth in association with a girder depth of the hatchend beam plus the height of the raised deck.
(ii) In “filled compartments” which are not trimmed in accordance with Regulation 3 of this Chapter and where the boundary surface has an inclination to the horizontal which is less than 30 degrees, the cargo surface has an inclination of 30 degrees to the horizontal after loading.

(iii) Within filled hatchways and in addition to any open void within the hatch cover there is a void of average depth of 150 mm measured down to the grain surface from the lowest part of the hatch cover or the top of the hatchside coaming, whichever is the lower.

(b) The description of the pattern of grain surface behaviour to be assumed in “partly filled compartments” is shown in Section IV of this Part.

(c) For the purpose of demonstrating compliance with the stability criteria in paragraph (b) of Regulation 4 of this Chapter (see Figure 1), the ship’s stability calculations shall be normally based upon the assumption that the centre of gravity of cargo in a “filled compartment” is at the volumetric centre of the whole cargo space. In those cases where the Administration authorizes account to be taken of the effect of assumed underdeck voids on the vertical position of the centre of gravity of the cargo in “filled compartments” it will be necessary to compensate for the adverse effect of the vertical shift of grain surfaces by increasing the assumed heeling moment due to the transverse shift of grain as follows:

$$ \text{total heeling moment} = 1.06 \times \text{calculated transverse heeling moment.} $$

In all cases the weight of cargo in a “filled compartment” shall be the volume of the whole cargo space divided by the stowage factor.
Notes on Figure 1:

(1) Where:

\[ \lambda_0 = \frac{\text{Assumed Volumetric Heeling Moment due to Transverse Shift}}{\text{Stowage Factor} \times \text{Displacement}}; \]

\[ \lambda_{40} = 0.8 \times \lambda_0; \]

Stowage factor = Volume per unit weight of grain cargo;
Displacement = Weight of ship, fuel, fresh water, stores etc. and cargo.

(2) The righting arm curve shall be derived from cross-curves which are sufficient in number to accurately define the curve for the purpose of these requirements and shall include cross-curves at 12 degrees and 40 degrees.

(d) In “partly filled compartments” the adverse effect of the vertical shift of grain surfaces shall be taken into account as follows:

\[ \text{total heeling moment} = 1.12 \times \text{calculated transverse heeling moment}. \]

(e) Any other equally effective method may be adopted to make the 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 transverse section across the portion of the compartment being considered and the resultant heeling moment should be multiplied by the length to obtain the total moment for that portion.

(b) The assumed transverse heeling moment due to grain shifting is a consequence of final changes of shape and position of voids after grain has moved from the high side to the low side.

(c) The resulting grain surface after shifting shall be assumed to be at 15 degrees to the horizontal.

(d) In calculating the maximum void area that can be formed against a longitudinal structural member, the effects of any horizontal surfaces, 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 shall be considered effective over its full length.

(B) ASSUMPTIONS

In the following paragraphs it is assumed that the total heeling moment for a compartment is obtained by adding the results of separate considerations of the following portions:

(a) Before and abaft hatchways:

   (i) If a compartment has two or more main hatchways through which loading may take place the depth of the underdeck void for the portion(s) between such hatchways shall be determined using the fore and aft distance to the midpoint between the hatchways.

   (ii) After the assumed shift of grain the final void pattern shall be as shown in Figure 2 below:
Notes on Figure 2:

(1) If the maximum void area which can be formed against the girder at B is less than the initial area of the void under AB, i.e. AB \times 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) of Regulation 5 of this Chapter it shall extend to at least 0.6 metre below D or E whichever 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.

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 final void area on the high side.
Notes on Figure 4:

(1) If the centreline division is one which has been provided in accordance with sub-paragraph (b) (ii) of Regulation 5 of this Chapter it shall extend to at least 0.6 metre below H or J whichever 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 the other against the hatchside coaming and girder on the high side.

(3) If a bagged saucer or bulk bundle is formed in a hatchway it shall be assumed, for the purpose of calculating transverse heeling moment, that such a device is at least equivalent to the centreline division.

(C) COMPARTMENTS LOADED IN COMBINATION

The following paragraphs describe the pattern of void behaviour which shall be assumed when compartments are loaded in combination:

(a) Without effective centreline divisions:

   (i) Under the upper deck—as for the single deck arrangement described in Section II(B) of this Part.

   (ii) Under the second deck—the area of void available for transfer from the low side, i.e. original void area less area against the 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—the void areas available for transfer from the low side of each of these decks shall be assumed 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 the upper deck hatchway:

   (i) At all deck levels abreast the division the void areas available for transfer from the low side shall be assumed to transfer to the void under the low side half of the upper deck hatchway.
(ii) At the deck level immediately below the bottom of the division the void area available for transfer from the low side shall be assumed to transfer as follows:

one half to the void under the low side half of the upper deck hatchway and the remainder in equal quantities to the voids under the decks on the high side.

(iii) At deck levels lower than those described in sub-paragraphs (i) and (ii) of this paragraph the void area available for transfer from the low side of each of those decks shall be assumed to transfer in equal quantities to the voids in each of the two halves of the upper deck hatchway on each side of the division and the voids under the decks on the high side.

(c) With effective centreline divisions which do not extend into the 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 transfer above the 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 will be substantially filled by the flow of grain from a pair of longitudinal feeders provided that:

(a) the feeders extend for the full length of the deck and that the perforations therein are adequately spaced;

(b) the volume of each feeder is equal to the volume of the underdeck void outboard of the hatchside girder and its continuation.
(B) TRUNKS SITUATED OVER MAIN HATCHWAYS

After the assumed shift of grain the final void pattern shall be as shown in Figure 6.

*Note on Figure 6:*

If the wing spaces in way of the trunk cannot be properly trimmed in accordance with Regulation 3 of this Chapter it shall be assumed that a 25 degree surface shift takes place.
SECTION IV—ASSUMED VOLUMETRIC HEELING MOMENT OF PARTLY FILLED COMPARTMENTS

(A) GENERAL

When the free surface of the bulk grain has not been secured in accordance with Regulation 6 of this Chapter it shall be assumed that the grain surface after shifting shall be at 25 degrees to the horizontal.

(B) DISCONTINUOUS LONGITUDINAL DIVISIONS

In a compartment in which the longitudinal divisions are not continuous between the transverse boundaries, the length over which any such divisions are effective as devices to prevent full width shifts of grain surfaces shall be taken to be the actual length of the portion of the division under consideration less two-sevenths of the greater of the transverse distances between the division and its adjacent division or ship’s side.

This correction does not apply in the lower compartments of any combination loading in which the upper compartment is either a “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) or Sub-Section (C) below shall be considered to have intact stability characteristics at least equivalent to the requirements of paragraph (b) of Regulation 4 of this Chapter. Documents of authorization permitting such loadings shall be accepted under the provisions of paragraph (e) of Regulation 10 of this 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 B of this Chapter, bulk grain may be carried without regard to the requirements specified therein in ships which are constructed with two or more vertical or sloping grain-tight longitudinal divisions suitably disposed to limit the effect of any transverse shift of grain under the following conditions:
(i) as many holds and compartments as possible shall be full and trimmed full;

(ii) for any specified arrangement of stowage the ship will not list to an angle greater than 5 degrees at any stage of the voyage where:

1. in holds or compartments which have been trimmed full the grain surface settled 2 per cent by volume from the original surface and shifts to an angle of 12 degrees with that surface under all boundaries of these holds and compartments which have an inclination of less than 30 degrees to the horizontal;

2. in “partly filled compartments or holds” free grain surfaces settle and shift as in sub-paragraph (ii)(1) of this paragraph or to such larger angle as may be deemed necessary by the Administration, or by a Contracting Government on behalf of the Administration, and grain surfaces if overstowed in accordance with Regulation 5 of this Chapter shift to an angle of 8 degrees with the original levelled surfaces. For the purpose of sub-paragraph (ii) of this paragraph shifting boards, if fitted, will be considered to limit the transverse shift of the surface of the grain;

(iii) the master is provided with a grain loading plan covering the stowage arrangements to be adopted and a stability booklet, both approved by the Administration, or by a Contracting Government on behalf of the Administration, showing the stability conditions upon which the calculations given in sub-paragraph (ii) of this paragraph are based.

(b) The Administration, or a Contracting Government on behalf of the Administration, shall prescribe the precautions to be taken against shifting in all other conditions of loading of ships designed in accordance with paragraph (B) (a) of this Section which meet the requirements of sub-paragraphs (ii) and (iii) of that paragraph.

(C) SHIPS WITHOUT DOCUMENTS OF AUTHORIZATION

A ship not having on board documents of authorization issued in accordance with Regulations 4 and 10 of this Chapter may be permitted to load bulk grain under the requirements of Sub-Section (B) of this Section or provided that:

(a) All “filled compartments” shall be fitted with centreline divisions extending for the full length of such compartments which extend downwards from the underside of the deck or hatch covers to a distance below the deck line of at least one-eighth of the maximum breadth of the compartment or 2.4 metres, whichever is the greater
except that saucers constructed in accordance with Section II of Part C may be accepted in lieu of a centreline division in and beneath a hatchway.

(b) All hatches to “filled compartments” shall be closed and covers secured in place.

(c) All free grain surfaces in “partly filled compartments” shall be trimmed level and secured in accordance with Section II of Part C.

(d) Throughout the voyage the metacentric height after correction for the free surface effects of liquids in tanks shall be 0.3 metre or that given by the following formula, whichever is greater:

\[
GM_R = \frac{L \times B \times V_d \left(0.25 \times B - 0.645 \sqrt{V_d \times B}\right)}{SF \times \Delta \times 0.0875}
\]

Where:
- \(L\) = total combined length of all full compartments;
- \(B\) = moulded breadth of vessel;
- \(SF\) = Stowage factor;
- \(V_d\) = calculated average void depth as per paragraph (a)(i) of Section I (A) of this Part;
- \(\Delta\) = 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 satisfactory for this purpose. The actual finished dimensions of the timber shall be in accordance with the dimensions hereinafter specified in this Part. Plywood of an exterior type bonded with waterproof glue and fitted so that the direction of the grain in the face plies is perpendicular to the supporting uprights or binder may be used provided that its strength is equivalent to that of solid timber of the appropriate scantlings.

(b) Working Stresses

When calculating the dimensions of divisions loaded on one side, using the Tables in paragraphs (a) and (b) of Sub-Section (C) of this Section, the following working stresses should be adopted:

For divisions of steel............................... 2000 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 provided that proper regard has been paid to their mechanical properties.

(d) Uprights

(i) Unless means are provided to prevent the ends of uprights being dislodged from their sockets, the depth of housing at each end of each upright shall be not less than 75 mm. If an upright is not secured at the top, the uppermost shore or stay shall be fitted as near thereto as is practicable.

(ii) The arrangements provided for inserting shifting boards by removing a part of the cross-section of an upright shall be such that the local level of stresses is not unduly high.

(iii) The maximum bending moment imposed upon an upright supporting a division loaded on one side shall normally be calculated assuming 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 reduction in the maximum bending moment arising from any degree of fixity provided at the ends of the upright.
(c) **Composite Section**

Where uprights, binders or any other strength members are formed by two separate sections, one fitted on each side of a division and inter-connected by through bolts at adequate spacing, the effective section modules shall be taken as the sum of the two moduli of the separate sections.

(f) **Partial Division**

Where divisions do not extend to the full depth of the hold such divisions and their uprights shall be supported or stayed so as to be 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 less than 50 mm and shall be fitted grain-tight and where necessary supported by uprights.

(ii) The maximum unsupported span for shifting boards of various thicknesses shall be as follows:

<table>
<thead>
<tr>
<th>Thickness</th>
<th>Maximum Unsupported Span</th>
</tr>
</thead>
<tbody>
<tr>
<td>50 mm</td>
<td>2.5 metres</td>
</tr>
<tr>
<td>60 mm</td>
<td>3.0 metres</td>
</tr>
<tr>
<td>70 mm</td>
<td>3.5 metres</td>
</tr>
<tr>
<td>80 mm</td>
<td>4.0 metres</td>
</tr>
</tbody>
</table>

If thicknesses greater than these are provided the maximum unsupported span will vary directly with the increase in thickness.

(iii) The ends of all shifting boards shall be securely housed with 75 mm minimum bearing length.

(b) **Other Materials**

Divisions formed by using materials other than wood shall have a strength equivalent to the shifting boards required in paragraph (a) of this Sub-Section.

(c) **Uprights**

(i) Steel uprights used to support divisions loaded on both sides shall have a section modulus given by

\[ W = a \times W_i \]

Where:
\[ W = \text{section modulus in cm}^3; \]
\[ a = \text{horizontal span between uprights in metres.} \]

The section modulus per metre span \( W_1 \) shall be not less than that given by the formula:

\[ W_1 = 14.8 (h_1 - 1.2) \text{ cm}^3 \text{ per metre;} \]

Where:

\[ h_1 \] is the vertical unsupported span in metres and shall be taken as the maximum value of the distance between any two adjacent stays or between the stay or either end of the upright. Where this distance is less than 2.4 metres the respective modulus shall be calculated as if the actual value was 2.4 metres.

(ii) The moduli of wood uprights shall be determined by multiplying by 12.5 the corresponding moduli for steel uprights. If other materials are used their moduli shall be at least that required for steel increased in proportion to the ratio of the permissible stresses for steel to that of the material used. In such cases attention shall be paid also to the relative rigidity of each upright to ensure that the deflection is not excessive.

(iii) The horizontal distance between uprights shall be such that the 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 shall be securely fixed at each end and heeled against the permanent structure of the ship except that they shall not bear directly against the side plating of the ship.

(ii) Subject to the provisions of sub-paragraphs (iii) and (iv) below, the minimum size of wood shores shall be as follows:

<table>
<thead>
<tr>
<th>Length of Shore in metres</th>
<th>Rectangular Section</th>
<th>Diameter of Circular Section</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>mm</td>
<td>mm</td>
</tr>
<tr>
<td>Not exceeding 3 m</td>
<td>150 x 100</td>
<td>140</td>
</tr>
<tr>
<td>Over 3 m but not exceeding 5 m</td>
<td>150 x 150</td>
<td>165</td>
</tr>
<tr>
<td>Over 5 m but not exceeding 6 m</td>
<td>150 x 150</td>
<td>180</td>
</tr>
<tr>
<td>Over 6 m but not exceeding 7 m</td>
<td>200 x 150</td>
<td>190</td>
</tr>
<tr>
<td>Over 7 m but not exceeding 8 m</td>
<td>200 x 150</td>
<td>200</td>
</tr>
<tr>
<td>Exceeding 8 m</td>
<td>200 x 150</td>
<td>215</td>
</tr>
</tbody>
</table>
Shores of 7 metres or more in length shall be securely bridged at approximately mid-length.

(iii) When the horizontal distance between the uprights differs significantly from 4 metres, the moments of inertia of the shores may be changed in direct proportion.

(iv) Where the angle of the shore to the horizontal exceeds 10 degrees the next larger shore to that required by sub-paragraph (ii) of this paragraph shall be fitted provided that in no case shall the angle between any shore and the horizontal exceed 45 degrees.

(e) Stays

Where stays are used to support divisions loaded on both sides, they shall be fitted horizontally or as near thereto as practicable, well secured at each end and formed of steel wire rope. The sizes of the wire rope shall be determined assuming that the divisions and upright which the stay supports are uniformly loaded at 500 kg/m². The working load so assumed in the stay shall not exceed one-third of its breaking load.

(C) DIVISIONS LOADED ON ONE SIDE ONLY

(a) Longitudinal Divisions

The load in kg per metre length of the division shall be taken to be as follows:

<table>
<thead>
<tr>
<th>B (m)</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
<th>7</th>
<th>8</th>
<th>10</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.5</td>
<td>850</td>
<td>900</td>
<td>1,010</td>
<td>1,125</td>
<td>1,500</td>
<td>1,770</td>
<td>2,060</td>
<td>2,645</td>
</tr>
<tr>
<td>2.0</td>
<td>1,390</td>
<td>1,505</td>
<td>1,710</td>
<td>1,985</td>
<td>2,295</td>
<td>2,605</td>
<td>2,930</td>
<td>3,590</td>
</tr>
<tr>
<td>2.5</td>
<td>1,985</td>
<td>2,160</td>
<td>2,430</td>
<td>2,740</td>
<td>3,090</td>
<td>3,435</td>
<td>3,800</td>
<td>4,535</td>
</tr>
<tr>
<td>3.0</td>
<td>2,615</td>
<td>2,845</td>
<td>3,150</td>
<td>3,500</td>
<td>3,885</td>
<td>4,270</td>
<td>4,670</td>
<td>5,480</td>
</tr>
<tr>
<td>3.5</td>
<td>3,245</td>
<td>3,525</td>
<td>3,870</td>
<td>4,255</td>
<td>4,680</td>
<td>5,100</td>
<td>5,540</td>
<td>6,425</td>
</tr>
<tr>
<td>4.0</td>
<td>3,890</td>
<td>4,210</td>
<td>4,590</td>
<td>5,015</td>
<td>5,475</td>
<td>5,935</td>
<td>6,410</td>
<td>7,370</td>
</tr>
<tr>
<td>4.5</td>
<td>4,535</td>
<td>4,890</td>
<td>5,310</td>
<td>5,770</td>
<td>6,270</td>
<td>6,765</td>
<td>7,280</td>
<td>8,315</td>
</tr>
<tr>
<td>5.0</td>
<td>5,185</td>
<td>5,570</td>
<td>6,030</td>
<td>6,530</td>
<td>7,065</td>
<td>7,600</td>
<td>8,150</td>
<td>9,260</td>
</tr>
<tr>
<td>6.0</td>
<td>6,475</td>
<td>6,935</td>
<td>7,470</td>
<td>8,045</td>
<td>8,655</td>
<td>9,265</td>
<td>9,890</td>
<td>11,150</td>
</tr>
<tr>
<td>7.0</td>
<td>7,765</td>
<td>8,300</td>
<td>8,910</td>
<td>9,560</td>
<td>10,245</td>
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<td>11,630</td>
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<td>11,835</td>
<td>12,595</td>
<td>13,370</td>
<td>14,930</td>
</tr>
<tr>
<td>9.0</td>
<td>10,345</td>
<td>11,030</td>
<td>11,790</td>
<td>12,590</td>
<td>13,425</td>
<td>14,260</td>
<td>15,110</td>
<td>16,820</td>
</tr>
</tbody>
</table>

¹ For the purpose of converting the above loads into British units (ton/ft) 1 kg per metre length shall be taken to be equivalent to 0.0003 ton per foot length.
For other values of \( h \) or \( B \) the loads shall be determined by linear interpolation or extrapolation as necessary.

(b) Transverse Divisions

The load in kg per metre length of the division shall be taken to be as follows:

<table>
<thead>
<tr>
<th>( h ) (m)</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
<th>7</th>
<th>8</th>
<th>10</th>
<th>12</th>
<th>14</th>
<th>16</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.5</td>
<td>670</td>
<td>690</td>
<td>730</td>
<td>780</td>
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<td>890</td>
<td>935</td>
<td>1,000</td>
<td>1,040</td>
<td>1,050</td>
<td>1,050</td>
</tr>
<tr>
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<td>1,040</td>
<td>1,100</td>
<td>1,170</td>
<td>1,245</td>
<td>1,325</td>
<td>1,400</td>
<td>1,470</td>
<td>1,575</td>
<td>1,640</td>
<td>1,660</td>
<td>1,660</td>
</tr>
<tr>
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<td>1,460</td>
<td>1,565</td>
<td>1,675</td>
<td>1,780</td>
<td>1,880</td>
<td>1,980</td>
<td>2,075</td>
<td>2,210</td>
<td>2,285</td>
<td>2,305</td>
<td>2,305</td>
</tr>
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<td>1,925</td>
<td>2,065</td>
<td>2,205</td>
<td>2,340</td>
<td>2,470</td>
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<td>5,490</td>
<td>5,525</td>
<td>5,530</td>
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<td>5,465</td>
<td>5,720</td>
<td>5,945</td>
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<td>6,300</td>
<td>6,445</td>
<td>6,655</td>
<td>6,775</td>
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<td>7,700</td>
<td>7,930</td>
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<td>7,780</td>
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<td>9,275</td>
<td>9,565</td>
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<td>10,205</td>
<td>10,475</td>
<td>10,620</td>
<td>10,685</td>
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<td>9,680</td>
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<td>10,460</td>
<td>10,770</td>
<td>11,045</td>
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<td>11,460</td>
<td>11,745</td>
<td>11,905</td>
<td>11,975</td>
<td>11,997</td>
</tr>
</tbody>
</table>

For other values of \( h \) or \( L \) the loads shall be determined by linear interpolation or extrapolation as necessary.

2 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 grain within that hatchway or feeder. In all cases the height shall be taken to the overhead deck in way of the division.

3 For the purpose of converting the above loads into British units (ton/ft) 1 kg per metre length shall be taken to be equivalent to 0.0003 ton per foot length.

4 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 grain within that hatchway or feeder. In all cases the height shall be taken to the overhead deck in way of the division.
(c) **Vertical Distribution of the Loads**

The total load per unit length of divisions shown in the Tables I and II above may, if considered necessary, be assumed to have a trapezoidal distribution with height. In such cases, the reaction loads at the upper and lower ends of a vertical member or upright are not equal. The reaction loads at the upper end expressed as percentages of the total load supported by the vertical member or upright shall be taken to be those shown in Tables III and IV below.

**TABLE III**

**LONGITUDINAL DIVISIONS LOADED ON ONE SIDE ONLY**

Bearing Reaction at the Upper End of Upright as Percentage of Load (Table I)

<table>
<thead>
<tr>
<th>h (m)</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
<th>7</th>
<th>8</th>
<th>10</th>
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</thead>
<tbody>
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<td>1.5</td>
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</tr>
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<td>44.5</td>
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<td>50.1</td>
<td>50.1</td>
<td>50.1</td>
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<tr>
<td>4.5</td>
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<td>50.2</td>
<td>50.2</td>
<td>50.2</td>
<td>50.2</td>
</tr>
<tr>
<td>5</td>
<td>47.7</td>
<td>49.4</td>
<td>50.1</td>
<td>50.2</td>
<td>50.2</td>
<td>50.2</td>
<td>50.2</td>
<td>50.2</td>
</tr>
<tr>
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<td>47.9</td>
<td>49.5</td>
<td>50.1</td>
<td>50.2</td>
<td>50.2</td>
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<td>50.2</td>
<td>50.2</td>
<td>50.2</td>
</tr>
</tbody>
</table>

B = transverse extent of the bulk grain in metres

For other values of h or B the reaction loads shall be determined by 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)

<table>
<thead>
<tr>
<th>L (m)</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
<th>7</th>
<th>8</th>
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<th>12</th>
<th>14</th>
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<td>45.6</td>
<td>45.6</td>
<td>45.6</td>
<td>45.6</td>
</tr>
</tbody>
</table>

For other values of h or L the reaction loads shall be determined by linear interpolation or extrapolation as necessary.

The strength of the end connexions of such vertical members or uprights may be calculated on the basis of the maximum load likely to be imposed at either end. These loads are as follows:

### Longitudinal Divisions

- Maximum load at the top ............... 50% of the appropriate total load from Table I
- Maximum load at the bottom ........... 55% of the appropriate 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 bottom ........... 60% of the appropriate total load from Table II

The thickness of horizontal wooden boards may also be determined having regard to the vertical distribution of the loading represented by Tables III and IV above and in such cases
t = 10a \sqrt{\frac{p \times k}{h \times 213.3}}

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 distribution of the loading is assumed to be uniform, i.e. rectangular, \( k \) shall be taken as equal to 1.0. For a trapezoidal distribution

\[ k = 1.0 + 0.06(50 - R) \]

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 that the loads derived from Tables I and II in the preceding paragraphs (a) and (b) shall not exceed one-third of the breaking loads.

(D) **SAUCERS**

When a saucer is used to reduce the heeling moments in a “filled compartment”, its depth, measured from the bottom of the saucer to the deck line, shall be as follows:

- For ships with a moulded breadth of up to 9.1 metres, not less than 1.2 metres.
- For ships with a moulded breadth of 18.3 metres or more, not less than 1.8 metres.
- For ships with a moulded breadth between 9.1 metres and 18.3 metres, the minimum depth of the saucer shall be calculated by interpolation.

The top (mouth) of the saucer shall be formed by the underdeck structure in the way of the hatchway, i.e. hatchside girders or coamings and hatchend beams. The saucer and hatchway above shall be completely filled with bagged grain or other suitable cargo laid down on a separation.
cloth or its equivalent and stowed tightly against adjacent structures and the portable hatchway beams if the latter are in place.

(E) **BUNDLING OF BULK**

As an alternative to filling the saucer with bagged grain or other suitable cargo, a bundle of bulk grain may be used provided that:

(a) The saucer is lined with a material acceptable to the 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 a material acceptable to the Administration having a tensile strength of not less than 137 kg per 5 cm strip may be used if the saucer is constructed as follows:

**Athwartship lashings** acceptable to the Administration shall be placed inside the saucer formed in the bulk grain at intervals of not more than 2.4 metres. These lashings shall be of sufficient length to permit being drawn up tight and secured at the top of the saucer.

Dunnage not less than 25 mm in thickness or other suitable material of equal strength and between 150 to 300 mm in width shall be placed fore and aft over these lashings to prevent the cutting or chafing of the material which shall be placed thereon to line the saucer.

(c) The saucer shall be filled with bulk grain and secured at the top except that when using material approved under paragraph (b) above further dunnage shall be laid on top after lapping the material before the saucer is secured by setting up the lashings.

(d) If more than one sheet of material is used to line the saucer they shall be joined at the bottom either by sewing or a double lap.

(e) The top of the saucer shall be coincidental with the bottom of 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 manner having regard to the weight and permanent arrangements provided for securing such covers.
The documents of authorization issued under Regulation 10 of this Chapter shall include reference to the manner of securing considered necessary by the Administration issuing such documents.

SECTION II—SECURING OF PARTLY FILLED COMPARTMENTS

(A) STRAPPING OR LASHING

(a) When, in order to eliminate heeling moments in “partly filled compartments”, strapping or lashing is utilized, the securing shall be accomplished as follows:

(i) The grain shall be trimmed and levelled to the extent that it is very slightly crowned and covered with burlap separation cloths, tarpaulins or the equivalent.

(ii) The separation cloths and/or tarpaulins shall overlap at least 1.8 metres.

(iii) Two solid floors of rough 25 mm by 150 mm to 300 mm lumber shall be laid with the top floor running longitudinally and nailed to an athwartships bottom floor. Alternatively, one solid floor of 50 mm lumber, running longitudinally and nailed over the top of a 50 mm bottom bearer not less than 150 mm wide, may be used. The bottom bearers shall extend the full breadth of the compartment and shall be spaced not more than 2.4 metres apart. Arrangements utilizing other materials and deemed by an Administration to be equivalent to the foregoing may be accepted.

(iv) Steel wire rope (19 mm diameter or equivalent), doubled steel strapping (50 mm x 1.3 mm and having a breaking load of at least 5,000 kg), or chain of equivalent strength, each of which shall be set tight by means of a 32 mm turnbuckle, may be used for lashings. A winch tightener, used in conjunction with a locking arm, may be substituted for the 32 mm turnbuckle when steel strapping is used, provided suitable wrenches are available for setting up as necessary. When steel strapping is used, not less than three crimp seals shall be used for securing the ends. When wire is used, not less than four clips shall be used for forming eyes in the lashings.

(v) Prior to the completion of loading the lashing shall be positively attached to the framing at a point approximately 450 mm below the
anticipated final grain surface by means of either a 25 mm shackle or beam clamp of equivalent strength.

(vi) The lashings shall be spaced not more than 2.4 metres apart and 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 mm by 150 mm lumber or its equivalent and shall extend the full breadth of the compartment.

(vii) During the voyage the strapping shall be regularly inspected 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”, the free grain surface shall be covered with a separation cloth or equivalent or by a suitable platform. Such platforms shall consist of bearers spaced not more than 1.2 metres apart and 25 mm boards laid thereon spaced not more than 100 mm apart. Platforms may be constructed of other materials provided they are deemed by an Administration to be equivalent.

(C) BAGGED GRAIN

Bagged grain shall be carried in sound bags which shall be well filled and securely closed.
CHAPTER VII

CARRIAGE OF DANGEROUS GOODS

Regulation 1

Application

(a) Unless expressly provided otherwise, this Chapter applies to the carriage of dangerous goods in all ships to which the present Regulations apply.

(b) The provisions of this Chapter do not apply to ship’s stores and equipment or to particular cargoes carried in ships specially built or converted as a whole for that purpose, such as tankers.

(c) The carriage of dangerous goods is prohibited except in accordance with the provisions of this Chapter.

(d) To supplement the provisions of this Chapter each Contracting Government shall issue, or cause to be issued, detailed instructions on the safe packing and stowage of specific dangerous goods or categories of dangerous goods which shall include any precautions necessary in 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.

* “Inflammable” has the same meaning as “flammable”.

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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 the contents may
        come in contact is not dangerously affected by the substance being
        conveyed; and
   (iii) capable of withstanding the ordinary risks of handling and carriage
        by sea.
(b) Where the use of absorbent or cushioning material is customary in the
packing of liquids in receptacles that material shall be:
   (i) capable of minimizing the dangers to which the liquid may give
       rise;
   (ii) so disposed as to prevent movement and ensure that the receptacle
       remains surrounded; and
   (iii) where reasonably possible of sufficient quantity to absorb the
       liquid in the event of breakage of the receptacle.
(c) Receptacles containing dangerous liquids shall have an ullage at the filling
   temperature sufficient to allow for the highest temperature during the
   course of normal carriage.
(d) Cylinders or receptacles for gases under pressure shall be adequately
    constructed, tested, maintained and correctly filled.
(e) Empty receptacles which have been used previously for the carriage of
dangerous goods shall themselves be treated as dangerous goods unless
they have been cleaned and dried or, when the nature of the former
contents permit with safety, have been closed securely.
Regulation 4

Marking and Labelling

Each receptacle containing dangerous goods shall be marked with the correct technical name (trade names shall not be used) and identified with a distinctive label or stencil of the label so as to make clear the dangerous character. Each receptacle shall be so labelled except receptacles containing chemicals packed in limited quantities and large shipments which can be stowed, handled and identified as a unit.

Regulation 5

Documents

(a) In all documents relating to the carriage of dangerous goods by sea where the goods are named the correct technical name of the goods shall be used (trade names shall not be used) and the correct description given in accordance with the classification set out in Regulation 2 of this Chapter.

(b) The shipping documents prepared by the shipper shall include, or be accompanied by, a certificate or declaration that the shipment offered for carriage is properly packed, marked and labelled and in proper condition for carriage.

(c) Each ship carrying dangerous goods shall have a special list or manifest setting forth, in accordance with Regulation 2 of this Chapter, the dangerous goods on board and the location thereof. A detailed stowage plan which identifies by class and sets out the location of all dangerous goods on board may be used in place of such special list or manifest.

Regulation 6

Stowage Requirements

(a) Dangerous goods shall be stowed safely and appropriately according to the nature of the goods. Incompatible goods shall be segregated from one another.

(b) Explosives (except ammunition) which present a serious risk shall be stowed in a magazine which shall be kept securely closed while at sea. Such explosives shall be segregated from detonators. Electrical apparatus and cables in any compartment in which explosives are carried shall be designed and used so as to minimize the risk of fire or explosion.
(c) Goods which give off dangerous vapours shall be stowed in a well ventilated space or on deck.

(d) In ships carrying inflammable liquids or gases special precautions shall be taken where necessary against fire or explosion.

(e) Substances which are liable to spontaneous heating or combustion shall not be carried unless adequate precautions have been taken to 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 9 kilogrammes (20 pounds) total net weight;

(iii) distress signals for use in ships or aircraft, if the total weight of such signals does not exceed 1,016 kilogrammes (2,240 pounds);

(iv) except in ships carrying unberthed passengers, fireworks which are unlikely to explode violently.

(b) Notwithstanding the provisions of paragraph (a) of this Regulation additional quantities or types of explosives may be carried in passenger ships in which there are special safety measures approved by the 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 nuclear ship shall not, in any circumstances, be exempted from compliance with any Regulations of this Convention.

Regulation 4

Approval of Reactor Installation

The design, construction and standards of inspection and assembly of the reactor installation shall be subject to the approval and satisfaction of the Administration and shall take account of the limitations which will be 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 to the special conditions of service on board ship both in normal and exceptional circumstances of navigation.
Regulation 6

Radiation Safety

The Administration shall take measures to ensure that there are no unreasonable radiation or other nuclear hazards, at sea or in port, to the crew, passengers or public, or to the waterways or food or water resources.

Regulation 7

Safety Assessment

(a) A Safety Assessment shall be prepared to permit evaluation of the nuclear power plant and safety of the ship to ensure that there are no unreasonable radiation or other hazards, at sea or in port, to the crew, passengers or public, or to the waterways or food or water resources. 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 in advance to the Contracting Governments of the countries which a nuclear ship 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 for the information and guidance of the operating personnel in their duties on all matters relating to the operation of the nuclear power plant and having an important bearing on safety. The Administration, when satisfied, shall approve such Operating Manual and a copy shall be kept on board the ship. The Operating Manual shall always be kept up-to-date.

Regulation 9

Surveys

Survey of nuclear ships shall include the applicable requirements of Regulation 7 of Chapter I, or of Regulations 8, 9 and 10 of Chapter I, except in so far as surveys are limited by the presence of radiation. In addition, the surveys shall include any special requirements of the Safety Assessment. They shall in all cases, notwithstanding the provisions of Regulations 8 and 10 of Chapter I, be carried out not less frequently than once a year.
Regulation 10

Certificates

(a) The provisions of paragraph (a) of Regulation 12 of Chapter I and of Regulation 14 of Chapter I shall not apply to nuclear ships.

(b) A Certificate, called a Nuclear Passenger Ship Safety Certificate shall be issued after inspection and survey to a nuclear passenger ship 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 Ship Safety Certificate shall be issued after inspection and survey to a nuclear cargo ship which satisfies the requirements for cargo ships on survey set out in Regulation 10 of Chapter I, and complies with the requirements of Chapters II-1, II-2, III, IV and VII and any other relevant requirements of the present Regulations.

(d) Nuclear Passenger Ship Safety Certificates and Nuclear Cargo Ship Safety Certificates shall state: “That the ship, being a nuclear ship, complied with all requirements of Chapter VIII of the Convention and conformed to the Safety Assessment approved for the ship”.

(e) Nuclear Passenger Ship Safety Certificates and Nuclear Cargo Ship Safety Certificates shall be valid for a period of not more than 12 months.

(f) Nuclear Passenger Ship Safety Certificates and Nuclear Cargo Ship Safety Certificates shall be issued either by the Administration or by any person or organization duly authorized by it. In every case, that Administration assumes full responsibility for the certificate.

Regulation 11

Special Control

In addition to the control established by Regulation 19 of Chapter I, nuclear ships shall be subject to special control before entering the ports and in the ports of Contracting Governments, directed towards verifying that there is on board a valid Nuclear Ship Safety Certificate and that there are no unreasonable radiation or other hazards at sea or in port, to the crew, passengers or public, or to the waterways or food or water resources.
Regulation 12

Casualties

In the event of any accident likely to lead to an environmental hazard the master of a nuclear ship shall immediately inform the Administration. The master shall also immediately inform the competent Governmental authority of the country in whose waters the ship may be, or whose waters the ship approaches in a damaged condition.
APPENDIX

Form of Safety Certificate for Passenger Ships

PASSENGER SHIP SAFETY CERTIFICATE

(Official Seal) (Country)

for an international voyage.

Issued under the provisions of the

INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE AT SEA, 1974

<table>
<thead>
<tr>
<th>Name of Ship</th>
<th>Distinctive Number or Letters</th>
<th>Port of Registry</th>
<th>Gross Tonnage</th>
<th>Particulars of voyages, if any, sanctioned under Regulation 27 (c) (vii) of Chapter III</th>
<th>Date on which keel was laid (see NOTE below)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The (Name) Government certifies (Name) certify

I, the undersigned

I. That the above-mentioned ship has been duly surveyed in accordance with the provisions of the Convention referred to above.

II. That the survey showed that the ship complied with the requirements of the Regulations annexed to the said Convention as regards:

(1) the structure, main and auxiliary boilers and other pressure vessels and machinery;

(2) the watertight subdivision arrangements and details;

(3) the following subdivision load lines:

- Subdivision load lines assigned and marked on the ship's side at amidships (Regulation 11 of Chapter II-1)
- Freeboard
- To apply when the spaces in which passengers are carried include the following alternative spaces

<table>
<thead>
<tr>
<th>Subdivision</th>
<th>Freeboard</th>
<th>To apply when the spaces in which passengers are carried include the following alternative spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>C.1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C.2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C.3</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

284 Navigation Act 1912
III. That the life-saving appliances provide for a total number of .......... persons and no more, viz.:

 .......... lifeboats (including .......... motor lifeboats) capable of accommodating .......... persons, and .......... motor lifeboats fitted with radiotelegraph installation and searchlight (included in the total lifeboats shown above) and .......... motor lifeboats fitted with searchlight only (also included in the total lifeboats shown above), requiring .......... certificated lifeboatmen;

 .......... liferafts, for which approved launching devices are required, capable of accommodating .......... persons; and

 .......... liferafts, for which approved launching devices are not required, 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 the ship was provided with a line-throwing appliance and portable radio apparatus for survival craft in accordance with the provisions of the Regulations.

VI. That the ship complied with the requirements of the Regulations as regards radiotelegraph installations, viz.:

<table>
<thead>
<tr>
<th>Requirements of Regulations</th>
<th>Actual provision</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hours of listening by operator</td>
<td>........................</td>
</tr>
<tr>
<td>Number of operators</td>
<td>........................</td>
</tr>
<tr>
<td>Whether auto alarm fitted</td>
<td>........................</td>
</tr>
<tr>
<td>Whether main installation fitted</td>
<td>........................</td>
</tr>
<tr>
<td>Whether reserve installation fitted</td>
<td>........................</td>
</tr>
<tr>
<td>Whether main and reserve transmitters electrically separated or combined</td>
<td>........................</td>
</tr>
<tr>
<td>Whether direction finder fitted</td>
<td>........................</td>
</tr>
<tr>
<td>Whether radio equipment for homing on the radiotelephone distress frequency fitted</td>
<td>........................</td>
</tr>
<tr>
<td>Whether radar fitted</td>
<td>........................</td>
</tr>
<tr>
<td>Number of passengers for which certificated</td>
<td>........................</td>
</tr>
</tbody>
</table>

VII. That the functioning of the radiotelegraph installations for motor lifeboats and/or the portable radio apparatus for survival craft, if provided, complied with the provisions of the Regulations.
VIII. That the ship complied with the requirements of the Regulations as regards fire-detecting and fire-extinguishing appliances, radar, echo-sounding device and gyro-compass and was provided with navigation lights and shapes, pilot ladder, and means of making sound signals, and distress signals in accordance with the provisions of the Regulations and also the 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 of the Government. It will remain in force until

Issued at the day of 19

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 which the keel was laid or when the ship was at a similar stage of construction except for 1952, 1965 and the year of the coming into force of the International Convention for the Safety of Life at Sea, 1974, in which cases the actual date should be given.

In the case of a ship which is converted as provided in Regulation 1 (b) (i) of Chapter II-1 or Regulations 1 (a) (i) of Chapter II-2 of the Convention, the date on which the work of conversion was begun should be 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

<table>
<thead>
<tr>
<th>Name of Ship</th>
<th>Distinctive Number or Letters</th>
<th>Port of Registry</th>
<th>Gross Tonnage</th>
<th>Date on which keel was laid (see NOTE below)</th>
</tr>
</thead>
</table>

The I, the undersigned (Name) Government certifies certify

That the above-mentioned ship has been duly surveyed in accordance with the provisions of Regulation 10 of Chapter I of the Convention referred to above, and that the survey showed that the condition of the hull, machinery and equipment, as defined in the above Regulation, was in all respects satisfactory and that the ship complied with the applicable requirements of Chapter II–1 and Chapter II–2 (other than that relating to fire-extinguishing appliances and fire control plans).

This certificate is issued under the authority of the Government.

It will remain in force until

Issued at the day of 19

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 which the keel was laid or when the ship was at a similar stage of construction except for 1952, 1965 and the year of the coming into force of the International 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

Issued under the provisions of the
INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE AT SEA, 1974

<table>
<thead>
<tr>
<th>Name of Ship</th>
<th>Distinctive Number or Letters</th>
<th>Port of Registry</th>
<th>Gross Tonnage</th>
<th>Date on which keel was laid (see NOTE below)</th>
</tr>
</thead>
</table>

The undersigned

(Name) Government certifies

(Name) certify

I. That the above-mentioned ship has been duly inspected in accordance with the provisions of the Convention referred to above.

II. That the inspection showed that the life-saving appliances provided for a total number of ................persons and no more viz.:

................ lifeboats on port side capable of accommodating ................ persons;

................ lifeboats on starboard side capable of accommodating ................ persons;

................ motor lifeboats (included in the total lifeboats shown above), including ................ motor lifeboats fitted with radiotelegraph installation and searchlight, and ................ motor lifeboats fitted with searchlight only;

................ liferafts, for which approved launching devices are required, capable of accommodating ................ persons; and

................ liferafts, for which approved launching devices are not required, 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 the ship was provided with a line-throwing apparatus and portable radio apparatus for survival craft in accordance with the provisions of the Regulations.

V. That the inspection showed that the ship complied with the requirements of the said Convention as regards fire-extinguishing appliances and fire control plans, echo-sounding device and gyro-compass and was provided with navigation lights and

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shapes, pilot ladder, and means of making sound signals and distress signals, in accordance with the provisions of the Regulations and the International Regulations for 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 of the Government. It will remain in force until

Issued at the day of 19

*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 which the keel was laid or when the ship was at a similar stage of construction except for 1952, 1965 and the year of the coming into force of the International Convention for the Safety of Life at Sea, 1974, in which cases the actual date should be given.
Form of Safety Radiotelegraphy Certificate for Cargo Ships

CARGO SHIP SAFETY RADIOTELEGRAPHY CERTIFICATE

Issued under the provisions of the INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE AT SEA, 1974

<table>
<thead>
<tr>
<th>Name of Ship</th>
<th>Distinctive Number or Letters</th>
<th>Port of Registry</th>
<th>Gross Tonnage</th>
<th>Date on which keel was laid (see NOTE below)</th>
</tr>
</thead>
</table>

The I, the undersigned (Name) Government certifies (Name) certify

I. That the above-mentioned ship complies with the provisions of the Regulations annexed to the Convention referred to above as regards radiotelegraphy and radar:

<table>
<thead>
<tr>
<th>Requirements of Regulations</th>
<th>Actual provision</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hours of listening by operator</td>
<td></td>
</tr>
<tr>
<td>Number of operators</td>
<td></td>
</tr>
<tr>
<td>Whether auto alarm fitted</td>
<td></td>
</tr>
<tr>
<td>Whether main installation fitted</td>
<td></td>
</tr>
<tr>
<td>Whether reserve installation fitted</td>
<td></td>
</tr>
<tr>
<td>Whether main and reserve transmitters electrically separated or combined</td>
<td></td>
</tr>
<tr>
<td>Whether direction finder fitted</td>
<td></td>
</tr>
<tr>
<td>Whether radio equipment for homing on the radiotelephone distress frequency fitted</td>
<td></td>
</tr>
<tr>
<td>Whether radar fitted</td>
<td></td>
</tr>
</tbody>
</table>

II. That the functioning of the radiotelegraphy installation for motor lifeboats and/or the portable radio apparatus for survival 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 at the day of 19

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 was laid or when the ship was at a similar stage of construction except for 1952, 1965 and the year of the coming into force of the International Convention for the Safety of Life at Sea, 1974, in which cases the actual date should be given.
Form of Safety Radiotelephony Certificate for Cargo Ships

CARGO SHIP SAFETY RADIO TELEPHONY CERTIFICATE

Issued under the provisions of the
INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE AT SEA, 1974

<table>
<thead>
<tr>
<th>Name of Ship</th>
<th>Distinctive Number or Letters</th>
<th>Port of Registry</th>
<th>Gross Tonnage</th>
<th>Date on which keel was laid (see NOTE below)</th>
</tr>
</thead>
</table>

The (Name) Government certifies (Name) certify

I, the undersigned (Name)

I. That the above-mentioned ship complies with the provisions of the Regulations annexed to the Convention referred to above as regards Radiotelephony:

<table>
<thead>
<tr>
<th>Hours of listening</th>
<th>Requirements of Regulations</th>
<th>Actual provision</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Number of operators</th>
<th>Requirements of Regulations</th>
<th>Actual provision</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

II. That the functioning of the portable radio apparatus for survival 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 at the day of 19

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)

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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 construction except for 1952, 1965 and the year of the coming into force of the International Convention for the Safety of Life at Sea, 1974, in which cases the actual date should 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

<table>
<thead>
<tr>
<th>Name of ship</th>
<th>Distinctive Number or Letters</th>
<th>Port of Registry</th>
<th>Gross Tonnage</th>
</tr>
</thead>
</table>

The
I, the undersigned

(Name) Government certifies

(NAME) certify

That the above-mentioned ship is, under the authority conferred by Regulation

.................. of Chapter .................. of the Regulations annexed to the Convention referred to above, exempted from the requirements of† .............................................. of the Convention on the voyages ...............................................................................................
to ........................................................................................................................................

*Insert here the conditions, * if any, on which the exemption certificate is granted.

This certificate is issued under the authority of the

Government.

It will remain in force until

Issued at the day of 19

Here follows the seal or signature of the authority entitled to issue this certificate.

(Seal)

If signed, the following paragraph is to be added:

Navigation Act 1912 293
The undersigned declares that he is duly authorized by the said 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

<table>
<thead>
<tr>
<th>Name of Ship</th>
<th>Distinctive Number or Letters</th>
<th>Port of Registry</th>
<th>Gross Tonnage</th>
<th>Particulars of voyages, if any, sanctioned under Regulation 27 (c) (vii) of Chapter III</th>
<th>Date on which keel was laid (see NOTE below)</th>
</tr>
</thead>
</table>

I, the undersigned (Name) Government certifies (Name) certify

I. That the above-mentioned ship has been duly surveyed in accordance with the provisions of the Convention referred to above.

II. That the ship, being a nuclear ship, complied with all requirements of Chapter VIII of the Convention and conformed to the Safety Assessment approved for the ship.

III. That the survey showed that the ship complied with the requirements of the Regulations annexed to the said Convention as regards:

   (1) the structure, main and auxiliary boilers and other pressure vessels and machinery;
   (2) the watertight subdivision arrangements and details;
   (3) the following subdivision load lines:

<table>
<thead>
<tr>
<th>Subdivision load lines assigned and marked on the ship's side at amidships (Regulation 11 of Chapter II-1)</th>
<th>Freeboard</th>
<th>To apply when the spaces in which passengers are carried include the following alternative spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>C.1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C.2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C.3</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Navigation Act 1912

295
IV. That the life-saving appliances provide for a total number of ..........persons and no more, viz.:

.......... lifeboats (including ..........motor lifeboats) capable of accommodating ..........persons, and ..........motor lifeboats fitted with radiotelegraph installation and searchlight (included in the total lifeboats shown above) and ..........motor lifeboats fitted with searchlight only (also included in the total lifeboats shown above), requiring ..........certificated lifeboatmen;

.......... liferafts, for which approved launching devices are required, capable of accommodating ..........persons; and

.......... liferafts, for which approved launching devices are not required, 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 the ship was provided with a line-throwing appliance and portable radio apparatus for survival craft in accordance with the provisions of the Regulations.

VII. That the ship complied with the requirements of the Regulations as regards radiotelegraph installations, viz.:

<table>
<thead>
<tr>
<th>Requirements of Regulations</th>
<th>Actual provision</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hours of listening by operator</td>
<td>...................................</td>
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</tr>
<tr>
<td>Whether auto alarm fitted</td>
<td>...................................</td>
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<td>Whether main installation fitted</td>
<td>...................................</td>
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<tr>
<td>Whether reserve installation fitted</td>
<td>...................................</td>
</tr>
<tr>
<td>Whether main and reserve transmitters electrically separated or combined</td>
<td>...................................</td>
</tr>
<tr>
<td>Whether direction finder fitted</td>
<td>...................................</td>
</tr>
<tr>
<td>Whether radio equipment for homing on the radiotelephone distress frequency fitted</td>
<td>...................................</td>
</tr>
<tr>
<td>Whether radar fitted</td>
<td>...................................</td>
</tr>
<tr>
<td>Number of passengers for which certificated</td>
<td>...................................</td>
</tr>
</tbody>
</table>

VIII. That the functioning of the radiotelegraph installations for motor lifeboats and/or the portable radio apparatus for survival craft, if provided, complied with the provisions of the Regulations.
IX. That the ship complied with the requirements of the Regulations as regards fire-detecting and fire-extinguishing appliances, radar echo-sounding device and gyro-compass and was provided with navigation lights and shapes, pilot ladder, and means of making sound signals and distress signals in accordance with the provisions of the Regulations and also the 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 of the Government.

It will remain in force until

Issued at the day of 19

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 which the keel was laid or when the ship was at a similar stage of construction except for 1965 and the year of the coming into force of the International Convention for the Safety of Life at Sea, 1974, in which cases the actual date should be 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 Chapter II-2, the date on which the work of conversion was begun should be given.
Schedule 1  International Convention for the Safety of Life at Sea, 1974

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

<table>
<thead>
<tr>
<th>Name of Ship</th>
<th>Distinctive Number or Letters</th>
<th>Port of Registry</th>
<th>Gross Tonnage</th>
<th>Date on which keel was laid (see NOTE below)</th>
</tr>
</thead>
</table>

I, the undersigned

(Name) Government certifies

(Name) certify

I. That the above-mentioned ship has been duly surveyed in accordance with the provisions of the Convention referred to above.

II. That the ship, being a nuclear ship, complied with all requirements of Chapter VIII of the Convention and conformed to the Safety Assessment approved for the ship.

III. That the survey showed that the ship satisfied the requirements set out in Regulation 10 of Chapter I of the Convention as to hull, machinery and equipment, and complied with the relevant requirements of Chapter II-1 and Chapter II-2.

IV. That the life-saving appliances provide for a total number of .......... persons and no more, viz.:

.......... lifeboats on port side capable of accommodating .......... persons;
.......... lifeboats on starboard side capable of accommodating .......... persons;
.......... motor lifeboats (included in the total lifeboats shown above) including .......... motor lifeboats fitted with radiotelegraph installation and searchlight, and .......... motor lifeboats fitted with searchlight only;
.......... liferafts, for which approved launching devices are required, capable of accommodating .......... persons; and
.......... liferafts, for which approved launching devices are not required, 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. That the ship was provided with a line-throwing apparatus and portable radio apparatus for survival craft in accordance with the provisions of the Regulations.

VII. That the ship complied with the requirements of the Regulations as regards radiotelegraph installations, viz.:

<table>
<thead>
<tr>
<th>Requirements of Regulations</th>
<th>Actual provision</th>
</tr>
</thead>
<tbody>
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<td>...................................</td>
</tr>
<tr>
<td>Whether radar fitted</td>
<td>...................................</td>
</tr>
</tbody>
</table>

VIII. That the functioning of the radiotelegraph installations for motor lifeboats, and/or the portable radio apparatus for survival craft, if provided, complied with the provisions of the Regulations.

IX. That the inspection showed that the ship complied with the requirements of the said Convention as regards fire-extinguishing appliances, radar, echo-sounding device and gyro-compass and was provided with navigation lights and shapes, pilot ladder, and means of making sound signals and distress signals in accordance with the provisions of the Regulations and the 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 of the Government.

It will remain in force until

Issued at the day of 19

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 which the keel was laid or when the ship was at a similar stage of construction except for the year 1965 and the year of the coming into force of the International Convention for the Safety of Life at Sea, 1974, in which cases the actual date should be given.
Navigation Act 1912

Act No. 4 of 1913 as amended

This compilation was prepared on 22 December 2008
taking into account amendments up to Act No. 144 of 2008

Volume 3 includes:  Table of Contents
                    Schedules 2–9

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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ARTICLE II ............................................................................................................ 1
ARTICLE III ............................................................................................................ 1
ARTICLE IV ............................................................................................................ 2
ARTICLE V ............................................................................................................ 2
ARTICLE VI .......................................................................................................... 3
ARTICLE VII ....................................................................................................... 3
ARTICLE VIII .................................................................................................... 4
ANNEX .............................................................................................................. 5

MODIFICATIONS AND ADDITIONS TO THE INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE AT SEA, 1974

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ARTICLE I

General Obligations

The Parties to the present Protocol undertake to give effect to the provisions of the present Protocol and the Annex hereto which shall constitute an integral part of the present Protocol. Every reference to the present Protocol constitutes at the same time a reference to the Annex hereto.

ARTICLE II

Application

1. The provisions of Articles II, III (other than paragraph (a)), IV, VI (b), (c) and (d), VII and VIII of the International Convention for the Safety of Life at Sea, 1974 (hereinafter referred to as “the Convention”) are incorporated in the present Protocol, provided that references in those Articles to the Convention and to Contracting Governments shall be taken to mean references to the present Protocol and to the Parties to the present Protocol, respectively.

2. Any ship to which the present Protocol applies shall comply with the provisions of the Convention, subject to the modifications and additions set out in the present Protocol.

3. With respect to the ships of non-parties to the Convention and the present Protocol, the Parties to the present Protocol shall apply the requirements of the Convention and the present Protocol as may be necessary to ensure that no more favourable treatment is given to such ships.

ARTICLE III

Communication of Information

The Parties to the present Protocol undertake to communicate to, and deposit with, the Secretary-General of the Inter-Governmental Maritime Consultative Organization (hereinafter referred to as “the Organization”), a list of nominated surveyors or recognized organizations which are authorized to act on their
behalf in the administration of measures for safety of life at sea for circulation to the Parties for information of their officers. The Administration shall therefore notify the Organization of the specific responsibilities and conditions of the authority delegated to the nominated surveyors or recognized organizations.

**ARTICLE IV**

*Signature, Ratification, Acceptance, Approval and Accession*

1. The present Protocol shall be open for signature at the Headquarters of the Organization from 1 June 1978 to 1 March 1979 and shall thereafter remain open for accession. Subject to the provisions of paragraph 3 of this Article, States may become Parties to the present Protocol by:
   (a) signature without reservation as to ratification, acceptance or approval; or
   (b) signature subject to ratification, acceptance or approval, followed by ratification, acceptance or approval; or
   (c) accession.

2. Ratification, acceptance, approval or accession shall be effected by the deposit of an instrument to that effect with the Secretary-General of the Organization.

3. The present Protocol may be signed without reservation, ratified, accepted, approved or acceded to only by States which have signed without reservation, ratified, accepted, approved or acceded to the Convention.

**ARTICLE V**

*Entry into Force*

1. The present Protocol shall enter into force six months after the date on which not less than fifteen States, the combined merchant fleets of which constitute not less than fifty per cent of the gross tonnage of the world’s merchant shipping, have become Parties to it in accordance with Article IV of the present Protocol, provided however that the present Protocol shall not enter into force before the Convention has entered into force.

2. Any instrument of ratification, acceptance, approval or accession deposited after the date on which the present Protocol enters into force shall take effect three months after the date of deposit.

2  *Navigation Act 1912*
3. After the date on which an amendment to the present Protocol is deemed to have been accepted under Article VIII of the Convention, any instrument of ratification, acceptance, approval or accession deposited shall apply to the present Protocol as amended.

ARTICLE VI

Denunciation

1. The present Protocol may be denounced by any Party at any time after the expiry of five years from the date on which the present Protocol enters into force for that party.

2. Denunciation shall be effected by the deposit of an instrument of denunciation with the Secretary-General of the Organization.

3. A denunciation shall take effect one year, or such longer period as may be specified in the instrument of denunciation, after its receipt by the Secretary-General of the Organization.

4. A denunciation of the Convention by a Party shall be deemed to be a denunciation of the present Protocol by that Party.

ARTICLE VII

Depositary

1. The present Protocol shall be deposited with the Secretary-General of the Organization (hereinafter referred to as “the Depositary”).

2. The Depositary shall:
   (a) inform all States which have signed the present Protocol or acceded thereto of:
       (i) each new signature or deposit of an instrument of ratification, acceptance, approval or accession, together with the date thereof;
       (ii) the date of entry into force of the present Protocol;
       (iii) the deposit of any instrument of denunciation of the present Protocol together with the date on which it was received and the date on which the denunciation takes effect;
   (b) transmit certified true copies of the present Protocol to all States which have signed the present Protocol or acceded thereto.
3. As soon as the present Protocol enters into force, a certified true copy thereof shall be transmitted by the Depositary to the Secretariat of the United Nations for registration and publication in accordance with Article 102 of the Charter of the United Nations.

ARTICLE VIII

Languages

The present Protocol is established in a single original in the Chinese, English, French, Russian and Spanish languages, each text being equally authentic. Official translations in the Arabic, German and Italian languages shall be prepared and deposited with the signed original.
ANNEX

MODIFICATIONS AND ADDITIONS TO THE INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE AT SEA, 1974

CHAPTER I

GENERAL PROVISIONS

PART A—APPLICATION, DEFINITIONS, ETC.

Regulation 2

Definitions

The following paragraph is added to the existing text:

(n) “Age of a ship” means the elapsed period of time determined from the year of build as indicated on the ship’s registry papers.

PART B—SURVEYS AND CERTIFICATES

Regulation 6

Inspection and Survey

The existing text of Regulation 6 is replaced by the following:

(a) The inspection and survey of ships, so far as regards the enforcement of the provisions of the present Regulations and the granting of exemptions therefrom, shall be carried out by officers of the Administration. The Administration may, however, entrust the inspections and surveys either to surveyors nominated for the purpose or to organizations recognized by it.

(b) The Administration shall institute arrangements for unscheduled inspections to be carried out during the period of validity of the certificate. Such inspections shall ensure that the ship and its equipment remain in all respects satisfactory for the service for which the ship is intended. These inspections may be carried out by the Administration’s own inspection services, or by nominated surveyors, or by recognized organizations, or by other Parties upon request of the Administration.
Where the Administration, under the provisions of Regulations 8 and 10 of this Chapter, establishes mandatory annual surveys, the above unscheduled inspections shall not be obligatory.

(c) An Administration nominating surveyors or recognizing organizations to conduct inspections and surveys as set forth in paragraphs (a) and (b) of this Regulation shall as a minimum empower any nominated surveyor or recognized organization to:

(i) require repairs to a ship, and
(ii) carry out inspections and surveys if requested by the appropriate authorities of a Port State.

The Administration shall notify the Organization of the specific responsibilities and conditions of the authority delegated to nominated surveyors or recognized organizations.

(d) When a nominated surveyor or recognized organization determines that the condition of the ship or its equipment does not correspond substantially with the particulars of the certificate or is such that the ship is not fit to proceed to sea without danger to the ship, or persons on board, such surveyor or organization shall immediately ensure that corrective action is taken and shall in due course notify the Administration. If such corrective action is not taken the relevant certificate should be withdrawn and the Administration shall be notified immediately; and, if the ship is in the port of another Party, the appropriate authorities of the Port State shall also be notified immediately. When an officer of the Administration, a nominated surveyor or recognized organization has notified the appropriate authorities of the Port State, the Government of the Port State concerned shall give such officer, surveyor or organization any necessary assistance to carry out their obligations under this Regulation. When applicable, the Government of the Port State concerned shall ensure that the ship shall not sail until it can proceed to sea, or leave port for the purpose of proceeding to the appropriate repair yard, without danger to the ship or persons on board.

(e) In every case, the Administration shall fully guarantee the completeness and efficiency of the inspection and survey, and shall undertake to ensure the necessary arrangements to satisfy this obligation.
Regulation 7

Surveys of Passenger Ships

The existing text of paragraph (b) (iii) is replaced by the following:

(iii) A survey either general or partial, according to the circumstances, shall be made after a repair resulting from investigations prescribed in Regulation 11 of this Chapter, or whenever any important repairs or renewals are made. The survey shall be such as to ensure that the necessary repairs or renewals have been effectively made, that the material and workmanship of such repairs or renewals are in all respects satisfactory, and that the ship complies in all respects with the provisions of the Convention and the present Protocol and of the International Regulations for Preventing Collisions at Sea in force, and of the laws, decrees, orders and regulations promulgated as a result thereof by the Administration.

Regulation 8

Surveys of Life-Saving Appliances and other Equipment of Cargo Ships

The existing text of Regulation 8 is replaced by the following:

(a) The life-saving appliances, except a radiotelegraph installation in a motor lifeboat or a portable radio apparatus for survival craft, the echo-sounding device, the gyro-compass, the fire-extinguishing appliances and the inert gas system of cargo ships to which Chapters II–1, II–2, III and V of the Convention and the present Protocol apply, shall be subject to initial and subsequent surveys as prescribed for passenger ships in Regulation 7 of Chapter I of the Convention and the present Protocol with the substitution of 24 months for 12 months in sub-paragraph (a) (ii) of that Regulation. The fire control plans in new ships and the pilot ladders, mechanical pilot hoists, lights, shapes and means of making sound signals carried by new and existing ships shall be included in the surveys for the purpose of ensuring that they comply fully with the requirements of the Convention and the present Protocol and, where applicable, the International Regulations for Preventing Collisions at Sea in force.

(b) Intermediate surveys shall be made for tankers of ten years of age and over, within three months before or after the anniversary date of the Cargo Ship Safety Equipment Certificate, to ensure that equipment specified in paragraph (a) of this Regulation has been maintained in accordance with Regulation 11 of this Chapter and that it is in good
working condition. Such intermediate surveys shall be endorsed on the Cargo Ship Safety Equipment Certificate issued in accordance with Regulation 12 (a) (iii) of Chapter I of the Convention.

**Regulation 10**

*Surveys of Hull, Machinery and Equipment of Cargo Ships*

The existing text of Regulation 10 is replaced by the following:

(a) The hull, machinery and equipment (other than items in respect of which Cargo Ship Safety Equipment Certificates, Cargo Ship Radiotelegraphy Certificates or Cargo Ship Radiotelephony Certificates are issued) of a cargo ship shall be surveyed on completion and thereafter in such a manner as the Administration may consider necessary in order to ensure that their condition is in all respects satisfactory and at the following intervals:

(i) at intervals specified by the Administration but not exceeding five years (periodical surveys);

(ii) in addition to such periodical surveys a tanker of ten years of age and over shall undergo a minimum of one intermediate survey during the period of validity of its Cargo Ship Safety Construction Certificate. In cases where only one such intermediate survey is carried out in any one certificate validity period, it shall be held not before six months prior to, nor later than six months after, the half-way date of the certificate’s period of validity.

(b) The initial and periodical survey shall be such as to ensure that the arrangements material and scantlings of the structure, boilers and other pressure vessels, their appurtenances, main and auxiliary machinery including steering gear and associated control systems, electrical installation and other equipment are in all respects satisfactory for the service for which the ship is intended. Such surveys shall, in the case of tankers, also include inspection of the outside of the ship’s bottom, pump rooms, cargo and bunker piping systems, vent piping, pressure vacuum valves and flame screens.

(c) The intermediate survey of tankers of ten years of age and over shall include inspection of steering gear equipment and associated control systems, pump rooms, cargo and bunker piping systems on deck and in pump rooms, vent piping, pressure vacuum valves and flame screens, the electrical installations in dangerous zones, and the outside of the...
ship’s bottom. In addition to the visual inspection of the electrical installation, the insulation resistance of the electrical equipment in dangerous zones is to be tested. If, upon examination, there should be any doubt as to the condition of the piping, extra measures, such as pressure tests and thickness determination, shall be taken as necessary. Such intermediate surveys shall be endorsed on the Cargo Ship Safety Construction Certificate issued in accordance with Regulation 12 (a) (ii) of Chapter I of the Convention.

(d) A survey, either general or partial according to the circumstances, shall be made when required after an investigation prescribed in Regulation 11 of this Chapter, or whenever any important repairs or renewals are made. The survey shall be such as to ensure that the necessary repairs or renewals have been effectively made, that the material and workmanship of such repairs or renewals are in all respects satisfactory, and that the ship is fit to proceed to sea without danger to the ship or persons on board.

Regulation 11

Maintenance of Conditions after Survey

The existing text of Regulation 11 is replaced by the following:

(a) The condition of the ship and its equipment shall be maintained to conform with the provisions of the Convention and the present Protocol to ensure that the ship in all respects will remain fit to proceed to sea without danger to the ship or persons on board.

(b) After any survey of the ship under Regulations 6, 7, 8, 9 or 10 of Chapter I of the Convention and the present Protocol has been completed, no change shall be made in the structural arrangement, machinery, equipment and other items covered by the survey, without the sanction of the Administration.

(c) Whenever an accident occurs to a ship or a defect is discovered, either of which affects the safety of the ship or the efficiency or completeness of its life-saving appliances or other equipment, the master or owner of the ship shall report at the earliest opportunity to the Administration, the nominated surveyor or recognized organization responsible for issuing the relevant certificate, who shall cause investigations to be initiated to determine whether a survey, as required by Regulations 6, 7, 8, 9 or 10 of Chapter I of the Convention and the present Protocol, is necessary. If the ship is in a port of another Party, the master or owner shall also report immediately to the appropriate authorities of the Port State and
the nominated surveyor or recognized organization shall ascertain that such a report has been made.

**Regulation 14**

*Duration and Validity of Certificates*

The existing text of Regulation 14 is replaced by the following:

(a) Certificates other than the Cargo Ship Safety Construction Certificate, the Cargo Ship Safety Equipment Certificate and any Exemption Certificate shall be issued for a period not exceeding 12 months. The Cargo Ship Safety Construction Certificate shall be issued for a period not exceeding five years. The Cargo Ship Safety Equipment Certificate shall be issued for a period not exceeding 24 months. Exemption Certificates shall not be valid for longer than the period of the certificates to which they refer.

(b) No extension of the five-year period of validity of the Cargo Ship Safety Construction Certificate shall be permitted.

(c) If a survey takes place within two months before the end of the period for which a Cargo Ship Safety Radiotelegraphy Certificate or a Cargo Ship Safety Radiotelephony Certificate issued in respect of cargo ships of 300 tons gross tonnage and upwards, but less than 500 tons gross tonnage, was originally issued, that certificate may be withdrawn, and a new certificate may be issued which shall expire 12 months after the end of the said period.

(d) If the ship at the time when a certificate, other than that referred to in paragraph (b) of this Regulation, expires is not in a port of the country in which it is registered or is to be surveyed, the Administration may extend the certificate, but such extension shall be granted 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, and then only in cases where it appears proper and reasonable to do so.

(e) No certificate shall be extended under the provisions of paragraph (d) of this Regulation for a longer period than five months, and a ship to which an extension is granted shall not, on its arrival in the country in which it is registered or the port in which it is to be surveyed, be entitled by virtue of such extension to leave that port or country without having obtained a new certificate.
(f) A certificate, other than that referred to in paragraph (b) of this Regulation, which has not been extended under the foregoing provisions of this Regulation, may be extended by the Administration for a period of grace up to one month from the date of expiry stated on it.

(g) A certificate shall cease to be valid:

(i) if the inspections and surveys are not carried out within the periods specified under Regulations 7 (a), 8, 9 and 10 (a) of Chapter I of the Convention and the present Protocol or as they may have been extended in accordance with paragraphs (d), (e) or (f) of this Regulation, or

(ii) upon transfer of the ship to the flag of another Government. A new certificate shall only be issued when the Government issuing the new certificate is fully satisfied that the ship is in compliance with the requirements of Regulation 11 (a) and (b) of this Chapter. In the case of a transfer between Parties, if requested within three months after the transfer has taken place, the Government of the Party whose flag the ship was formerly entitled to fly shall, as soon as possible, transmit to the Administration copies of the certificates carried by the ship before the transfer and, if available, copies of the relevant survey reports.

**Regulation 19**

*Control*

*The existing text of Regulation 19 is replaced by the following:*

(a) Every ship when in a port of another Party is subject to control by officers duly authorized by such Government in so far as this control is directed towards verifying that the certificates issued under Regulation 12 or Regulation 13 of Chapter I of the Convention are valid.

(b) Such certificates, if valid, shall be accepted unless there are clear grounds for believing that the condition of the ship or of its equipment does not correspond substantially with the particulars of any of the certificates or that the ship and its equipment are not in compliance with the provisions of Regulation 11 (a) and (b) of this Chapter.

(c) In the circumstances given in paragraph (b) of this Regulation or where a certificate has expired or ceased to be valid, the officer carrying out the control shall take steps to ensure that the ship shall not sail until it
can proceed to sea or leave the port for the purpose of proceeding to the
appropriate repair yard without danger to the ship or persons on board.

(d) In the event of this control giving rise to an intervention of any kind, the
officer carrying out the control shall forthwith inform, in writing, the
Consul or, in his absence, the nearest diplomatic representative of the
State whose flag the ship is entitled to fly of all the circumstances in
which intervention was deemed necessary. In addition, nominated
surveyors or recognized organizations responsible for the issue of the
certificates shall also be notified. The facts concerning the intervention
shall be reported to the Organization.

(e) The Port State authority concerned shall notify all relevant information
about the ship to the authorities of the next port of call, in addition to
parties mentioned in paragraph (d) of this Regulation, if it is unable to
take action as specified in paragraphs (c) and (d) of this Regulation or if
the ship has been allowed to proceed to the next port of call.

(f) When exercising control under this Regulation all possible efforts shall
be made to avoid a ship being unduly detained or delayed. If a ship is
thereby unduly detained or delayed it shall be entitled to compensation
for any loss or damage suffered.
CHAPTER II–1

CONSTRUCTION—SUBDIVISION AND STABILITY,
MACHINERY AND ELECTRICAL INSTALLATIONS

PART A—GENERAL

Regulation 1

Application

The following sub-paragraphs are added to the existing text of paragraph (b):

(iii) Notwithstanding the provisions of sub-paragraph (ii) of this paragraph and sub-paragraph (a) (iii) of this Regulation, for the purposes of paragraph (d) of Regulation 29 of this Chapter, a new tanker means a tanker:

(1) for which the building contract is placed after 1 June 1979; or
(2) in the absence of a building contract, the keel of which is laid, or which is at a similar stage of construction after 1 January 1980; or
(3) the delivery of which is after 1 June 1982; or
(4) which has undergone an alteration or modification of a major character:

(a) for which the contract is placed after 1 June 1979; or
(b) in the absence of a contract, the construction work of which is begun after 1 January 1980; or
(c) which is completed after 1 June 1982.

(iv) For the purposes of paragraph (d) of Regulation 29 of this Chapter, an existing tanker is a tanker which is not a new tanker as defined in sub-paragraph (iii) of this paragraph.

(v) For the purposes of sub-paragraph (iii) of this paragraph, conversion of an existing tanker of 20,000 metric tons deadweight and upwards to meet the requirements of the present Protocol or the Protocol of 1978 Relating to the International Convention for the Prevention of Pollution from Ships, 1973, shall not be deemed to constitute an alteration or modification of a major character.
Regulation 2

Definitions

The following paragraphs are added to the existing text:

(k) The remote steering gear control system is the means by which required rudder movements are transmitted from the navigating bridge to the steering gear power unit controls.

(l) The main steering gear is the machinery, the steering gear power units, if any, and ancillary equipment and the means of applying torque to the rudder stock (e.g. tiller or quadrant) necessary for effecting movement of the rudder for the purpose of steering the ship under normal service conditions.

(m) The steering gear power unit is:
   (i) in the case of electric steering gear, an electric motor and its associated electrical equipment;
   (ii) in the case of electro-hydraulic steering gear, an electric motor and its associated electrical equipment and connected pump;
   (iii) in the case of other hydraulic steering gear, a driving engine and connected pump.

(n) The auxiliary steering gear is that equipment which is provided for effecting movement of the rudder for the purpose of steering the ship in the event of failure of the main steering gear.

PART C—MACHINERY AND ELECTRICAL INSTALLATIONS

Regulation 29

Steering Gear

The following paragraph is added to the existing text:

(d) Tankers only
   (i) The following shall apply to every new tanker of 10,000 tons gross tonnage and upwards and, not later than two years from the date of entry into force of the present Protocol, to every existing tanker of 10,000 tons gross tonnage and upwards:
      (1) two remote steering gear control systems shall be provided, each of which shall be operable separately from the navigating bridge. This does not require duplication of the steering wheel or steering lever. In the event of failure of
the remote steering gear control system in operation, the other system shall be capable of being brought into immediate operation from a position on the navigating bridge. Each remote steering gear control system, if electric, shall be served by its own separate circuit supplied from the steering gear power circuit from a point within the steering gear compartment. In the event of failure of electrical power supply to a remote steering gear control system an alarm shall be given on the navigating bridge. The alarms required in this sub-paragraph shall be both audible and visual and situated in a position on the navigating bridge where they can be readily observed;

(2) control of the main steering gear shall also be provided in the steering gear compartment;

(3) means shall be provided in the steering gear compartment to disconnect the remote steering gear control system from the power circuit;

(4) a means of communication shall be provided between the navigating bridge and the steering gear compartment;

(5) the exact angular position of the rudder shall be indicated on the navigating bridge. The rudder angle indication shall be independent of the remote steering gear control system; and

(6) the angular position of the rudder shall be recognizable in the steering gear compartment.

(ii) In every new tanker of 10,000 tons gross tonnage and upwards, in addition to the requirements of paragraph (a) and sub-paragraph (d) (i) of this Regulation, the following shall apply:

(1) the main steering gear shall comprise two or more identical power units and it shall be capable of operating the rudder as required by sub-paragraph (d) (ii) (2) of this Regulation while operating with one or more power units. As far as reasonable and practicable, the main steering gear shall be so arranged that a single failure in its piping or in one of the power units will not impair the integrity of the remaining part of the steering gear. All mechanical couplings which are part of the steering gear and the mechanical connexion with any remote steering gear
control system, if any, shall be of sound and reliable construction to the satisfaction of the Administration;

(2) the main steering gear shall, with the ship at its deepest sea-going draught, be capable of putting the rudder over from 35 degrees on one side to 35 degrees on the other side with the ship running ahead at maximum service speed. The rudder shall be capable of being put over from 35 degrees on either side to 30 degrees on the other side in not more than 28 seconds, under the same conditions;

(3) the main steering gear shall be operated by power where necessary to fulfil the requirements of sub-paragraph (d) (ii) (2) of this Regulation;

(4) the main steering gear power units shall be arranged to start automatically when power is restored after a power failure;

(5) in the event of failure of any of the steering gear power units an alarm shall be given on the navigating bridge. Every steering gear power unit shall be capable of being brought into operation either automatically or manually from a position on the navigating bridge; and

(6) an alternative power supply, at least sufficient to supply a steering gear power unit so as to enable it to move the rudder as specified below, and also to supply its associated remote steering gear control system and the rudder angle indicator, shall be provided, automatically, within 45 seconds, either from the emergency source of electrical power, or from another independent source of power located in the steering gear compartment. This independent source of power shall be used only for this purpose and shall have a capacity sufficient for half an hour of continuous operation. The steering gear power unit, when being supplied by the alternative power supply, shall at least be capable of putting the rudder over from 15 degrees on one side to 15 degrees on the other side in not more than 60 seconds with the ship at its deepest sea-going draught while running at one half of its maximum service speed ahead or 7 knots, whichever is the greater.
CHAPTER II–2

CONSTRUCTION—FIRE PROTECTION, FIRE DETECTION AND FIRE EXTINCTION

PART A—GENERAL

Regulation 1

Application

The following sub-paragraphs are added to the existing text of paragraph (a):

(iv) Notwithstanding the provisions of sub-paragraphs (ii) and (iii) of this paragraph, for the purposes of paragraph (a) (ii) of Regulation 55 and of Regulation 60 of this Chapter, a new tanker means a tanker:

(1) for which the building contract is placed after 1 June 1979; or

(2) in the absence of a building contract, the keel of which is laid, or which is at a similar stage of construction after 1 January 1980; or

(3) the delivery of which is after 1 June 1982; or

(4) which has undergone an alteration or modification of a major character:

(a) for which the contract is placed after 1 June 1979; or

(b) in the absence of a contract, the construction work of which is begun after 1 January 1980; or

(c) which is completed after 1 June 1982.

(v) For the purposes of paragraph (a) (ii) of Regulation 55 and of Regulation 60 of this Chapter, an existing tanker is a tanker which is not a new tanker as defined in sub-paragraph (iv) of this paragraph.

(vi) For the purposes of sub-paragraph (iv) of this paragraph, conversion of an existing tanker of 20,000 metric tons deadweight and upwards to meet the requirements of the present Protocol or the Protocol of 1978 Relating to the International Convention for the Prevention of Pollution from Ships, 1973 shall not be deemed to constitute an alteration or modification of a major character.

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Regulation 3
Definitions

The existing text of paragraph (v) is replaced by the following:

(v) “Lightweight” means the displacement of a ship in metric tons without cargo, fuel, lubricating oil, ballast water, fresh water and feed water in tanks, consumable stores, and passengers and crew and their effects.

The following paragraph is added to the existing text:

(x) “Crude oil” means any oil occurring naturally in the earth whether or not treated to render it suitable for transportation and includes:

(i) crude oil from which certain distillate fractions may have been removed; and

(ii) crude oil to which certain distillate fractions may have been added.

PART E—FIRE SAFETY MEASURES FOR TANKERS

Regulation 55
Application

The existing text of this Regulation is replaced by the following:

(a) Unless expressly provided otherwise:

(i) this Part shall apply to all new tankers carrying crude oil and petroleum products having a flashpoint not exceeding 60°C (140°F) (closed cup test) as determined by an approved flashpoint apparatus and a Reid vapour pressure which is below atmospheric pressure and other liquid products having a similar fire hazard; and

(ii) in addition, all ships covered by this Part shall comply with the requirements of Regulations 52, 53 and 54 of Chapter II–2 of the Convention except that fixed gas fire-extinguishing systems for cargo spaces shall not be used for new tankers and for those existing tankers complying with Regulation 60 of this Chapter. For existing tankers not required to comply with Regulation 60, the Administration, in applying the requirements of paragraph (f) of Regulation 52, may accept a froth system capable of discharging froth internally or externally to the tanks. The details

18  Navigation Act 1912
of the installation shall be to the satisfaction of the Administration.

(b) Where cargoes other than those referred to in sub-paragraph (a) (i) of this Regulation which introduce additional fire hazards are intended to be carried, additional safety measures shall be required to the satisfaction of the Administration.

(c) Combination carriers shall not carry solid cargoes unless all cargo tanks are empty of oil and gas freed or unless, in each case, the Administration is satisfied with the arrangements provided.

**Regulation 60**

**Cargo Tank Protection**

*The existing text of this Regulation is replaced by the following:*

(a) For new tankers of 20,000 metric tons deadweight and upwards, the protection of the cargo tanks deck area and cargo tanks shall be achieved by a fixed deck froth system and a fixed inert gas system in accordance with the requirements of Regulations 61 and 62 of Chapter II–2 of the Convention except that in lieu of the above installations the Administration, after having given consideration to the ship’s arrangement and equipment, may accept other combinations of fixed installations if they afford protection equivalent to the above, in accordance with Regulation 5 of Chapter I of the Convention.

(b) To be considered equivalent, the system proposed in lieu of the deck froth system shall:

(i) be capable of extinguishing spill fires and also preclude ignition of spilled oil not yet ignited; and

(ii) be capable of combating fires in ruptured tanks.

(c) To be considered equivalent, the system proposed in lieu of the fixed inert gas system shall:

(i) be capable of preventing dangerous accumulations of explosive mixtures in intact cargo tanks during normal service throughout the ballast voyage and necessary in-tank operations; and

(ii) be so designed as to minimize the risk of ignition from the generation of static electricity by the system itself.

(d) Any existing tanker of 20,000 metric tons deadweight and upwards engaged in the trade of carrying crude oil shall be fitted with an inert gas system, complying with the requirements of paragraph (a) of this Regulation, not later than a date:
(i) for a tanker of 70,000 metric tons deadweight and upwards, two years after the date of entry into force of the present Protocol; and

(ii) for a tanker of less than 70,000 metric tons deadweight, four years after the date of entry into force of the present Protocol, except that for tankers less than 40,000 tons deadweight not fitted with tank washing machines having an individual throughput of greater than 60 cubic metres per hour, the Administration may exempt existing tankers from the requirements of this paragraph, if it would be unreasonable and impracticable to apply these requirements, taking into account the ship’s design characteristics.

(e) Any existing tanker of 40,000 metric tons deadweight and upwards engaged in the trade of carrying oil other than crude oil and any such tanker of 20,000 metric tons deadweight and upwards engaged in the trade of carrying oil other than crude oil fitted with tank washing machines having an individual throughput of greater than 60 cubic metres per hour shall be fitted with an inert gas system, complying with the requirements of paragraph (a) of this Regulation, not later than a date:

(i) for a tanker of 70,000 metric tons deadweight and upwards, two years after the date of entry into force of the present Protocol; and

(ii) for a tanker of less than 70,000 metric tons deadweight, four years after the date of entry into force of the present Protocol.

(f) Any tanker operating with a cargo tank cleaning procedure using crude oil washing shall be fitted with an inert gas system complying with the requirements of Regulation 62 of Chapter II-2 of the Convention and with fixed tank washing machines.

(g) All tankers fitted with a fixed inert gas system shall be provided with a closed ullage system.

(h) Any new tanker of 2,000 tons gross tonnage and upwards not covered by paragraph (a) of this Regulation shall be provided with a froth system, capable of discharging froth internally or externally, to the tanks. The details of such installation shall be to the satisfaction of the Administration.
CHAPTER V

SAFETY OF NAVIGATION

Regulation 12

Shipborne Navigational Equipment

The existing text of paragraph (a) is replaced by the following:

(a) All ships of 1,600 tons gross tonnage and upwards but less than 10,000 tons gross tonnage shall be fitted with at least one radar. All ships of 10,000 tons gross tonnage and upwards shall be fitted with at least two radars, each capable of operating independently of the other. All radars fitted in compliance with this Regulation shall be of a type approved by the Administration and shall conform to operational standards not inferior to those adopted by the Organization. Facilities for plotting radar readings shall be provided on the bridge in those ships.

Regulation 19

Use of the Automatic Pilot

The following paragraph is added to the existing text:

(d) The manual steering shall be tested after prolonged use of the automatic pilot, and before entering areas where navigation demands special caution.

The following new Regulations are added to this Chapter:

Regulation 19-1

Operation of Steering Gear

In areas where navigation demands special caution, ships shall have more than one steering gear power unit in operation when such units are capable of simultaneous operation.

Regulation 19-2

Steering Gear—Testing and Drills

(a) Within 12 hours before departure, the ship’s steering gear shall be checked and tested by the ship’s crew. The test procedure shall include, where applicable, the operation of the following.
(i) the main steering gear;
(ii) the auxiliary steering gear;
(iii) the remote steering gear control systems;
(iv) the steering positions located on the navigating bridge;
(v) the emergency power supply;
(vi) the rudder angle indicators in relation to the actual position of the rudder;
(vii) the remote steering gear control system power failure alarms; and
(viii) the steering gear power unit failure alarms.

(b) The checks and tests shall include:
   (i) the full movement of the rudder according to the required capabilities of the steering gear;
   (ii) a visual inspection of the steering gear and its connecting linkage; and
   (iii) the operation of the means of communication between the navigating bridge and steering gear compartment.

(c) (i) Simple operating instructions with a block diagram showing the change-over procedures for remote steering gear control systems and steering gear power units shall be permanently displayed on the navigating bridge and in the steering gear compartment.
   (ii) All officers concerned with the operation and/or maintenance of steering gear shall be familiar with the operation of the steering systems fitted on the ship and with the procedures for changing from one system to another.

(d) In addition to the routine checks and tests prescribed in paragraphs (a) and (b) of this Regulation, emergency steering drills shall take place at least once every three months in order to practise emergency steering procedures. These drills shall include direct control from within the steering gear compartment, the communications procedure with the navigating bridge and, where applicable, the operation of alternative power supplies.

(e) The Administration may waive the requirement to carry out the checks and tests prescribed in paragraphs (a) and (b) of this Regulation for ships which regularly ply on voyages of short duration. Such ships shall carry out these checks and tests at least once every week.
(f) The date upon which the checks and tests prescribed in paragraphs (a) and (b) of this Regulation are carried out and the date and details of emergency steering drills carried out under paragraph (d) of this Regulation, shall be recorded in the log book as may be prescribed by the Administration.
APPENDIX

Form of Safety Construction Certificate for Cargo Ships

The following form of Supplement is added to the existing form:

SUPPLEMENT TO THE CARGO SHIP SAFETY CONSTRUCTION CERTIFICATE

(Official Seal)  (Country)

Issued under the provisions of the
PROTOCOL OF 1978 RELATING TO THE INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE AT SEA, 1974

<table>
<thead>
<tr>
<th>Name of Ship</th>
<th>Distinctive Number or Letters</th>
<th>Port of Registry</th>
<th>Deadweight of Ship (metric tons)</th>
<th>Year of Build</th>
</tr>
</thead>
</table>

Type of ship:
- Tanker engaged in the trade of carrying crude oil*
- Tanker engaged in the trade of carrying oil other than crude oil*
- Tanker engaged in the trade of carrying crude/other oil*
- Cargo ship other than a tanker engaged in the trade of carrying oil*

Date of contract for building or alteration or modification of a major character .............................................................................................................................................

Date on which keel was laid or ship was at a similar stage of construction or on which an alteration or modification of a major character was commenced ..............................................................................................................................................

Date of delivery or completion of an alteration or modification of a major character ..............................................................................................................................................

* Delete as appropriate.

This Supplement shall be permanently attached to the Cargo Ship Safety Construction Certificate.

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THIS IS TO CERTIFY:

That the ship has been surveyed in accordance with Regulation 10 of Chapter I of the Protocol of 1978 Relating to the International Convention for the Safety of Life at Sea, 1974; and

that the survey showed that the condition of the hull, machinery and equipment as defined in the above Regulation was in all respects satisfactory and that the ship complied with the requirements of that Protocol.

This certificate is valid until................................. subject to intermediate survey(s) at intervals of.................................

Issued at.................................................................

(Place of issue of certificate)

........................................ 19..............................

(Signature of duly authorized official issuing the certificate)

(Seal or stamp of the issuing Authority, as appropriate)

INTERMEDIATE SURVEY

This is to certify that at an intermediate survey required by Regulation 10 of Chapter I of the Protocol of 1978 Relating to the International Convention for the Safety of Life at Sea, 1974, this ship was found to comply with the relevant provisions of that Protocol.

Signed .............................................................................................................

(Signature of duly authorized official)

Place ..............................................................................................................

Date .................................................................................................................

Next intermediate survey due........................................................................

(Seal or stamp of the Authority, as appropriate)

Signed .............................................................................................................

(Signature of duly authorized official)

Place ..............................................................................................................

Date .................................................................................................................

Next intermediate survey due........................................................................

(Seal or stamp of the Authority, as appropriate)

Signed .............................................................................................................

(Signature of duly authorized official)

Place ..............................................................................................................

Date .................................................................................................................

Next intermediate survey due........................................................................

(Seal or stamp of the Authority, as appropriate)

Signed .............................................................................................................
Form of Safety Equipment Certificate for Cargo Ships

SUPPLEMENT TO THE CARGO SHIP SAFETY EQUIPMENT
CERTIFICATE

Issued under the provisions of the

PROTOCOL OF 1978 RELATING TO THE INTERNATIONAL
CONVENTION FOR THE SAFETY OF LIFE AT SEA, 1974

<table>
<thead>
<tr>
<th>Name of Ship</th>
<th>Distinctive Number or Letters</th>
<th>Port of Registry</th>
<th>Deadweight of Ship (metric tons)</th>
<th>Year of Build</th>
</tr>
</thead>
</table>

Type of ship:

- Tanker engaged in the trade of carrying crude oil*
- Tanker engaged in the trade of carrying oil other than crude oil*
- Tanker engaged in the trade of carrying crude/other oil*
- Cargo ship other than a tanker engaged in the trade of carrying oil*

Date of contract for building or alteration or modification of a major character........................................................................................................................................

Date on which keel was laid or ship was at a similar stage of construction or on which an alteration or modification of a major character was commenced......................................................................................................................................

Date of delivery or completion of an alteration or modification of a major character ........................................................................................................................................

* Delete as appropriate.

This Supplement shall be permanently attached to the Cargo Ship Safety Equipment Certificate.
THIS IS TO CERTIFY:

That the ship has been surveyed in accordance with Regulation 8 of Chapter I of the Protocol of 1978 Relating to the International Convention for the Safety of Life at Sea, 1974; and

that the survey showed that the condition of the safety equipment as defined in the above Regulation was in all respects satisfactory and that the ship complied with the requirements of that Protocol.

This certificate is valid until .......................................................... subject to intermediate survey(s) at intervals of ..........................................................

Issued at ..........................................................

(Place of issue of certificate)

19 ..........................................................

(Signature of duly authorized official issuing the certificate)

(Seal or stamp of the issuing Authority, as appropriate)

INTERMEDIATE SURVEY

This is to certify that at an intermediate survey required by Regulation 8 of Chapter I of the Protocol of 1978 Relating to the International Convention for the Safety of Life at Sea, 1974, the ship was found to comply with the relevant provisions of that Protocol.

Signed .................................................................................................

(Signature of duly authorized official)

Place ........................................................................................................

Date ...........................................................................................................

Next intermediate survey due ....................................................................

(Seal or stamp of the Authority, as appropriate)

Signed .................................................................................................

(Signature of duly authorized official)

Place ........................................................................................................

Date ...........................................................................................................

(Seal or stamp of the Authority, as appropriate)

Under the provisions of Regulation 14 of Chapter I of the Protocol the validity of this Certificate is extended until ..........................................................

Signed .................................................................................................

(Signature of duly authorized official)

Place ........................................................................................................

Date ...........................................................................................................

(Seal or stamp of the Authority, as appropriate)
Schedule 3—Convention on the International Regulations for Preventing Collisions at Sea, 1972

Subsection 187A(1)

ARTICLE I

General Obligations

The Parties to the present Convention undertake to give effect to the Rules and other Annexes constituting the International Regulations for Preventing Collisions at Sea, 1972, (hereinafter referred to as “the Regulations”) attached hereto.

ARTICLE II

Signature, Ratification, Acceptance, Approval and Accession

1. The present Convention shall remain open for signature until 1 June 1973 and shall thereafter remain open for accession.

2. States Members of the United Nations, or of any of the Specialized Agencies, or the International Atomic Energy Agency, or Parties to the Statute of the International Court of Justice may become Parties to this Convention by:
   (a) signature without reservation as to ratification, acceptance or approval;
   (b) signature subject to ratification, acceptance or approval followed by ratification, acceptance or approval; or
   (c) accession.

3. Ratification, acceptance, approval or accession shall be effected by the deposit of an instrument to that effect with the Inter-Governmental Maritime Consultative Organization (hereinafter referred to as “the Organization”) which shall inform the Governments of States that have signed or acceded to the present Convention of the deposit of each instrument and of the date of its deposit.
ARTICLE III

Territorial Application

1. The United Nations in cases where they are the administering authority for a territory or any Contracting Party responsible for the international relations of a territory may at any time by notification in writing to the Secretary-General of the Organization (hereinafter referred to as “the Secretary-General”), extend the application of this Convention to such a territory.

2. The present Convention shall, upon the date of receipt of the notification or from such other date as may be specified in the notification, extend to the territory named therein.

3. Any notification made in accordance with paragraph 1 of this Article may be withdrawn in respect of any territory mentioned in that notification and the extension of this Convention to that territory shall cease to apply after one year or such longer period as may be specified at the time of the withdrawal.

4. The Secretary-General shall inform all Contracting Parties of the notification of any extension or withdrawal of any extension communicated under this Article.

ARTICLE IV

Entry into force

1. (a) The present Convention shall enter into force twelve months after the date on which at least 15 States, the aggregate of whose merchant fleets constitutes not less than 65 per cent by number or by tonnage of the world fleet of vessels of 100 gross tons and over have become Parties to it, whichever is achieved first.

(b) Notwithstanding the provisions in sub-paragraph (a) of this paragraph, the present Convention shall not enter into force before 1 January 1976.

2. Entry into force for States which ratify, accept, approve or accede to this Convention in accordance with Article II after the conditions prescribed in sub-paragraph 1 (a) have been met and before the Convention enters into force, shall be on the date of entry into force of the Convention.

3. Entry into force for States which ratify, accept, approve or accede after the date on which this Convention enters into force, shall be on the date of deposit of an instrument in accordance with Article II.
4. After the date of entry into force of an amendment to this Convention in accordance with paragraph 4 of Article VI, any ratification, acceptance, approval or accession shall apply to the Convention as amended.

5. On the date of entry into force of this Convention, the Regulations replace and abrogate the International Regulations for Preventing Collisions at Sea, 1960.

6. The Secretary-General shall inform the Governments of States that have signed or acceded to this Convention of the date of its entry into force.

ARTICLE V

Revision Conference

1. A Conference for the purpose of revising this Convention or the Regulations or both may be convened by the Organization.

2. The Organization shall convene a Conference of Contracting Parties for the purpose of revising this Convention or the Regulations or both at the request of not less than one-third of the Contracting Parties.

ARTICLE VI

Amendments to the Regulations

1. Any amendment to the Regulations proposed by a Contracting Party shall be considered in the Organization at the request of that Party.

2. If adopted by a two-thirds majority of those present and voting in the Maritime Safety Committee of the Organization, such amendment shall be communicated to all Contracting Parties and Members of the Organization at least six months prior to its consideration by the Assembly of the Organization. Any Contracting Party which is not a Member of the Organization shall be entitled to participate when the amendment is considered by the Assembly.

3. If adopted by a two-thirds majority of those present and voting in the Assembly, the amendment shall be communicated by the Secretary-General to all Contracting Parties for their acceptance.

4. Such an amendment shall enter into force on a date to be determined by the Assembly at the time of its adoption unless, by a prior date determined by the Assembly at the same time, more than one-third of the Contracting Parties notify the Organization of their objection to the amendment. Determination by the Assembly of the dates referred to in this paragraph shall be by a two-thirds majority of those present and voting.
5. On entry into force any amendment shall, for all Contracting Parties which have not objected to the amendment, replace and supersede any previous provision to which the amendment refers.

6. The Secretary-General shall inform all Contracting Parties and Members of the Organization of any request and communication under this Article and the date on which any amendment enters into force.

ARTICLE VII

Denunciation

1. The present Convention may be denounced by a Contracting Party at any time after the expiry of five years from the date on which the Convention entered into force for that Party.

2. Denunciation shall be effected by the deposit of an instrument with the Organization. The Secretary-General shall inform all other Contracting Parties of the receipt of the instrument of denunciation and of the date of its deposit.

3. A denunciation shall take effect one year, or such longer period as may be specified in the instrument, after its deposit.

ARTICLE VIII

Deposit and Registration

1. The present Convention and the Regulations shall be deposited with the Organization, and the Secretary-General shall transmit certified true copies thereof to all Governments of States that have signed this Convention or acceded to it.

2. When the present Convention enters into force, the text shall be transmitted by the Secretary-General to the Secretariat of the United Nations for registration and publication in accordance with Article 102 of the Charter of the United Nations.

ARTICLE IX

Languages

The present Convention is established, together with the Regulations, in a single copy in the English and French languages, both texts being equally authentic. Official translations in the Russian and Spanish languages shall be prepared and deposited with the signed original.
INTERNATIONAL REGULATIONS FOR PREVENTING COLLISIONS AT SEA, 1972

PART A—GENERAL

RULE 1

Application

(a) These Rules shall apply to all vessels upon the high seas and in all waters connected therewith navigable by seagoing vessels.

(b) Nothing in these Rules shall interfere with the operation of special rules made by an appropriate authority for roadsteads, harbours, rivers, lakes or inland waterways connected with the high seas and navigable by seagoing vessels. Such special rules shall conform as closely as possible to these Rules.

(c) Nothing in these Rules shall interfere with the operation of any special rules made by the Government of any State with respect to additional station or signal lights or whistle signals for ships of war and vessels proceeding under convoy, or with respect to additional station or signal lights for fishing vessels engaged in fishing as a fleet. These additional station or signal lights or whistle signals shall, so far as possible, be such that they cannot be mistaken for any light or signal authorized elsewhere under these Rules.

(d) Traffic separation schemes may be adopted by the Organization for the purpose of these Rules.

(e) Whenever the Government concerned shall have determined that a vessel of special construction or purpose cannot comply fully with the provisions of any of these Rules with respect to the number, position, range or arc of visibility of lights or shapes, as well as to the disposition and characteristics of sound-signalling appliances, without interfering with the special function of the vessel, such vessel shall comply with such other provisions in regard to the number, position, range or arc of visibility of lights or shapes, as well as to the disposition and characteristics of sound-signalling appliances, as her Government shall have determined to be the closest possible compliance with these Rules in respect to that vessel.
RULE 2

Responsibility

(a) Nothing in these Rules shall exonerate any vessel, or the owner, master or crew thereof, from the consequences of any neglect to comply with these Rules or of the neglect of any precaution which may be required by the ordinary practice of seamen, or by the special circumstances of the case.

(b) In construing and complying with these Rules due regard shall be had to all dangers of navigation and collision and to any special circumstances, including the limitations of the vessels involved, which may make a departure from these Rules necessary to avoid immediate danger.

RULE 3

General Definitions

For the purpose of these Rules, except where the context otherwise requires:

(a) The word “vessel” includes every description of water craft, including non-displacement craft and seaplanes, used or capable of being used as a means of transportation on water.

(b) The term “power-driven vessel” means any vessel propelled by machinery.

(c) The term “sailing vessel” means any vessel under sail provided that propelling machinery, if fitted, is not being used.

(d) The term “vessel engaged in fishing” means any vessel fishing with nets, lines, trawls or other fishing apparatus which restrict manoeuvrability, but does not include a vessel fishing with trolling lines or other fishing apparatus which do not restrict manoeuvrability.

(e) The word “seaplane” includes any aircraft designed to manoeuvre on the water.

(f) The term “vessel not under command” means a vessel which through some exceptional circumstance is unable to manoeuvre as required by these Rules and is therefore unable to keep out of the way of another vessel.

(g) The term “vessel restricted in her ability to manoeuvre” means a vessel which from the nature of her work is restricted in her ability to manoeuvre as required by these Rules and is therefore unable to keep out of the way of another vessel.

The following vessels shall be regarded as vessels restricted in their ability to manoeuvre:
(i) a vessel engaged in laying, servicing or picking up a navigation mark, submarine cable or pipeline;
(ii) a vessel engaged in dredging, surveying or underwater operations;
(iii) a vessel engaged in replenishment or transferring persons, provisions or cargo while underway;
(iv) a vessel engaged in the launching or recovery of aircraft;
(v) a vessel engaged in minesweeping operations;
(vi) a vessel engaged in a towing operation such as severely restricts the towing vessel and her tow in their ability to deviate from their course.

(h) The term “vessel constrained by her draught” means a power-driven vessel which because of her draught in relation to the available depth of water is severely restricted in her ability to deviate from the course she is following.

(i) The word “underway” means that a vessel is not at anchor, or made fast to the shore, or aground.

(j) The words “length” and “breadth” of a vessel mean her length overall and greatest breadth.

(k) Vessels shall be deemed to be in sight of one another only when one can be observed visually from the other.

(l) The term “restricted visibility” means any condition in which visibility is restricted by fog, mist, falling snow, heavy rainstorms, sandstorms or any other similar causes.

PART B—STEERING AND SAILING RULES

SECTION I—CONDUCT OF VESSELS IN ANY CONDITION OF VISIBILITY

RULE 4

Application

Rules in this Section apply in any condition of visibility.
RULE 5

*Look-out*

Every vessel shall at all times maintain a proper look-out by sight and hearing as well as by all available means appropriate in the prevailing circumstances and conditions so as to make a full appraisal of the situation and of the risk of collision.

RULE 6

*Safe speed*

Every vessel shall at all times proceed at a safe speed so that she can take proper and effective action to avoid collision and be stopped within a distance appropriate to the prevailing circumstances and conditions.

In determining a safe speed the following factors shall be among those taken into account:

(a) By all vessels:
   (i) the state of visibility;
   (ii) the traffic density including concentrations of fishing vessels or any other vessels;
   (iii) the manoeuvrability of the vessel with special reference to stopping distance and turning ability in the prevailing conditions;
   (iv) at night the presence of background light such as from shore lights or from back scatter of her own lights;
   (v) the state of wind, sea and current, and the proximity of navigational hazards;
   (vi) the draught in relation to the available depth of water.

(b) Additionally, by vessels with operational radar:
   (i) the characteristics, efficiency and limitations of the radar equipment;
   (ii) any constraints imposed by the radar range scale in use;
   (iii) the effect on radar detection of the sea state, weather and other sources of interference;
   (iv) the possibility that small vessels, ice and other floating objects may not be detected by radar at an adequate range;
   (v) the number, location and movement of vessels detected by radar;
   (vi) the more exact assessment of the visibility that may be possible when radar is used to determine the range of vessels or other objects in the vicinity.
RULE 7

Risk of Collision

(a) Every vessel shall use all available means appropriate to the prevailing circumstances and conditions to determine if risk of collision exists. If there is any doubt such risk shall be deemed to exist.

(b) Proper use shall be made of radar equipment if fitted and operational, including long-range scanning to obtain early warning of risk of collision and radar plotting or equivalent systematic observation of detected objects.

(c) Assumptions shall not be made on the basis of scanty information, especially scanty radar information.

(d) In determining if risk of collision exists the following considerations shall be among those taken into account:

   (i) such risk shall be deemed to exist if the compass bearing of an approaching vessel does not appreciably change;

   (ii) such risk may sometimes exist even when an appreciable bearing change is evident, particularly when approaching a very large vessel or a tow or when approaching a vessel at close range.

RULE 8

Action to avoid collision

(a) Any action taken to avoid collision shall, if the circumstances of the case admit, be positive, made in ample time and with due regard to the observance of good seamanship.

(b) Any alteration of course and/or speed to avoid collision shall, if the circumstances of the case admit, be large enough to be readily apparent to another vessel observing visually or by radar; a succession of small alterations of course and/or speed should be avoided.

(c) If there is sufficient sea room, alteration of course alone may be the most effective action to avoid a close-quarters situation provided that it is made in good time, is substantial and does not result in another close-quarters situation.

(d) Action taken to avoid collision with another vessel shall be such as to result in passing at a safe distance. The effectiveness of the action shall be carefully checked until the other vessel is finally past and clear.

(e) If necessary to avoid collision or allow more time to assess the situation, a vessel shall slacken her speed or take all way off by stopping or reversing her means of propulsion.
RULE 9

Narrow channels

(a) A vessel proceeding along the course of a narrow channel or fairway shall keep as near to the outer limit of the channel or fairway which lies on her starboard side as is safe and practicable.

(b) A vessel of less than 20 metres in length or a sailing vessel shall not impede the passage of a vessel which can safely navigate only within a narrow channel or fairway.

(c) A vessel engaged in fishing shall not impede the passage of any other vessel navigating within a narrow channel or fairway.

(d) A vessel shall not cross a narrow channel or fairway if such crossing impedes the passage of a vessel which can safely navigate only within such channel or fairway. The latter vessel may use the sound signal prescribed in Rule 34 (d) if in doubt as to the intention of the crossing vessel.

(e) (i) In a narrow channel or fairway when overtaking can take place only if the vessel to be overtaken has to take action to permit safe passing, the vessel intending to overtake shall indicate her intention by sounding the appropriate signal prescribed in Rule 34 (c) (i). The vessel to be overtaken shall, if in agreement, sound the appropriate signal prescribed in Rule 34 (c) (ii) and take steps to permit safe passing. If in doubt she may sound the signals prescribed in Rule 34 (d).

(ii) This Rule does not relieve the overtaking vessel of her obligation under Rule 13.

(f) A vessel nearing a bend or an area of a narrow channel or fairway where other vessels may be obscured by an intervening obstruction shall navigate with particular alertness and caution and shall sound the appropriate signal prescribed in Rule 34 (e).

(g) Any vessel shall, if the circumstances of the case admit, avoid anchoring in a narrow channel.

RULE 10

Traffic separation schemes

(a) This Rule applies to traffic separation schemes adopted by the Organization.

(b) A vessel using a traffic separation scheme shall:

(i) proceed in the appropriate traffic lane in the general direction of traffic flow for that lane;
(ii) so far as practicable keep clear of a traffic separation line or separation zone;

(iii) normally join or leave a traffic lane at the termination of the lane, but when joining or leaving from the side shall do so at as small an angle to the general direction of traffic flow as practicable.

(c) A vessel shall so far as practicable avoid crossing traffic lanes, but if obliged to do so shall cross as nearly as practicable at right angles to the general direction of traffic flow.

(d) Inshore traffic zones shall not normally be used by through traffic which can safely use the appropriate traffic lane within the adjacent traffic separation scheme.

(e) A vessel, other than a crossing vessel, shall not normally enter a separation zone or cross a separation line except:

(i) in cases of emergency to avoid immediate danger;

(ii) to engage in fishing within a separation zone.

(f) A vessel navigating in areas near the termination of traffic separation schemes shall do so with particular caution.

(g) A vessel shall so far as practicable avoid anchoring in a traffic separation scheme or in areas near its terminations.

(h) A vessel not using a traffic separation scheme shall avoid it by as wide a margin as is practicable.

(i) A vessel engaged in fishing shall not impede the passage of any vessel following a traffic lane.

(j) A vessel of less than 20 metres in length or a sailing vessel shall not impede the safe passage of a power-driven vessel following a traffic lane.

SECTION II—CONDUCT OF VESSELS IN SIGHT OF ONE ANOTHER

RULE 11

Application

Rules in this Section apply to vessels in sight of one another.

RULE 12

Sailing vessels

(a) When two sailing vessels are approaching one another, so as to involve risk of collision, one of them shall keep out of the way of the other as follows:
(i) when each has the wind on a different side, the vessel which has the wind on the port side shall keep out of the way of the other;
(ii) when both have the wind on the same side, the vessel which is to windward shall keep out of the way of the vessel which is to leeward;
(iii) if a vessel with the wind on the port side sees a vessel to windward and cannot determine with certainty whether the other vessel has the wind on the port or on the starboard side, she shall keep out of the way of the other.

(b) For the purposes of this Rule the windward side shall be deemed to be the side opposite to that on which the mainsail is carried or, in the case of a square-rigged vessel, the side opposite to that on which the largest fore-and-aft sail is carried.

RULE 13
Overtaking

(a) Notwithstanding anything contained in the Rules of this Section any vessel overtaking any other shall keep out of the way of the vessel being overtaken.

(b) A vessel shall be deemed to be overtaking when coming up with another vessel from a direction more than 22.5 degrees abaft her beam, that is, in such a position with reference to the vessel she is overtaking, that at night she would be able to see only the sternlight of that vessel but neither of her sidelights.

(c) When a vessel is in any doubt as to whether she is overtaking another, she shall assume that this is the case and act accordingly.

(d) Any subsequent alteration of the bearing between the two vessels shall not make the overtaking vessel a crossing vessel within the meaning of these Rules or relieve her of the duty of keeping clear of the overtaken vessel until she is finally past and clear.

RULE 14
Head on situation

(a) When two power-driven vessels are meeting on reciprocal or nearly reciprocal courses so as to involve risk of collision each shall alter her course to starboard so that each shall pass on the port side of the other.

(b) Such a situation shall be deemed to exist when a vessel sees the other ahead or nearly ahead and by night she could see the masthead lights of the
other in a line or nearly in a line and/or both sidelights and by day she observes the corresponding aspect of the other vessel.

c) When a vessel is in any doubt as to whether such a situation exists she shall assume that it does exist and act accordingly.

RULE 15

Crossing Situation

When two power-driven vessels are crossing so as to involve risk of collision, the vessel which has the other on her own starboard side shall keep out of the way and shall, if the circumstances of the case admit, avoid crossing ahead of the other vessel.

RULE 16

Action by give-way vessel

Every vessel which is directed to keep out of the way of another vessel shall, so far as possible, take early and substantial action to keep well clear.

RULE 17

Action by stand-on vessel

(a) (i) Where one of two vessels is to keep out of the way the other shall keep her course and speed.

(ii) The latter vessel may however take action to avoid collision by her manoeuvre alone, as soon as it becomes apparent to her that the vessel required to keep out of the way is not taking appropriate action in compliance with these Rules.

(b) When, from any cause, the vessel required to keep her course and speed finds herself so close that collision cannot be avoided by the action of the give-way vessel alone, she shall take such action as will best aid to avoid collision.

(c) A power-driven vessel which takes action in a crossing situation in accordance with sub-paragraph (a) (ii) of this Rule to avoid collision with another power-driven vessel shall, if the circumstances of the case admit, not alter course to port for a vessel on her own port side.

(d) This Rule does not relieve the give-way vessel of her obligation to keep out of the way.
RULE 18

Responsibilities between vessels

Except where Rules 9, 10 and 13 otherwise require:

(a) A power-driven vessel underway shall keep out of the way of:
   (i) a vessel not under command;
   (ii) a vessel restricted in her ability to manoeuvre;
   (iii) a vessel engaged in fishing;
   (iv) a sailing vessel.

(b) A sailing vessel underway shall keep out of the way of:
   (i) a vessel not under command;
   (ii) a vessel restricted in her ability to manoeuvre;
   (iii) a vessel engaged in fishing.

(c) A vessel engaged in fishing when underway shall, so far as possible, keep out of the way of:
   (i) a vessel not under command;
   (ii) a vessel restricted in her ability to manoeuvre.

(d) (i) Any vessel other than a vessel not under command or a vessel restricted in her ability to manoeuvre shall, if the circumstances of the case admit, avoid impeding the safe passage of a vessel constrained by her draught, exhibiting the signals in Rule 28.
   (ii) A vessel constrained by her draught shall navigate with particular caution having full regard to her special condition.

(e) A seaplane on the water shall, in general, keep well clear of all vessels and avoid impeding their navigation. In circumstances, however, where risk of collision exists, she shall comply with the Rules of this Part.

SECTION III—CONDUCT OF VESSELS IN RESTRICTED VISIBILITY

RULE 19

Conduct of vessels in restricted visibility

(a) This Rule applies to vessels not in sight of one another when navigating in or near an area of restricted visibility.

(b) Every vessel shall proceed at a safe speed adapted to the prevailing circumstances and conditions of restricted visibility. A power-driven vessel shall have her engines ready for immediate manoeuvre.
(c) Every vessel shall have due regard to the prevailing circumstances and conditions of restricted visibility when complying with the Rules of Section I of this Part.

(d) A vessel which detects by radar alone the presence of another vessel shall determine if a close-quarters situation is developing and/or risk of collision exists. If so, she shall take avoiding action in ample time, provided that when such action consists of an alteration of course, so far as possible the following shall be avoided:

(i) an alteration of course to port for a vessel forward of the beam, other than for a vessel being overtaken;

(ii) an alteration of course towards a vessel abeam or abaft the beam.

(e) Except where it has been determined that a risk of collision does not exist, every vessel which hears apparently forward of her beam the fog signal of another vessel, or which cannot avoid a close-quarters situation with another vessel forward of her beam, shall reduce her speed to the minimum at which she can be kept on her course. She shall if necessary take all her way off and in any event navigate with extreme caution until danger of collision is over.

**PART C—LIGHTS AND SHAPES**

**RULE 20**

*Application*

(a) Rules in this Part shall be complied with in all weathers.

(b) The Rules concerning lights shall be complied with from sunset to sunrise, and during such times no other lights shall be exhibited, except such lights as cannot be mistaken for the lights specified in these Rules or do not impair their visibility or distinctive character, or interfere with the keeping of a proper look-out.

(c) The lights prescribed by these Rules shall, if carried, also be exhibited from sunrise to sunset in restricted visibility and may be exhibited in all other circumstances when it is deemed necessary.

(d) The Rules concerning shapes shall be complied with by day.

(e) The lights and shapes specified in these Rules shall comply with the provisions of Annex I to these Regulations.
RULE 21
Definitions

(a) “Masthead light” means a white light placed over the fore and aft centreline of the vessel showing an unbroken light over an arc of the horizon of 225 degrees and so fixed as to show the light from right ahead to 22.5 degrees abaft the beam on either side of the vessel.

(b) “Sidelights” means a green light on the starboard side and a red light on the port side each showing an unbroken light over an arc of the horizon of 112.5 degrees and so fixed as to show the light from right ahead to 22.5 degrees abaft the beam on its respective side. In a vessel of less than 20 metres in length the sidelights may be combined in one lantern carried on the fore and aft centreline of the vessel.

(c) “Sternlight” means a white light placed as nearly as practicable at the stern showing an unbroken light over an arc of the horizon of 135 degrees and so fixed as to show the light 67.5 degrees from right aft on each side of the vessel.

(d) “Towing light” means a yellow light having the same characteristics as the “sternlight” defined in paragraph (c) of this Rule.

(e) “All-round light” means a light showing an unbroken light over an arc of the horizon of 360 degrees.

(f) “Flashing light” means a light flashing at regular intervals at a frequency of 120 flashes or more per minute.

RULE 22
Visibility of Lights

The lights prescribed in these Rules shall have an intensity as specified in Section 8 of Annex I to these Regulations so as to be visible at the following minimum ranges:

(a) In vessels of 50 metres or more in length:
   — a masthead light, 6 miles;
   — a sidelight, 3 miles;
   — a sternlight, 3 miles;
   — a towing light, 3 miles;
   — a white, red, green or yellow all-round light, 3 miles.

(b) In vessels of 12 metres or more in length but less than 50 metres in length:
   — a masthead light, 5 miles; except that where the length of the vessel is less than 20 metres, 3 miles;
   — a sidelight, 2 miles;
—a sternlight, 2 miles;
—a towing light, 2 miles;
—a white, red, green or yellow all-round light, 2 miles.

(c) In vessels of less than 12 metres in length:
— a masthead light, 2 miles;
— a sidelight, 1 mile;
— a sternlight, 2 miles;
— a towing light, 2 miles;
— a white, red, green or yellow all-round light, 2 miles.

RULE 23

Power-driven vessels underway

(a) A power-driven vessel underway shall exhibit:
   (i) a masthead light forward;
   (ii) a second masthead light abaft of and higher than the forward one; except that a vessel of less than 50 metres in length shall not be obliged to exhibit such light but may do so;
   (iii) sidelights;
   (iv) a sternlight.

(b) An air-cushion vessel when operating in the non-displacement mode shall, in addition to the lights prescribed in paragraph (a) of this Rule, exhibit an all-round flashing yellow light.

(c) A power-driven vessel of less than 7 metres in length and whose maximum speed does not exceed 7 knots may, in lieu of the lights prescribed in paragraph (a) of this Rule, exhibit an all-round white light. Such vessel shall, if practicable, also exhibit sidelights.

RULE 24

Towing and pushing

(a) A power-driven vessel when towing shall exhibit:
   (i) instead of the light prescribed in Rule 23 (a) (i), two masthead lights forward in a vertical line. When the length of the tow, measuring from the stern of the towing vessel to the after end of the tow exceeds 200 metres, three such lights in a vertical line;
   (ii) sidelights;
   (iii) a sternlight;
   (iv) a towing light in a vertical line above the sternlight;
(v) when the length of the tow exceeds 200 metres, a diamond shape where it can best be seen.

(b) When a pushing vessel and a vessel being pushed ahead are rigidly connected in a composite unit they shall be regarded as a power-driven vessel and exhibit the lights prescribed in Rule 23.

(c) A power-driven vessel when pushing ahead or towing alongside, except in the case of a composite unit, shall exhibit:
   (i) instead of the light prescribed in Rule 23 (a) (i), two masthead lights forward in a vertical line;
   (ii) sidelights;
   (iii) a sternlight.

(d) A power-driven vessel to which paragraphs (a) and (c) of this Rule apply shall also comply with Rule 23 (a) (ii).

(e) A vessel or object being towed shall exhibit:
   (i) sidelights;
   (ii) a sternlight;
   (iii) when the length of the tow exceeds 200 metres, a diamond shape where it can best be seen.

(f) Provided that any number of vessels being towed alongside or pushed in a group shall be lighted as one vessel,
   (i) a vessel being pushed ahead, not being part of a composite unit, shall exhibit at the forward end, sidelights;
   (ii) a vessel being towed alongside shall exhibit a sternlight and at the forward end, sidelights.

(g) Where from any sufficient cause it is impracticable for a vessel or object being towed to exhibit the lights prescribed in paragraph (e) of this Rule, all possible measures shall be taken to light the vessel or object towed or at least to indicate the presence of the unlighted vessel or object.

RULE 25

Sailing vessels underway and vessels under oars

(a) A sailing vessel underway shall exhibit:
   (i) sidelights;
   (ii) a sternlight.

(b) In a sailing vessel of less than 12 metres in length the lights prescribed in paragraph (a) of this Rule may be combined in one lantern carried at or near the top of the mast where it can best be seen.
Schedule 3
Convention on the International Regulations for Preventing Collisions at Sea, 1972

(c) A sailing vessel underway may, in addition to the lights prescribed in paragraph (a) of this Rule, exhibit at or near the top of the mast, where they can best be seen, two all-round lights in a vertical line, the upper being red and the lower green, but these lights shall not be exhibited in conjunction with the combined lantern permitted by paragraph (b) of this Rule.

(d) (i) A sailing vessel of less than 7 metres in length shall, if practicable, exhibit the lights prescribed in paragraph (a) or (b) of this Rule, but if she does not, she shall have ready at hand an electric torch or lighted lantern showing a white light which shall be exhibited in sufficient time to prevent collision.

(ii) A vessel under oars may exhibit the lights prescribed in this Rule for sailing vessels, but if she does not, she shall have ready at hand an electric torch or lighted lantern showing a white light which shall be exhibited in sufficient time to prevent collision.

(e) A vessel proceeding under sail when also being propelled by machinery shall exhibit forward where it can best be seen a conical shape, apex downwards.

RULE 26
Fishing vessels

(a) A vessel engaged in fishing, whether underway or at anchor, shall exhibit only the lights and shapes prescribed in this Rule.

(b) A vessel when engaged in trawling, by which is meant the dragging through the water of a dredge net or other apparatus used as a fishing appliance, shall exhibit:

(i) two all-round lights in a vertical line, the upper being green and the lower white, or a shape consisting of two cones with their apexes together in a vertical line one above the other; a vessel of less than 20 metres in length may instead of this shape exhibit a basket;

(ii) a masthead light abaft of and higher than the all-round green light; a vessel of less than 50 metres in length shall not be obliged to exhibit such a light but may do so;

(iii) when making way through the water, in addition to the lights prescribed in this paragraph, sidelights and a sternlight.

(c) A vessel engaged in fishing, other than trawling, shall exhibit:

(i) two all-round lights in a vertical line, the upper being red and the lower white, or a shape consisting of two cones with apexes together in a vertical line one above the other; a vessel of less
than 20 metres in length may instead of this shape exhibit a basket;

(ii) when there is outlying gear extending more than 150 metres horizontally from the vessel, an all-round white light or a cone apex upwards in the direction of the gear;

(iii) when making way through the water, in addition to the lights prescribed in this paragraph, sidelights and a sternlight.

(d) A vessel engaged in fishing in close proximity to other vessels engaged in fishing may exhibit the additional signals described in Annex II to these Regulations.

(e) A vessel when not engaged in fishing shall not exhibit the lights or shapes prescribed in this Rule, but only those prescribed for a vessel of her length.

RULE 27

Vessels not under command or restricted in their ability to manoeuvre

(a) A vessel not under command shall exhibit:

(i) two all-round red lights in a vertical line where they can best be seen;

(ii) two balls or similar shapes in a vertical line where they can best be seen;

(iii) when making way through the water, in addition to the lights prescribed in this paragraph, sidelights and a sternlight.

(b) A vessel restricted in her ability to maneouvure, except a vessel engaged in minesweeping operations, shall exhibit:

(i) three all-round lights in a vertical line where they can best be seen. The highest and lowest of these lights shall be red and the middle light shall be white;

(ii) three shapes in a vertical line where they can best be seen. The highest and lowest of these shapes shall be balls and the middle one a diamond;

(iii) when making way through the water, masthead lights, sidelights and a sternlight, in addition to the lights prescribed in sub-paragraph (i);

(iv) when at anchor, in addition to the lights or shapes prescribed in sub-paragraphs (i) and (ii), the light, lights or shape prescribed in Rule 30.

(c) A vessel engaged in a towing operation such as renders her unable to deviate from her course shall, in addition to the lights or shapes prescribed
in sub-paragraphs (b) (i) and (ii) of this Rule, exhibit the lights or shape prescribed in Rule 24 (a).

(d) A vessel engaged in dredging or underwater operations, when restricted in her ability to manoeuvre, shall exhibit the lights and shapes prescribed in paragraph (b) of this Rule and shall in addition, when an obstruction exists, exhibit:

(i) two all-round red lights or two balls in a vertical line to indicate the side on which the obstruction exists;

(ii) two all-round green lights or two diamonds in a vertical line to indicate the side on which another vessel may pass;

(iii) when making way through the water, in addition to the lights prescribed in this paragraph, masthead lights, sidelights and a sternlight;

(iv) a vessel to which this paragraph applies when at anchor shall exhibit the lights or shapes prescribed in sub-paragraphs (i) and (ii) instead of the lights or shape prescribed in Rule 30.

(e) Whenever the size of a vessel engaged in diving operations makes it impracticable to exhibit the shapes prescribed in paragraph (d) of this Rule, a rigid replica of the International Code flag “A” not less than 1 metre in height shall be exhibited. Measures shall be taken to ensure all-round visibility.

(f) A vessel engaged in minesweeping operations shall, in addition to the lights prescribed for a power-driven vessel in Rule 23, exhibit three all-round green lights or three balls. One of these lights or shapes shall be exhibited at or near the foremost head and one at each end of the fore yard. These lights or shapes indicate that it is dangerous for another vessel to approach closer than 1,000 metres astern or 500 metres on either side of the minesweeper.

(g) Vessels of less than 7 metres in length shall not be required to exhibit the lights prescribed in this Rule.

(h) The signals prescribed in this Rule are not signals of vessels in distress and requiring assistance. Such signals are contained in Annex IV to these Regulations.

**RULE 28**

*Vessels constrained by their draught*

A vessel constrained by her draught may, in addition to the lights prescribed for power-driven vessels in Rule 23, exhibit where they can best be seen three all-round red lights in a vertical line, or a cylinder.
RULE 29

Pilot vessels

(a) A vessel engaged on pilotage duty shall exhibit:
   (i) at or near the masthead, two all-round lights in a vertical line, the upper being white and the lower red;
   (ii) when underway, in addition, sidelights and a sternlight;
   (iii) when at anchor, in addition to the lights prescribed in sub-paragraph (i), the anchor light, lights or shape.

(b) A pilot vessel when not engaged on pilotage duty shall exhibit the lights or shapes prescribed for a similar vessel of her length.

RULE 30

Anchored vessels and vessels aground

(a) A vessel at anchor shall exhibit where it can best be seen:
   (i) in the fore part, an all-round white light or one ball;
   (ii) at or near the stern and at a lower level than the light prescribed in sub-paragraph (i), an all-round white light.

(b) A vessel of less than 50 metres in length may exhibit an all-round white light where it can best be seen instead of the lights prescribed in paragraph (a) of this Rule.

(c) A vessel at anchor may, and a vessel of 100 metres and more in length shall, also use the available working or equivalent lights to illuminate her decks.

(d) A vessel aground shall exhibit the lights prescribed in paragraph (a) or (b) of this Rule and in addition, where they can best be seen:
   (i) two all-round red lights in a vertical line;
   (ii) three balls in a vertical line.

(e) A vessel of less than 7 metres in length, when at anchor or aground, not in or near a narrow channel, fairway or anchorage, or where other vessels normally navigate, shall not be required to exhibit the lights or shapes prescribed in paragraphs (a), (b) or (d) of this Rule.
RULE 31

Seaplanes

Where it is impracticable for a seaplane to exhibit lights and shapes of the characteristics or in the positions prescribed in the Rules of this Part she shall exhibit lights and shapes as closely similar in characteristics and position as is possible.

PART D—SOUND AND LIGHT SIGNALS

RULE 32

Definitions

(a) The word “whistle” means any sound signalling appliance capable of producing the prescribed blasts and which complies with the specifications in Annex III to these Regulations.

(b) The term “short blast” means a blast of about one second’s duration.

(c) The term “prolonged blast” means a blast of from four to six seconds’ duration.

RULE 33

Equipment for sound signals

(a) A vessel of 12 metres or more in length shall be provided with a whistle and a bell and a vessel of 100 metres or more in length shall, in addition, be provided with a gong, the tone and sound of which cannot be confused with that of the bell. The whistle, bell and gong shall comply with the specifications in Annex III to these Regulations. The bell or gong or both may be replaced by other equipment having the same respective sound characteristics, provided that manual sounding of the required signals shall always be possible.

(b) A vessel of less than 12 metres in length shall not be obliged to carry the sound signalling appliances prescribed in paragraph (a) of this Rule but if she does not, she shall be provided with some other means of making an efficient sound signal.
RULE 34

Manoeuvring and warning signals

(a) When vessels are in sight of one another, a power-driven vessel underway, when manoeuvring as authorized or required by these Rules, shall indicate that manoeuvre by the following signals on her whistle:
— one short blast to mean “I am altering my course to starboard”;
— two short blasts to mean “I am altering my course to port”;
— three short blasts to mean “I am operating astern propulsion”.

(b) Any vessel may supplement the whistle signals prescribed in paragraph (a) of this Rule by light signals, repeated as appropriate, whilst the manoeuvre is being carried out:

(i) these light signals shall have the following significance:
   — one flash to mean “I am altering my course to starboard”;
   — two flashes to mean “I am altering my course to port”;
   — three flashes to mean “I am operating astern propulsion”;

(ii) the duration of each flash shall be about one second, the interval between flashes shall be about one second, and the interval between successive signals shall be not less than ten seconds;

(iii) the light used for this signal shall, if fitted, be an all-round white light, visible at a minimum range of 5 miles, and shall comply with the provisions of Annex I.

(c) When in sight of one another in a narrow channel or fairway:

(i) a vessel intending to overtake another shall in compliance with Rule 9 (e) (i) indicate her intention by the following signals on her whistle:
   — two prolonged blasts followed by one short blast to mean “I intend to overtake you on your starboard side”;
   — two prolonged blasts followed by two short blasts to mean “I intend to overtake you on your port side”;

(ii) the vessel about to be overtaken when acting in accordance with Rule 9 (e) (i) shall indicate her agreement by the following signal on her whistle:
   — one prolonged, one short, one prolonged and one short blast, in that order.

(d) When vessels in sight of one another are approaching each other and from any cause either vessel fails to understand the intentions or actions of the other, or is in doubt whether sufficient action is being taken by the other to avoid collision, the vessel in doubt shall immediately indicate such doubt by
giving at least five short and rapid blasts on the whistle. Such signal may be supplemented by a light signal of at least five short and rapid flashes.

(e) A vessel nearing a bend or an area of a channel or fairway where other vessels may be obscured by an intervening obstruction shall sound one prolonged blast. Such signal shall be answered with a prolonged blast by any approaching vessel that may be within hearing around the bend or behind the intervening obstruction.

(f) If whistles are fitted on a vessel at a distance apart of more than 100 metres, one whistle only shall be used for giving manoeuvring and warning signals.

RULE 35

Sound signals in restricted visibility

In or near an area of restricted visibility, whether by day or night, the signals prescribed in this Rule shall be used as follows:

(a) A power-driven vessel making way through the water shall sound at intervals of not more than 2 minutes one prolonged blast.

(b) A power-driven vessel underway but stopped and making no way through the water shall sound at intervals of not more than 2 minutes two prolonged blasts in succession with an interval of about 2 seconds between them.

(c) A vessel not under command, a vessel restricted in her ability to manoeuvre, a vessel constrained by her draught, a sailing vessel, a vessel engaged in fishing and a vessel engaged in towing or pushing another vessel shall, instead of the signals prescribed in paragraphs (a) or (b) of this Rule, sound at intervals of not more than 2 minutes three blasts in succession, namely one prolonged followed by two short blasts.

(d) A vessel towed or if more than one vessel is towed the last vessel of the tow, if manned, shall at intervals of not more than 2 minutes sound four blasts in succession, namely one prolonged followed by three short blasts. When practicable, this signal shall be made immediately after the signal made by the towing vessel.

(e) When a pushing vessel and a vessel being pushed ahead are rigidly connected in a composite unit they shall be regarded as a power-driven vessel and shall give the signals prescribed in paragraphs (a) or (b) of this Rule.

(f) A vessel at anchor shall at intervals of not more than one minute ring the bell rapidly for about 5 seconds. In a vessel of 100 metres or more in length the bell shall be sounded in the forepart of the vessel and
immediately after the ringing of the bell the gong shall be sounded rapidly for about 5 seconds in the after part of the vessel. A vessel at anchor may in addition sound three blasts in succession, namely one short, one prolonged and one short blast, to give warning of her position and of the possibility of collision to an approaching vessel.

(g) A vessel aground shall give the bell signal and if required the gong signal prescribed in paragraph (f) of this Rule and shall, in addition, give three separate and distinct strokes on the bell immediately before and after the rapid ringing of the bell. A vessel aground may in addition sound an appropriate whistle signal.

(h) A vessel of less than 12 metres in length shall not be obliged to give the above-mentioned signals but, if she does not, shall make some other efficient sound signal at intervals of not more than 2 minutes.

(i) A pilot vessel when engaged on pilotage duty may in addition to the signals prescribed in paragraphs (a), (b) or (f) of this Rule sound an identity signal consisting of four short blasts.

**RULE 36**

*Signals to attract attention*

If necessary to attract the attention of another vessel any vessel may make light or sound signals that cannot be mistaken for any signal authorized elsewhere in these Rules, or may direct the beam of her searchlight in the direction of the danger, in such a way as not to embarrass any vessel.

**RULE 37**

*Distress signals*

When a vessel is in distress and requires assistance she shall use or exhibit the signals prescribed in Annex IV to these Regulations.

**PART E—EXEMPTIONS**

**RULE 38**

*Exemptions*

Any vessel (or class of vessels) provided that she complies with the requirements of the International Regulations for Preventing Collisions at Sea, 1960, the keel of which is laid or which is at a corresponding stage of
construction before the entry into force of these Regulations may be exempted from compliance therewith as follows:

(a) The installation of lights with ranges prescribed in Rule 22, until four years after the date of entry into force of these Regulations.

(b) The installation of lights with colour specifications as prescribed in Section 7 of Annex I to these Regulations, until four years after the date of entry into force of these Regulations.

(c) The repositioning of lights as a result of conversion from Imperial to metric units and rounding off measurement figures, permanent exemption.

(d) (i) The repositioning of masthead lights on vessels of less than 150 metres in length, resulting from the prescriptions of Section 3 (a) of Annex I, permanent exemption.

(ii) The repositioning of masthead lights on vessels of 150 metres or more in length, resulting from the prescriptions of Section 3 (a) of Annex I to these Regulations, until nine years after the date of entry into force of these Regulations.

(e) The repositioning of masthead lights resulting from the prescriptions of Section 2 (b) of Annex I, until nine years after the date of entry into force of these Regulations.

(f) The repositioning of sidelights resulting from the prescriptions of Sections 2 (g) and 3 (b) of Annex I, until nine years after the date of entry into force of these Regulations.

(g) The requirements for sound signal appliances prescribed in Annex III, until nine years after the date of entry into force of these Regulations.
ANNEX I

POSITIONING AND TECHNICAL DETAILS OF LIGHTS AND SHAPES

1. Definition

The term “height above the hull” means height above the uppermost continuous deck.

2. Vertical positioning and spacing of lights

(a) On a power-driven vessel of 20 metres or more in length the masthead lights shall be placed as follows:

   (i) the forward masthead light, or if only one masthead light is carried, then that light, at a height above the hull of not less than 6 metres, and, if the breadth of the vessel exceeds 6 metres, then at a height above the hull not less than such breadth, so however that the light need not be placed at a greater height above the hull than 12 metres;

   (ii) when two masthead lights are carried the after one shall be at least 4.5 metres vertically higher than the forward one.

(b) The vertical separation of masthead lights of power-driven vessels shall be such that in all normal conditions of trim the after light will be seen over and separate from the forward light at a distance of 1000 metres from the stem when viewed from sea level.

(c) The masthead light of a power-driven vessel of 12 metres but less than 20 metres in length shall be placed at a height above the gunwale of not less than 2.5 metres.

(d) A power-driven vessel of less than 12 metres in length may carry the uppermost light at a height of less than 2.5 metres above the gunwale. When however a masthead light is carried in addition to sidelights and a sternlight, then such masthead light shall be carried at least 1 metre higher than the sidelights.

(e) One of the two or three masthead lights prescribed for a power-driven vessel when engaged in towing or pushing another vessel shall be placed in the same position as the forward masthead light of a power-driven vessel.

(f) In all circumstances the masthead light or lights shall be so placed as to be above and clear of all other lights and obstructions.
(g) The sidelights of a power-driven vessel shall be placed at a height above the hull not greater than three quarters of that of the forward masthead light. They shall not be so low as to be interfered with by deck lights.

(h) The sidelights, if in a combined lantern and carried on a power-driven vessel of less than 20 metres in length, shall be placed not less than 1 metre below the masthead light.

(i) When the Rules prescribe two or three lights to be carried in a vertical line, they shall be spaced as follows:

   (i) on a vessel of 20 metres in length or more such lights shall be spaced not less than 2 metres apart, and the lowest of these lights shall, except where a towing light is required, not be less than 4 metres above the hull;

   (ii) on a vessel of less than 20 metres in length such lights shall be spaced not less than 1 metre apart and the lowest of these lights shall, except where a towing light is required, not be less than 2 metres above the gunwale;

   (iii) when three lights are carried they shall be equally spaced.

(j) The lower of the two all-round lights prescribed for a fishing vessel when engaged in fishing shall be at a height above the sidelights not less than twice the distance between the two vertical lights.

(k) The forward anchor light, when two are carried, shall not be less than 4.5 metres above the after one. On a vessel of 50 metres or more in length this forward anchor light shall not be less than 6 metres above the hull.

3. Horizontal positioning and spacing of lights

(a) When two masthead lights are prescribed for a power-driven vessel, the horizontal distance between them shall not be less than one half of the length of the vessel but need not be more than 100 metres. The forward light shall be placed not more than one quarter of the length of the vessel from the stem.

(b) On a vessel of 20 metres or more in length the sidelights shall not be placed in front of the forward masthead lights. They shall be placed at or near the side of the vessel.

4. Details of location of direction-indicating lights for fishing vessels, dredgers and vessels engaged in underwater operations

(a) The light indicating the direction of the outlying gear from a vessel engaged in fishing as prescribed in Rule 26 (c) (ii) shall be placed at a horizontal distance of not less than 2 metres and not more than 6 metres
away from the two all-round red and white lights. This light shall be placed not higher than the all-round white light prescribed in Rule 26 (c) (i) and not lower than the sidelights.

(b) The lights and shapes on a vessel engaged in dredging or underwater operations to indicate the obstructed side and/or the side on which it is safe to pass, as prescribed in Rule 27 (d) (i) and (ii), shall be placed at the maximum practical horizontal distance, but in no case less than 2 metres, from the lights or shapes prescribed in Rule 27 (b) (i) and (ii). In no case shall the upper of these lights or shapes be at a greater height than the lower of the three lights or shapes prescribed in Rule 27 (b) (i) and (ii).

5. Screens for sidelights

The sidelights shall be fitted with inboard screens painted matt black, and meeting the requirements of Section 9 of this Annex. With a combined lantern, using a single vertical filament and a very narrow division between the green and red sections, external screens need not be fitted.

6. Shapes

(a) Shapes shall be black and of the following sizes:
   (i) a ball shall have a diameter of not less than 0.6 metre;
   (ii) a cone shall have a base diameter of not less than 0.6 metre and a height equal to its diameter;
   (iii) a cylinder shall have a diameter of at least 0.6 metre and a height of twice its diameter;
   (iv) a diamond shape shall consist of two cones as defined in (ii) above having a common base.

(b) The vertical distance between shapes shall be at least 1.5 metres.

(c) In a vessel of less than 20 metres in length shapes of lesser dimensions but commensurate with the size of the vessel may be used and the distance apart may be correspondingly reduced.

7. Colour specification of lights

The chromaticity of all navigation lights shall conform to the following standards, which lie within the boundaries of the area of the diagram specified for each colour by the International Commission on Illumination (CIE).

The boundaries of the area for each colour are given by indicating the corner co-ordinates, which are as follows:

(i) White

<table>
<thead>
<tr>
<th>x</th>
<th>0.525</th>
<th>0.525</th>
<th>0.452</th>
<th>0.310</th>
<th>0.310</th>
<th>0.443</th>
</tr>
</thead>
<tbody>
<tr>
<td>y</td>
<td>0.382</td>
<td>0.440</td>
<td>0.440</td>
<td>0.348</td>
<td>0.283</td>
<td>0.382</td>
</tr>
</tbody>
</table>
8. **Intensity of lights**

(a) The minimum luminous intensity of lights shall be calculated by using the formula:

\[ I = 3.43 \times 10^6 \times T \times D^2 \times K^D \]

where
- \( I \) is luminous intensity in candelas under service conditions,
- \( T \) is threshold factor \( 2 \times 10^7 \) lux,
- \( D \) is range of visibility (luminous range) of the light in nautical miles,
- \( K \) is atmospheric transmissivity.

For prescribed lights the value of \( K \) shall be 0.8, corresponding to a meteorological visibility of approximately 13 nautical miles.

(b) A selection of figures derived from the formula is given in the following table:

<table>
<thead>
<tr>
<th>Range of visibility (luminous range) of light in nautical miles</th>
<th>Luminous intensity of light in candelas for ( K = 0.8 )</th>
</tr>
</thead>
<tbody>
<tr>
<td>( D )</td>
<td>( I )</td>
</tr>
<tr>
<td>1</td>
<td>0.9</td>
</tr>
<tr>
<td>2</td>
<td>4.3</td>
</tr>
<tr>
<td>3</td>
<td>12</td>
</tr>
<tr>
<td>4</td>
<td>27</td>
</tr>
<tr>
<td>5</td>
<td>52</td>
</tr>
<tr>
<td>6</td>
<td>94</td>
</tr>
</tbody>
</table>

**NOTE:** The maximum luminous intensity of navigation lights should be limited to avoid undue glare.

9. **Horizontal Sectors**

(a) (i) In the forward direction, sidelights as fitted on the vessel must show the minimum required intensities. The intensities must
decrease to reach practical cut-off between 1 degree and 3 degrees outside the prescribed sectors.

(ii) For sternlights and masthead lights and at 22.5 degrees abaft the beam for sidelights, the minimum required intensities shall be maintained over the arc of the horizon up to 5 degrees within the limits of the sectors prescribed in Rule 21. From 5 degrees within the prescribed sectors the intensity may decrease by 50 per cent up to the prescribed limits; it shall decrease steadily to reach practical cut-off at not more than 5 degrees outside the prescribed limits.

(b) All-round lights shall be so located as not to be obscured by masts, topmasts or structures within angular sectors of more than 6 degrees, except anchor lights, which need not be placed at an impracticable height above the hull.

10. Vertical Sectors
   (a) The vertical sectors of electric lights, with the exception of lights on sailing vessels shall ensure that:
      (i) at least the required minimum intensity is maintained at all angles from 5 degrees above to 5 degrees below the horizontal;
      (ii) at least 60 per cent of the required minimum intensity is maintained from 7.5 degrees above to 7.5 degrees below the horizontal.

   (b) In the case of sailing vessels the vertical sectors of electric lights shall ensure that:
      (i) at least the required minimum intensity is maintained at all angles from 5 degrees above to 5 degrees below the horizontal;
      (ii) at least 50 per cent of the required minimum intensity is maintained from 25 degrees above to 25 degrees below the horizontal.

   (c) In the case of lights other than electric these specifications shall be met as closely as possible.

11. Intensity of non-electric lights

   Non-electric lights shall so far as practicable comply with the minimum intensities, as specified in the Table given in Section 8 of this Annex.

12. Manoeuvring light

   Notwithstanding the provisions of paragraph 2 (f) of this Annex the manoeuvring light described in Rule 34 (b) shall be placed in the same fore and aft vertical plane as the masthead light or lights and, where practicable, at a minimum height of 2 metres vertically above the forward masthead light.
provided that it shall be carried not less than 2 metres vertically above or below the after masthead light. On a vessel where only one masthead light is carried the manoeuvring light, if fitted, shall be carried where it can best be seen, not less than 2 metres vertically apart from the masthead light.

13. **Approval**

The construction of lanterns and shapes and the installation of lanterns on board the vessel shall be to the satisfaction of the appropriate authority of the State where the vessel is registered.
ANNEX II

ADDITIONAL SIGNALS FOR FISHING VESSELS FISHING IN CLOSE PROXIMITY

1. General

The lights mentioned herein shall, if exhibited in pursuance of Rule 26 (d), be placed where they can best be seen. They shall be at least 0.9 metre apart but at a lower level than lights prescribed in Rule 26 (b) (i) and (c) (i). The lights shall be visible all round the horizon at a distance of at least 1 mile but at a lesser distance than the lights prescribed by these Rules for fishing vessels.

2. Signals for Trawlers

(a) Vessels when engaged in trawling, whether using demersal or pelagic gear, may exhibit:
   (i) when shooting their nets: two white lights in a vertical line;
   (ii) when hauling their nets: one white light over one red light in a vertical line;
   (iii) when the net has come fast upon an obstruction: two red lights in a vertical line.

(b) Each vessel engaged in pair trawling may exhibit:
   (i) by night, a searchlight directed forward and in the direction of the other vessel of the pair;
   (ii) when shooting or hauling their nets or when their nets have come fast upon an obstruction, the lights prescribed in 2 (a) above.

3. Signals for purse seiners

Vessels engaged in fishing with purse seine gear may exhibit two yellow lights in a vertical line. These lights shall flash alternately every second and with equal light and occultation duration. These lights may be exhibited only when the vessel is hampered by its fishing gear.
ANNEX III

TECHNICAL DETAILS OF SOUND SIGNAL APPLIANCES

1. **Whistles**

   (a) *Frequencies and range of audibility* The fundamental frequency of the signal shall lie within the range 70–700 Hz.

   The range of audibility of the signal from a whistle shall be determined by those frequencies, which may include the fundamental and/or one or more higher frequencies, which lie within the range 180–700 Hz (± 1 per cent) and which provide the sound pressure levels specified in paragraph 1 (c) below.

   (b) *Limits of fundamental frequencies* To ensure a wide variety of whistle characteristics, the fundamental frequency of a whistle shall be between the following limits:

   (i) 70–200 Hz, for a vessel 200 metres or more in length;

   (ii) 130–350 Hz, for a vessel 75 metres but less than 200 metres in length;

   (iii) 250–700 Hz, for a vessel less than 75 metres in length.

   (c) *Sound signal intensity and range of audibility* A whistle fitted in a vessel shall provide, in the direction of maximum intensity of the whistle and at a distance of 1 metre from it, a sound pressure level in at least one 1/3rd-octave band within the range of frequencies 180–700 Hz (± 1 per cent) of not less than the appropriate figure given in the table below.

<table>
<thead>
<tr>
<th>Length of vessel in metres</th>
<th>1/3rd-octave band level at 1 metre in dB referred to $2 \times 10^{-5} \text{ N/m}^2$</th>
<th>Audibility range in nautical miles</th>
</tr>
</thead>
<tbody>
<tr>
<td>200 or more ..................</td>
<td>143</td>
<td>2</td>
</tr>
<tr>
<td>75 but less than 200 ........</td>
<td>138</td>
<td>1.5</td>
</tr>
<tr>
<td>20 but less than 75 ..........</td>
<td>130</td>
<td>1</td>
</tr>
<tr>
<td>Less than 20 ..................</td>
<td>120</td>
<td>0.5</td>
</tr>
</tbody>
</table>

   The range of audibility in the table above is for information and is approximately the range at which a whistle may be heard on its forward axis with 90 per cent probability in conditions of still air on board a vessel having average background noise level at the listening posts.
(taken to be 68 dB in the octave band centred on 250 Hz and 63 dB in the octave band centred on 500 Hz).

In practice the range at which a whistle may be heard is extremely variable and depends critically on weather conditions; the values given can be regarded as typical but under conditions of strong wind or high ambient noise level at the listening post the range may be much reduced.

(d) **Directional properties** The sound pressure level of a directional whistle shall be not more than 4 dB below the sound pressure level on the axis at any direction in the horizontal plane within ±45 degrees of the axis. The sound pressure level at any other direction in the horizontal plane shall be not more than 10 dB below the sound pressure level on the axis, so that the range in any direction will be at least half the range on the forward axis. The sound pressure level shall be measured in that 1/3rd-octave band which determines the audibility range.

(e) **Positioning of whistles** When a directional whistle is to be used as the only whistle on a vessel, it shall be installed with its maximum intensity directed straight ahead.

A whistle shall be placed as high as practicable on a vessel, in order to reduce interception of the emitted sound by obstructions and also to minimize hearing damage risk to personnel. The sound pressure level of the vessel’s own signal at listening posts shall not exceed 110 dB (A) and so far as practicable should not exceed 100 dB (A).

(f) **Fitting of more than one whistle** If whistles are fitted at a distance apart of more than 100 metres, it shall be so arranged that they are not sounded simultaneously.

(g) **Combined whistle systems** If due to the presence of obstructions the sound field of a single whistle or of one of the whistles referred to in paragraph 1 (f) above is likely to have a zone of greatly reduced signal level, it is recommended that a combined whistle system be fitted so as to overcome this reduction. For the purposes of the Rules a combined whistle system is to be regarded as a single whistle. The whistles of a combined system shall be located at a distance apart of not more than 100 metres and arranged to be sounded simultaneously. The frequency of any one whistle shall differ from those of the others by at least 10 Hz.

2. **Bell or gong**

(a) **Intensity of signal** A bell or gong, or other device having similar sound characteristics shall produce a sound pressure level of not less than 110 dB at 1 metre.
Schedule 3  Convention on the International Regulations for Preventing Collisions at Sea, 1972

(b) Construction Bells and gongs shall be made of corrosion-resistant material and designed to give a clear tone. The diameter of the mouth of the bell shall be not less than 300 mm for vessels of more than 20 metres in length, and shall be not less than 200 mm for vessels of 12 to 20 metres in length. Where practicable, a power-driven bell striker is recommended to ensure constant force but manual operation shall be possible. The mass of the striker shall be not less than 3 per cent of the mass of the bell.

3. Approval

The construction of sound signal appliances, their performance and their installation on board the vessel shall be to the satisfaction of the appropriate authority of the State where the vessel is registered.
ANNEX IV

DISTRESS SIGNALS

1. The following signals, used or exhibited either together or separately, indicate distress and need of assistance:
   (a) a gun or other explosive signal fired at intervals of about a minute;
   (b) a continuous sounding with any fog-signalling apparatus;
   (c) rockets or shells, throwing red stars fired one at a time at short intervals;
   (d) a signal made by radiotelegraphy or by any other signalling method consisting of the group . . . - - - . . . (SOS) in the Morse Code;
   (e) a signal sent by radiotelephony consisting of the spoken word “Mayday”;
   (f) the International Code Signal of distress indicated by N.C.;
   (g) a signal consisting of a square flag having above or below it a ball or anything resembling a ball;
   (h) flames on the vessel (as from a burning tar barrel, oil barrel, etc.);
   (i) a rocket parachute flare or a hand flare showing a red light;
   (j) a smoke signal giving off orange-coloured smoke;
   (k) slowly and repeatedly raising and lowering arms outstretched to each side;
   (l) the radiotelegraph alarm signal;
   (m) the radiotelephone alarm signal;
   (n) signals transmitted by emergency position-indicating radio beacons.

2. The use or exhibition of any of the foregoing signals except for the purpose of indicating distress and need of assistance and the use of other signals which may be confused with any of the above signals is prohibited.

3. Attention is drawn to the relevant sections of the International Code of Signals, the Merchant Ship Search and Rescue Manual and the following signals:
   (a) a piece of orange-coloured canvas with either a black square and circle or other appropriate symbol (for identification from the air);
   (b) a dye marker.
ARTICLE 1

General Obligation under the Convention

(1) The Contracting Governments undertake to give effect to the provisions of the present Convention and the Annexes hereto which shall constitute an integral part of the present Convention. Every reference to the present Convention constitutes at the same time a reference to Annexes.

(2) The Contracting Governments shall undertake all measures which may be necessary to give effect to the present Convention.

ARTICLE 2

Definitions

For the purpose of the present Convention, unless expressly provided otherwise:

(1) “Regulations” means the Regulations annexed to the present Convention.

(2) “Administration” means the Government of the State whose flag the ship is flying.

(3) “Approved” means approved by the Administration.

(4) “International voyage” means a sea voyage from a country to which the present Convention applies to a port outside such country, or conversely. For this purpose, every territory for the international relations of which a Contracting Government is responsible or for which the United Nations are the administering authority is regarded as a separate country.

(5) A “fishing vessel” is a ship used for catching fish, whales, seals, walrus or other living resources of the sea.

(6) “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 of coming into force of the present Convention for each Contracting Government.
(7) “Existing ship” means a ship which is not a new ship.

(8) “Length” means 96 per cent of the total length on a waterline at 85 per cent of the least moulded depth measured from the top of the keel, or the length from the fore side of the stem to the axis of the rudder stock on that waterline, if that be greater. In ships designed with a rake of keel the waterline on which this length is measured shall be parallel to the designed waterline.

ARTICLE 3

General Provisions

(1) No ship to which the present Convention applies shall proceed to sea on an international voyage after the date on which the present Convention comes into force unless it has been surveyed, marked and provided with an International Load Line Certificate (1966) or, where appropriate, an International Load Line Exemption Certificate in accordance with the provisions of the present Convention.

(2) Nothing in this Convention shall prevent an Administration from assigning a greater freeboard than the minimum freeboard determined in accordance with Annex I.

ARTICLE 4

Application

(1) The present Convention shall apply to:
   (a) ships registered in countries the Governments of which are Contracting Governments;
   (b) ships registered in territories to which the present Convention is extended under Article 32; and
   (c) unregistered ships flying the flag of a State, the Government of which is a Contracting Government.

(2) The present Convention shall apply to ships engaged on international voyages.

(3) The Regulations contained in Annex I are specifically applicable to new ships.

(4) Existing ships which do not fully comply with the requirements of the Regulations contained in Annex I or any part thereof shall meet at least such lesser related requirements as the Administration applied to ships on
international voyages prior to the coming into force of the present Convention; in no case shall such ships be required to increase their freeboards. In order to take advantage of any reduction in freeboard from that previously assigned, existing ships shall comply with all requirements of the present Convention.

(5) The Regulations contained in Annex II are applicable to new and existing ships to which the present Convention applies.

ARTICLE 5

Exemptions

(1) The present Convention shall not apply to:
(a) ships of war;
(b) new ships of less than 24 metres (79 feet) in length;
(c) existing ships of less than 150 tons gross;
(d) pleasure yachts not engaged in trade;
(e) fishing vessels.

(2) Nothing herein shall apply to ships solely navigating:
(a) the Great Lakes of North America and the River St. Lawrence as far east as a rhumb line drawn from Cap des Rosiers to West Point, Anticosti Island, and, on the north side of Anticosti Island, the meridian of longitude 63°W;
(b) the Caspian Sea;
(c) the Plate, Parana and Uruguay Rivers as far east as a rhumb line drawn between Punta Norte, Argentina, and Punta del Este, Uruguay.

ARTICLE 6

Exemptions

(1) Ships when engaged on international voyages between the near neighbouring ports of two or more States may be exempted by the Administration from the provisions of the present Convention, so long as they shall remain engaged on such voyages, if the Governments of the States in which such ports are situated shall be satisfied that the sheltered nature or conditions of such voyages between such ports make it unreasonable or impracticable to apply the provisions of the present Convention to ships engaged on such voyages.

(2) The Administration may exempt any ship which embodies features of a novel kind from any of the provisions of this Convention the application of
which might seriously impede research into the development of such features and their incorporation in ships engaged on international voyages. Any such ship shall however, comply with safety requirements which, in the opinion of that Administration, are adequate for the service for which it is intended and are such as to ensure the overall safety of the ship and which are acceptable to the Governments of the States to be visited by the ship.

(3) The Administration which allows any exemption under paragraphs (1) and (2) of this Article shall communicate to the Inter-Governmental Maritime Consultative Organization (hereinafter called the Organization) particulars of the same and reasons therefor which the Organization shall circulate to the Contracting Governments for their information.

(4) A ship which is not normally engaged on international voyages but which, in exceptional circumstances, is required to undertake a single international voyage may be exempted by the Administration from any of the requirements of the present Convention, provided that it complies with safety requirements which, in the opinion of that Administration, are adequate for the voyage which is to be undertaken by the ship.

ARTICLE 7

Force Majeure

(1) A ship which is not subject to the provisions of the present Convention at the time of its departure on any voyage shall not become subject to such provisions on account of any deviation from its intended voyage due to stress of weather or any other cause of force majeure.

(2) In applying the provisions of the present Convention, the Contracting Governments shall give due consideration to any deviation or delay caused to any ship owing to stress of weather or any other cause of force majeure.

ARTICLE 8

Equivalents

(1) The Administration may allow any fitting, material, appliance or apparatus to be fitted, or any other provision to be made in a ship, other than that required by the present Convention, if it is satisfied by trial thereof or otherwise that such fitting, material, appliance or apparatus, or provision, is at least as effective as that required by the Convention.
(2) The Administration which allows a fitting, material, appliance or apparatus, or provision, other than that required by the present Convention, shall communicate to the Organization for circulation to the Contracting Governments particulars thereof, together with a report on any trials made.

ARTICLE 9

Approvals for Experimental Purposes

(1) Nothing in the present Convention shall prevent an Administration from making specific approvals for experimental purposes in respect of a ship to which the Convention applies.

(2) An Administration which makes any such approval shall communicate to the Organization for circulation to the Contracting Governments particulars thereof.

ARTICLE 10

Repairs, Alterations and Modifications

(1) A ship which undergoes repairs, alterations, modifications and outfitting related thereto shall continue to comply with at least the requirements previously applicable to the ship. An existing ship in such a case shall not, as a rule, comply to a lesser extent with the requirements for a new ship than it did before.

(2) Repairs, alterations and modifications of a major character and outfitting related thereto should meet the requirements for a new ship in so far as the Administration deems reasonable and practicable.

ARTICLE 11

Zones and Areas

(1) A ship to which the present Convention applies shall comply with the requirements applicable to that ship in the zones and areas described in Annex II.

(2) A port standing on the boundary line between two zones or areas shall be regarded as within the zone or area from or into which the ship arrives or departs.
ARTICLE 12

Submersion

(1) Except as provided in paragraphs (2) and (3) of this Article, the appropriate load lines on the sides of the ship corresponding to the season of the year and the zone or area in which the ship may be shall not be submerged at any time when the ship puts to sea, during the voyage or on arrival.

(2) When a ship is in fresh water of unit density the appropriate load line may be submerged by the amount of the fresh water allowance shown on the International Load Line Certificate (1966). Where the density is other than unity, an allowance shall be made proportional to the difference between 1.025 and the actual density.

(3) When a ship departs from a port situated on a river or inland waters, deeper loading shall be permitted corresponding to the weight of fuel and all other materials required for consumption between the point of departure and the sea.

ARTICLE 13

Survey, Inspection and Marking

The survey, inspection and marking of ships, as regards the enforcement of the provisions of the present Convention and the granting of exemptions therefrom, shall be carried out by officers of the Administration. The Administration may, however, entrust the survey, inspection and marking either to surveyors nominated for the purpose or to organizations recognized by it. In every case the Administration concerned fully guarantees the completeness and efficiency of the survey, inspection and marking.

ARTICLE 14

Initial and Periodical Surveys and Inspections

(1) A ship shall be subjected to the surveys and inspections specified below:

(a) A survey before the ship is put in service, which shall include a complete inspection of its structure and equipment in so far as the ship is covered by the present Convention. This survey shall be such as to ensure that the arrangements, material, and scantlings fully comply with the requirements of the present Convention.
(b) A periodical survey at intervals specified by the Administration, but not exceeding five years, which shall be such as to ensure that the structure, equipment, arrangements, material and scantlings fully comply with the requirements of the present Convention.

(c) A periodical inspection within three months either way of each annual anniversary date of the certificate, to ensure that alterations have not been made to the hull or superstructures which would affect the calculations determining the position of the load line and so as to ensure the maintenance in an effective condition of fittings and appliances for:

(i) protection of openings;
(ii) guard rails;
(iii) freeing ports; and
(iv) means of access to crew’s quarters.

(2) The periodical inspections referred to in paragraph (1) (c) of this Article shall be endorsed on the International Load Line Certificate (1966) or on the International Load Line Exemption Certificate issued to a ship exempted under paragraph (2) of Article 6 of the present Convention.

ARTICLE 15

Maintenance of Conditions after Survey

After any survey of the ship under Article 14 has been completed, no change shall be made in the structure, equipment, arrangements, material or scantlings covered by the survey, without the sanction of the Administration.

ARTICLE 16

Issue of Certificates

(1) An International Load Line Certificate (1966) shall be issued to every ship which has been surveyed and marked in accordance with the present Convention.

(2) An International Load Line Exemption Certificate shall be issued to any ship to which an exemption has been granted under and in accordance with paragraph (2) or (4) of Article 6.

(3) Such certificates shall be issued by the Administration or by any person or organization duly authorized by it. In every case, the Administration assumes full responsibility for the certificate.
(4) Notwithstanding any other provision of the present Convention, any international load line certificate which is current when the present Convention comes into force in respect of the Government of the State whose flag the ship is flying shall remain valid for two years or until it expires, whichever is earlier. After that time an International Load Line Certificate (1966) shall be required.

ARTICLE 17

Issue of Certificate by another Government

(1) A Contracting Government may, at the request of another Contracting Government, cause a ship to be surveyed and, if satisfied that the provisions of the present Convention are complied with, shall issue or authorize the issue of an International Load Line Certificate (1966) to the ship in accordance with the present Convention.

(2) A copy of the certificate, a copy of the survey report used for computing the freeboard, and a copy of the computations shall be transmitted as early as possible to the requesting Government.

(3) A certificate so issued must contain a statement to the effect that it has been issued at the request of the Government of the State whose flag the ship is or will be flying and it shall have the same force and receive the same recognition as a certificate issued under Article 16.

(4) No International Load Line Certificate (1966) shall be issued to a ship which is flying the flag of a State the Government of which is not a Contracting Government.

ARTICLE 18

Form of Certificates

(1) The certificates shall be drawn up in the official language or languages of the issuing country. If the language used is neither English nor French, the text shall include a translation into one of these languages.

(2) The form of the certificates shall be that of the models given in Annex III. The arrangement of the printed part of each model certificate shall be exactly reproduced in any certificates issued, and in any certified copies thereof.
ARTICLE 19

Duration of Certificates

(1) An International Load Line Certificate (1966) shall be issued for a period specified by the Administration, which shall not exceed five years from the date of issue.

(2) If, after the periodical survey referred to in paragraph (1) (b) of Article 14, a new certificate cannot be issued to the ship before the expiry of the certificate originally issued, the person or organization carrying out the survey may extend the validity of the original certificate for a period which shall not exceed five months. This extension shall be endorsed on the certificate, and shall be granted only where there have been no alterations in the structure, equipment, arrangements, material or scantlings which affect the ship’s freeboard.

(3) An International Load Line Certificate (1966) shall be cancelled by the Administration if any of the following circumstances exist:

(a) material alterations have taken place in the hull or superstructures of the ship such as would necessitate the assignment of an increased freeboard;

(b) the fittings and appliances mentioned in sub-paragraph (c) of paragraph (1) of Article 14 are not maintained in an effective condition;

(c) the certificate is not endorsed to show that the ship has been inspected as provided in sub-paragraph (c) of paragraph (1) of Article 14;

(d) the structural strength of the ship is lowered to such an extent that the ship is unsafe.

(4) (a) The duration of an International Load Line Exemption Certificate issued by an Administration to a ship exempted under paragraph (2) of Article 6 shall not exceed five years from the date of issue. Such certificate shall be subject to a renewal, endorsement and cancellation procedure similar to that provided for an International Load Line Certificate (1966) under this Article.

(b) The duration of an International Load Line Exemption Certificate issued to a ship exempted under paragraph (4) of Article 6 shall be limited to the single voyage for which it is issued.

(5) A certificate issued to a ship by an Administration shall cease to be valid upon the transfer of such a ship to the flag of another State.
ARTICLE 20

Acceptance of Certificates

The certificates issued under the authority of a Contracting Government in accordance with the present Convention shall be accepted by the other Contracting Governments and regarded for all purposes covered by the present Convention as having the same force as certificates issued by them.

ARTICLE 21

Control

(1) Ships holding a certificate issued under Article 16 or Article 17 are subject, when in the ports of other Contracting Governments, to control by officers duly authorized by such Governments. Contracting Governments shall ensure that such control is exercised as far as is reasonable and practicable with a view to verifying that there is on board a valid certificate under the present Convention. If there is a valid International Load Line Certificate (1966) on board the ship, such control shall be limited to the purpose of determining that:

(a) the ship is not loaded beyond the limits allowed by the certificate;
(b) the position of the load line of the ship corresponds with the certificate; and
(c) the ship has not been so materially altered in respect to the matters set out in sub-paragraphs (a) and (b) of paragraph (3) of Article 19 that the ship is manifestly unfit to proceed to sea without danger to human life.

If there is a valid International Load Line Exemption Certificate on board, such control shall be limited to the purpose of determining that any conditions stipulated in that certificate are complied with.

(2) If such control is exercised under sub-paragraph (c) of paragraph (1) of this Article, it shall only be exercised in so far as may be necessary to ensure that the ship shall not sail until it can proceed to sea without danger to the passengers or the crew.

(3) In the event of the control provided for in this Article giving rise to intervention of any kind, the officer carrying out the control shall immediately inform in writing the Consul or the diplomatic representative of the State whose flag the ship is flying of this decision and of all the circumstances in which intervention was deemed to be necessary.
ARTICLE 22

Privileges

The privileges of the present Convention may not be claimed in favour of any ship unless it holds a valid certificate under the Convention.

ARTICLE 23

Casualties

(1) Each Administration undertakes to conduct an investigation of any casualty occurring to ships for which it is responsible and which are subject to the provisions of the present Convention when it judges that such an investigation may assist in determining what changes in the Convention might be desirable.

(2) Each Contracting Government undertakes to supply the Organization with the pertinent information concerning the findings of such 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 responsibility upon any ship or person.

ARTICLE 24

Prior Treaties and Conventions

(1) All other treaties, conventions and arrangements relating to load line matters at present in force between Governments parties to the present Convention shall continue to have full and complete effect during the terms thereof as regards:
   (a) ships to which the present Convention does not apply; and
   (b) ships to which the present Convention applies, in respect of matters for which it has not expressly provided.

(2) To the extent, however, that such treaties, conventions or arrangements conflict with the provisions of the present Convention, the provisions of the present Convention shall prevail.

ARTICLE 25

Special Rules drawn up by Agreement

When in accordance with the present Convention special rules are drawn up by agreement among all or some of the Contracting Governments, such rules
shall be communicated to the Organization for circulation to all Contracting Governments.

ARTICLE 26

Communication of Information

(1) The Contracting Governments undertake to communicate to and deposit with the Organization:
   
   (a) a sufficient number of specimens of their certificates issued under the provisions of the present Convention for circulation to the Contracting Governments;
   
   (b) the text of the laws, decrees, orders, regulations and other instruments which shall have been promulgated on the various matters within the scope of the present Convention; and
   
   (c) a list of non-governmental agencies which are authorized to act in their behalf in the administration of load line matters for circulation to the Contracting Governments.

(2) Each Contracting Government agrees to make its strength standards available to any other Contracting Government, upon request.

ARTICLE 27

Signature, Acceptance and Accession

(1) The present Convention shall remain open for signature for three months from 5 April 1966 and shall thereafter remain open for accession. Governments of States Members of the United Nations, or of any of the Specialized Agencies, or of the International Atomic Energy Agency, or parties to the Statute of the International Court of Justice may become parties to the Convention by:
   
   (a) signature without reservation as to acceptance;
   
   (b) signature subject to acceptance followed by acceptance; or
   
   (c) accession.

(2) Acceptance or accession shall be effected by the deposit of an instrument of acceptance or accession with the Organization which shall inform all Governments that have signed the Convention or acceded to it of each new acceptance or accession and of the date of its deposit.
ARTICLE 28

Coming into Force

(1) The present Convention shall come into force twelve months after the date on which not less than fifteen Governments of States, including seven each with not less than one million gross tons of shipping, have signed without reservation as to acceptance or deposited instruments of acceptance or accession in accordance with Article 27. The Organization shall inform all Governments which have signed or acceded to the present Convention of the date on which it comes into force.

(2) For Governments which have deposited an instrument of acceptance of or accession to the present Convention during the twelve months mentioned in paragraph (1) of this Article, the acceptance or accession shall take effect on the coming into force of the present Convention or three months after the date of deposit of the instrument of acceptance or accession, whichever is the later date.

(3) For Governments which have deposited an instrument of acceptance of or accession to the present Convention after the date on which it comes into force, the Convention shall come into force three months after the date of the deposit of such instrument.

(4) After the date on which all the measures required to bring an amendment to the present Convention into force have been completed, or all necessary acceptances are deemed to have been given under sub-paragraph (b) of paragraph (2) of Article 29 in case of amendment by unanimous acceptance, any instrument of acceptance or accession deposited shall be deemed to apply to the Convention as amended.

ARTICLE 29

Amendments

(1) The present Convention may be amended upon the proposal of a Contracting Government by any of the procedures specified in this Article.

(2) Amendment by unanimous acceptance

(a) Upon the request of a Contracting Government, any amendment proposed by it to the present Convention shall be communicated by the Organization to all Contracting Governments for consideration with a view to unanimous acceptance.

(b) Any such amendment shall enter into force twelve months after the date of its acceptance by all Contracting Governments unless an earlier date
is agreed upon. A Contracting Government which does not communicate its acceptance or rejection of the amendment to the Organization within three years of its first communication by the latter shall be deemed to have accepted the amendment.

(c) Any proposed amendment shall be deemed to be rejected if it is not accepted under sub-paragraph (b) of the present paragraph within three years after it has been first communicated to all Contracting Governments by the Organization.

(3) Amendment after consideration in the Organization

(a) Upon the request of a Contracting Government, any amendment proposed by it to the present Convention will be considered in the Organization. If adopted by a majority of two-thirds of those present and voting in the Maritime Safety Committee of the Organization, such amendment shall be communicated to all Members of the Organization and all Contracting Governments at least six months prior to its consideration by the Assembly of the Organization.

(b) If adopted by a two-thirds majority of those present and voting in the Assembly, the amendment shall be communicated by the Organization to all Contracting Governments for their acceptance.

(c) Such amendment shall come into force twelve months after the date on which it is accepted by two-thirds of the Contracting Governments. The amendment shall come into force with respect to all Contracting Governments except those which, before it comes into force, make a declaration that they do not accept the amendment.

(d) The Assembly, by a two-thirds majority of those present and voting, including two-thirds of the Governments represented on the Maritime Safety Committee and present and voting in the Assembly, may propose a determination at the time of its adoption that an amendment is of such an important nature that any Contracting Government which makes a declaration under sub-paragraph (c), and which does not accept the amendment within a period of twelve months after it comes into force, shall cease to be a party to the present Convention upon the expiry of that period. This determination shall be subject to the prior acceptance of two-thirds of the Contracting Governments to the present Convention.

(e) Nothing in this paragraph shall prevent the Contracting Government which first proposed action under this paragraph on an amendment to the present Convention from taking at any time such alternative action as it deems desirable in accordance with paragraph (2) or (4) of this Article.
(4) Amendment by a conference

(a) Upon the request of a Contracting Government, concurred in by at least one-third of the Contracting Governments, a conference of Governments will be convened by the Organization to consider amendments to the present Convention.

(b) Every amendment adopted by such a conference by a two-thirds majority of those present and voting of the Contracting Governments shall be communicated by the Organization to all Contracting Governments for their acceptance.

(c) Such amendment shall come into force twelve months after the date on which it is accepted by two-thirds of the Contracting Governments. The amendment shall come into force with respect to all Contracting Governments except those which, before it comes into force, make a declaration that they do not accept the amendment.

(d) By a two-thirds majority of those present and voting, a conference convened under sub-paragraph (a) may determine at the time of its adoption that an amendment is of such an important nature that any Contracting Government which makes a declaration under sub-paragraph (c), and which does not accept the amendment within a period of twelve months after it comes into force, shall cease to be a party to the present Convention upon the expiry of that period.

(5) Any amendments to the present Convention made under this Article which relate to the structure of a ship shall apply only to ships the keels of which are laid, or which are at a similar stage of construction, on or after the date on which the amendment comes into force.

(6) The Organization shall inform all Contracting Governments of any amendments which come into force under this Article, together with the date on which each such amendment will come into force.

(7) Any acceptance or declaration under this Article shall be made by a notification in writing to the Organization which shall notify all Contracting Governments of the receipt of the acceptance or declaration.

ARTICLE 30

Denunciation

(1) The present Convention may be denounced by any Contracting Government at any time after the expiry of five years from the date on which the Convention comes into force for that Government.
(2) Denunciation shall be effected by a notification in writing addressed to the Organization which shall inform all the other Contracting Governments of any such notification received and of the date of its receipt.

(3) A denunciation shall take effect one year, or such longer period as may be specified in the notification, after its receipt by the Organization.

ARTICLE 31

Suspension

(1) In case of hostilities or other extraordinary circumstances which affect the vital interests of a State the Government of which is a Contracting Government, that Government may suspend the operation of the whole or any part of the present Convention. The suspending Government shall immediately give notice of any such suspension to the Organization.

(2) Such suspension shall not deprive other Contracting Governments of any right of control under the present Convention over the ships of the suspending Government when such ships are within their ports.

(3) The suspending Government may at any time terminate such suspension and shall immediately give notice of such termination to the Organization.

(4) The Organization shall notify all Contracting Governments of any suspension or termination of suspension under this Article.

ARTICLE 32

Territories

(1) (a) The United Nations, in cases where they are the administering authority for a territory, or any Contracting Government responsible for the international relations of a territory, shall as soon as possible consult with such territory in an endeavour to extend the present Convention to that territory and may at any time by notification in writing to the Organization declare that the present Convention shall extend to such territory.

(b) The present Convention shall, from the date of the receipt of the notification or from such other date as may be specified in the notification, extend to the territory named therein.

(2) (a) The United Nations, or any Contracting Government which has made a declaration under sub-paragraph (a) of paragraph (1) of this Article, at any time after the expiry of a period of five years
from the date on which the Convention has been so extended to any territory, may by notification in writing to the Organization declare that the present Convention shall cease to extend to any such territory named in the notification.

(b) The present Convention shall cease to extend to any territory mentioned in such notification one year, or such longer period as may be specified therein, after the date of receipt of the notification by the Organization.

(3) The Organization shall inform all the Contracting Governments of the extension of the present Convention to any territories under paragraph (1) of this Article, and of the termination of any such extension under the provisions of paragraph (2), stating in each case the date from which the present Convention has been or will cease to be so extended.

ARTICLE 33

Registration

(1) The present Convention shall be deposited with the Organization and the Secretary-General of the Organization shall transmit certified true copies thereof to all Signatory Governments and to all Governments which accede to the present Convention.

(2) As soon as the present Convention comes into force it shall be registered by the Organization in accordance with Article 102 of the Charter of the United Nations.

ARTICLE 34

Languages

The present Convention is established in a single copy in the English and French languages, both texts being equally authentic. Official translations in the Russian and Spanish languages shall be prepared and deposited with the signed original.
ANNEX I

REGULATIONS FOR DETERMINING LOAD LINES

CHAPTER I.—GENERAL

The Regulations assume that the nature and stowage of the cargo, ballast, etc., are such as to secure sufficient stability of the ship and the avoidance of excessive structural stress.

The Regulations also assume that where there are international requirements relating to stability or subdivision, these requirements have been complied with.

Regulation 1

Strength of Hull

The Administration shall satisfy itself that the general structural strength of the hull is sufficient for the draught corresponding to the freeboard assigned. Ships built and maintained in conformity with the requirements of a classification society recognized by the Administration may be considered to possess adequate strength.

Regulation 2

Application

(1) Ships with mechanical means of propulsion or lighters, barges or other ships without independent means of propulsion, shall be assigned freeboards in accordance with the provisions of Regulations 1-40 inclusive of this Annex.

(2) Ships carrying timber deck cargoes may be assigned, in addition to the freeboards prescribed in paragraph (1) of this Regulation, timber freeboards in accordance with the provisions of Regulations 41-45 inclusive of this Annex.

(3) Ships designed to carry sail, whether as the sole means of propulsion or as a supplementary means, and tugs, shall be assigned freeboards in accordance with the provisions of Regulations 1-40 inclusive of this Annex. Such additional freeboard shall be required as determined by the Administration.
(4) Ships of wood or of composite construction, or of other materials the use of which the Administration has approved, or ships whose constructional features are such as to render the application of the provisions of this Annex unreasonable or impracticable, shall be assigned freeboards as determined by the Administration.

(5) Regulations 10 to 26 inclusive of this Annex shall apply to every ship to which a minimum freeboard is assigned. Relaxations from these requirements may be granted to a ship to which a greater than minimum freeboard is assigned on condition that the Administration is satisfied with the safety conditions provided.

Regulation 3
Definitions of Terms used in the Annexes

(1) Length. The length (L) shall be taken as 96 per cent of the total length on a waterline at 85 per cent of the least moulded depth measured from the top of the keel, or as the length from the fore side of the stem to the axis of the rudder stock on that waterline, if that be greater. In ships designed with a rake of keel the waterline on which this length is measured shall be parallel to the designed waterline.

(2) Perpendiculars. The forward and after perpendiculars shall be taken at the forward and after ends of the length (L). The forward perpendicular shall coincide with the fore side of the stem on the waterline on which the length is measured.

(3) Amidships. Amidships is at the middle of the length (L).

(4) Breadth. Unless expressly provided otherwise, the breadth (B) is the maximum breadth of the ship, measured amidships to the moulded line of the frame in a ship with a metal shell and to the outer surface of the hull in a ship with a shell of any other material.

(5) Moulded Depth
(a) The moulded depth is the vertical distance measured from the top of the keel to the top of the freeboard deck beam at side. In wood and composite ships the distance is measured from the lower edge of the keel rabbet. Where the form at the lower part of the midship section is of a hollow character, or where thick garboards are fitted, the distance is measured from the point where the line of the flat of the bottom continued inwards cuts the side of the keel.
(b) In ships having rounded gunwales, the moulded depth shall be measured to the point of intersection of the moulded lines of the deck and side shell plating, the lines extending as though the gunwale were of angular design.

(c) Where the freeboard deck is stepped and the raised part of the deck extends over the point at which the moulded depth is to be determined, the moulded depth shall be measured to a line of reference extending from the lower part of the deck along a line parallel with the raised part.

(6) Depth for Freeboard (D)

(a) The depth for freeboard (D) is the moulded depth amidships, plus the thickness of the freeboard deck stringer plate, where fitted, plus \( \frac{T(L - S)}{L} \) if the exposed freeboard deck is sheathed, where

- \( T \) is the mean thickness of the exposed sheathing clear of deck openings, and
- \( S \) is the total length of superstructures as defined in sub-paragraph (10) (d) of this Regulation.

(b) The depth for freeboard (D) in a ship having a rounded gunwale with a radius greater than 4 per cent of the breadth (B) or having topsides of unusual form is the depth for freeboard of a ship having a midship section with vertical topsides and with the same round of beam and area of topside section equal to that provided by the actual midship section.

(7) Block Coefficient. The block coefficient \( (C_b) \) is given by

\[
C_b = \frac{V}{L.B.d_1}; \text{ where}
\]

- \( V \) is the volume of the moulded displacement of the ship, excluding bossing, in a ship with a metal shell, and is the volume of displacement to the outer surface of the hull in a ship with a shell of any other material, both taken at a moulded draught of \( d_1 \); and where
- \( d_1 \) is 85 per cent of the least moulded depth.

(8) Freeboard. The freeboard assigned is the distance measured vertically downwards amidships from the upper edge of the deck line to the upper edge of the related load line.

(9) Freeboard Deck. The freeboard deck is normally the uppermost complete deck exposed to weather and sea, which has permanent means of closing all openings in the weather part thereof, and below which all openings

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in the sides of the ship are fitted with permanent means of watertight closing. In a ship having a discontinuous freeboard deck, the lowest line of the exposed deck and the continuation of that line parallel to the upper part of the deck is taken as the freeboard deck. At the option of the owner and subject to the approval of the Administration, a lower deck may be designated as the freeboard deck, provided it is a complete and permanent deck continuous in a fore and aft direction at least between the machinery space and peak bulkheads and continuous athwartships. When this lower deck is stepped the lowest line of the deck and the continuation of that line parallel to the upper part of the deck is taken as the freeboard deck. When a lower deck is designated as the freeboard deck, that part of the hull which extends above the freeboard deck is treated as a superstructure so far as concerns the application of the conditions of assignment and the calculation of freeboard. It is from this deck that the freeboard is calculated.

(10) Superstructure

(a) A superstructure is a decked structure on the freeboard deck, extending from side to side of the ship or with the side plating not being inboard of the shell plating more than 4 per cent of the breadth (B). A raised quarter deck is regarded as a superstructure.

(b) An enclosed superstructure is a superstructure with:
   (i) enclosing bulkheads of efficient construction;
   (ii) access openings, if any, in these bulkheads fitted with doors complying with the requirements of Regulation 12;
   (iii) all other openings in sides or ends of the superstructure fitted with efficient weathertight means of closing.

A bridge or poop shall not be regarded as enclosed unless access is provided for the crew to reach machinery and other working spaces inside these superstructures by alternative means which are available at all times when bulkhead openings are closed.

(c) The height of a superstructure is the least vertical height measured at side from the top of the superstructure deck beams to the top of the freeboard deck beams.

(d) The length of a superstructure (S) is the mean length of the part of the superstructure which lies within the length (L).

(11) Flush Deck Ship. A flush deck ship is one which has no superstructure on the freeboard deck.

(12) Weathertight. Weathertight means that in any sea conditions water will not penetrate into the ship.

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Regulation 4

*Deck Line*

The deck line is a horizontal line 300 millimetres (12 inches) in length and 25 millimetres (1 inch) in breadth. It shall be marked amidships on each side of the ship, and its upper edge shall normally pass through the point where the continuation outwards of the upper surface of the freeboard deck intersects the outer surface of the shell (as illustrated in Figure 1), provided that the deck line may be placed with reference to another fixed point on the ship on condition that the freeboard is correspondingly corrected. The location of the reference point and the identification of the freeboard deck shall in all cases be indicated on the International Load Line Certificate (1966).

![Diagram of Deck Line](image)

Regulation 5

*Load Line Mark*

The Load Line Mark shall consist of a ring 300 millimetres (12 inches) in outside diameter and 25 millimetres (1 inch) wide which is intersected by a horizontal line 450 millimetres (18 inches) in length and 25 millimetres (1 inch) in breadth, the upper edge of which passes through the centre of the ring. The centre of the ring shall be placed amidships and at a distance equal to the assigned summer freeboard measured vertically below the upper edge of the deck line (as illustrated in Figure 2).

Regulation 6

*Lines to be used with the Load Line Mark*

(1) The lines which indicate the load line assigned in accordance with these Regulations shall be horizontal lines 230 millimetres (9 inches) in length and 25 millimetres (1 inch) in breadth which extend forward of, unless expressly
provided otherwise, and at right angles to, a vertical line 25 millimetres (1 inch) in breadth marked at a distance 540 millimetres (21 inches) forward of the centre of the ring (as illustrated in Figure 2).

(2) The following load lines shall be used:

(a) The Summer Load Line indicated by the upper edge of the line which passes through the centre of the ring and also by a line marked S.

(b) The Winter Load Line indicated by the upper edge of a line marked W.

(c) The Winter North Atlantic Load Line indicated by the upper edge of a line marked WNA.

(d) The Tropical Load Line indicated by the upper edge of a line marked T.

(e) The Fresh Water Load Line in summer indicated by the upper edge of a line marked F. The Fresh Water Load Line in summer is marked abaft the vertical line. The difference between the Fresh Water Load Line in summer and the Summer Load Line is the allowance to be made for loading in fresh water at the other load lines.

(f) The Tropical Fresh Water Load Line indicated by the upper edge of a line marked TF, and marked abaft the vertical line.

(3) If timber freeboards are assigned in accordance with these Regulations, the timber load lines shall be marked in addition to ordinary load lines. These lines shall be horizontal lines 230 millimetres (9 inches) in length and 25 millimetres (1 inch) in breadth which extend abaft unless expressly provided otherwise, and are at right angles to, a vertical line 25 millimetres (1 inch) in breadth marked at a distance 540 millimetres (21 inches) abaft the centre of the ring (as illustrated in Figure 3).

(4) The following timber load lines shall be used:

(a) The Summer Timber Load Line indicated by the upper edge of a line marked LS.

(b) The Winter Timber Load Line indicated by the upper edge of a line marked LW.

(c) The Winter North Atlantic Timber Load Line indicated by the upper edge of a line marked LWNA.
(d) The Tropical Timber Load Line indicated by the upper edge of a line marked LT.

(e) The Fresh Water Timber Load Line in summer indicated by the upper edge of a line marked LF and marked forward of the vertical line.

The difference between the Fresh Water Timber Load Line in summer and the Summer Timber Load Line is the allowance to be made for loading in fresh water at the other timber load lines.
(f) The Tropical Fresh Water Timber Load Line indicated by the upper edge of a line marked LTF and marked forward of the vertical line.

(5) Where the characteristics of a ship or the nature of the ship’s service or navigational limits make any of the seasonal lines inapplicable, these lines may be omitted.

(6) Where a ship is assigned a greater than minimum freeboard so that the load line is marked at a position corresponding to, or lower than, the lowest seasonal load line assigned at minimum freeboard in accordance with the present Convention, only the Fresh Water Load Line need be marked.

(7) On sailing ships only the Fresh Water Load Line and the Winter North Atlantic Load Line need be marked (as illustrated in Figure 4).

(8) Where a Winter North Atlantic Load Line is identical with the Winter Load Line corresponding to the same vertical line, this load line shall be marked W.

(9) Additional load lines required by other international conventions in force may be marked at right angles to and abaft the vertical line specified in paragraph (1) of this Regulation.

Regulation 7
Mark of Assigning Authority

The mark of the Authority by whom the load lines are assigned may be indicated alongside the load line ring above the horizontal line which passes through the centre of the ring, or above and below it. This mark shall consist of not more than four initials to identify the Authority’s name, each measuring approximately 115 millimetres (4½ inches) in height and 75 millimetres (3 inches) in width.

Regulation 8
Details of Marking

The ring, lines and letters shall be painted in white or yellow on a dark ground or in black on a light ground. They shall also be permanently marked on the sides of the ships to the satisfaction of the Administration. The marks shall be plainly visible and, if necessary, special arrangements shall be made for this purpose.
Regulation 9

Verification of Marks

The International Load Line Certificate (1966) shall not be delivered to the ship until the officer or surveyor acting under the provisions of Article 13 of the present Convention has certified that the marks are correctly and permanently indicated on the ship’s sides.
CHAPTER II.—CONDITIONS OF ASSIGNMENT OF FREEBOARD

Regulation 10

Information to be supplied to the Master

(1) The master of every new ship shall be supplied with sufficient information, in an approved form, to enable him to arrange for the loading and ballasting of his ship in such a way as to avoid the creation of any unacceptable stresses in the ship’s structure, provided that this requirement need not apply to any particular length, design or class of ship where the Administration considers it to be unnecessary.

(2) The master of every new ship which is not already provided with stability information under an international convention for the safety of life at sea in force shall be supplied with sufficient information in an approved form to give him guidance as to the stability of the ship under varying conditions of service, and a copy shall be furnished to the Administration.

Regulation 11

Superstructure End Bulkheads

Bulkheads at exposed ends of enclosed superstructures shall be of efficient construction and shall be to the satisfaction of the Administration.

Regulation 12

Doors

(1) All access openings in bulkheads at ends of enclosed superstructures shall be fitted with doors of steel or other equivalent material, permanently and strongly attached to the bulkhead, and framed, stiffened and fitted so that the whole structure is of equivalent strength to the unpierced bulkhead and weathertight when closed. The means for securing these doors weathertight shall consist of gaskets and clamping devices or other equivalent means and shall be permanently attached to the bulkhead or to the doors themselves, and the doors shall be so arranged that they can be operated from both sides of the bulkhead.

(2) Except as otherwise provided in these Regulations, the height of the sills of access openings in bulkheads at ends of enclosed superstructures shall be at least 380 millimetres (15 inches) above the deck.

92 Navigation Act 1912
Regulation 13  

*Position of Hatchways, Doorways and Ventilators*

For the purpose of the Regulations, two positions of hatchways, doorways and ventilators are defined as follows:

Position 1—Upon exposed freeboard and raised quarter decks, and upon exposed superstructure decks situated forward of a point located a quarter of the ship’s length from the forward perpendicular.

Position 2—Upon exposed superstructure decks situated abaft a quarter of the ship’s length from the forward perpendicular.

Regulation 14  

*Cargo and other Hatchways*

(1) The construction and the means for securing the weathertightness of cargo and other hatchways in positions 1 and 2 shall be at least equivalent to the requirements of Regulations 15 and 16 of this Annex.

(2) Coamings and hatchway covers to exposed hatchways on decks above the superstructure deck shall comply with the requirements of the Administration.

Regulation 15  

*Hatchways closed by Portable Covers and secured Weathertight by Tarpaulins and Battening Devices*

*Hatchway Coamings*

(1) The coamings of hatchways closed by portable covers secured weathertight by tarpaulins and battening devices shall be of substantial construction, and their height above the deck shall be at least as follows:

- 600 millimetres (23½ inches) if in position 1.
- 450 millimetres (17½ inches) if in position 2.

*Hatchway Covers*

(2) The width of each bearing surface for hatchway covers shall be at least 65 millimetres (2½ inches).
(3) Where covers are made of wood, the finished thickness shall be at least 60 millimetres (2\(\frac{3}{8}\) inches) in association with a span of not more than 1.5 metres (4.9 feet).

(4) Where covers are made of mild steel the strength shall be calculated with assumed loads not less than 1.75 metric tons per square metre (358 pounds per square foot) on hatchways in position 1, and not less than 1.30 metric tons per square metre (266 pounds per square foot) on hatchways in position 2, and the product of the maximum stress thus calculated and the factor 4.25 shall not exceed the minimum ultimate strength of the material. They shall be so designed as to limit the deflection to not more than 0.0028 times the span under these loads.

(5) The assumed loads on hatchways in position 1 may be reduced to 1 metric ton per square metre (205 pounds per square foot) for ships of 24 metres (79 feet) in length and shall be not less than 1.75 metric tons per square metre (358 pounds per square foot) for ships of 100 metres (328 feet) in length. The corresponding loads on hatchways in position 2 may be reduced to 0.75 metric tons per square metre (154 pounds per square foot) and 1.30 metric tons per square metre (266 pounds per square foot) respectively. In all cases values at intermediate lengths shall be obtained by interpolation.

Portable Beams

(6) Where portable beams for supporting hatchway covers are made of mild steel the strength shall be calculated with assumed loads not less than 1.75 metric tons per square metre (358 pounds per square foot) on hatchways in position 1 and not less than 1.30 metric tons per square metre (266 pounds per square foot) on hatchways in position 2 and the product of the maximum stress thus calculated and the factor 5 shall not exceed the minimum ultimate strength of the material. They shall be so designed as to limit the deflection to not more than 0.0022 times the span under these loads. For ships of not more than 100 metres (328 feet) in length the requirements of paragraph (5) of this Regulation are applicable.

Pontoon Covers

(7) Where pontoon covers used in place of portable beams and covers are made of mild steel the strength shall be calculated with the assumed loads given in paragraph (4) of this Regulation, and the product of the maximum stress thus calculated and the factor 5 shall not exceed the minimum ultimate strength of the material. They shall be so designed as to limit the deflection to not more than 0.0022 times the span. Mild steel plating forming the tops of covers shall be not less in thickness than one per cent of the spacing of stiffeners or 6
millimetres (0.24 inches) if that be greater. For ships of not more than 100 metres (328 feet) in length the requirements of paragraph (5) of this Regulation are applicable.

(8) The strength and stiffness of covers made of materials other than mild steel shall be equivalent to those of mild steel to the satisfaction of the Administration.

Carriers or Sockets

(9) Carriers or sockets for portable beams shall be of substantial construction, and shall provide means for the efficient fitting and securing of the beams. Where rolling types of beams are used, the arrangements shall ensure that the beams remain properly in position when the hatchway is closed.

Cleats

(10) Cleats shall be set to fit the taper of the wedges. They shall be at least 65 millimetres (2½ inches) wide and spaced not more than 600 millimetres (23½ inches) centre to centre; the cleats along each side or end shall be not more than 150 millimetres (6 inches) from the hatch corners.

Battens and Wedges

(11) Battens and wedges shall be efficient and in good condition. Wedges shall be of tough wood or other equivalent material. They shall have a taper of not more than 1 in 6 and shall be not less than 13 millimetres (½ inch) thick at the toes.

Tarpaulins

(12) At least two layers of tarpaulin in good condition shall be provided for each hatchway in position 1 or 2. The tarpaulins shall be waterproof and of ample strength. They shall be of a material of at least an approved standard weight and quality.

Security of Hatchway Covers

(13) For all hatchways in position 1 or 2 steel bars or other equivalent means shall be provided in order efficiently and independently to secure each section of hatchway covers after the tarpaulins are battened down. Hatchway covers of more than 1.5 metres (4.9 feet) in length shall be secured by at least two such securing appliances.
Regulation 16

*Hatchways closed by Weathertight Covers of Steel or Other Equivalent Material fitted with Gaskets and Clamping Devices*

**Hatchway Coamings**

(1) At positions 1 and 2 the height above the deck of hatchway coamings fitted with weathertight hatch covers of steel or other equivalent material fitted with gaskets and clamping devices shall be as specified in Regulation 15 (1). The height of these coamings may be reduced, or the coamings omitted entirely, on condition that the Administration is satisfied that the safety of the ship is not thereby impaired in any sea conditions. Where coamings are provided they shall be of substantial construction.

**Weathertight Covers**

(2) Where weathertight covers are of mild steel the strength shall be calculated with assumed loads not less than 1.75 metric tons per square metre (358 pounds per square foot) on hatchways in position 1, and not less than 1.30 metric tons per square metre (266 pounds per square foot) on hatchways in position 2, and the product of the maximum stress thus calculated and the factor of 4.25 shall not exceed the minimum ultimate strength of the material. They shall be so designed as to limit the deflection to not more than 0.0028 times the span under these loads. Mild steel plating forming the tops of covers shall be not less in thickness than one per cent of the spacing of stiffeners or 6 millimetres (0.24 inches) if that be greater. The provisions of Regulation 15 (5) are applicable for ships of not more than 100 metres (328 feet) in length.

(3) The strength and stiffness of covers made of materials other than mild steel shall be equivalent to those of mild steel to the satisfaction of the Administration.

**Means for Securing Weathertightness**

(4) The means for securing and maintaining weathertightness shall be to the satisfaction of the Administration. The arrangements shall ensure that the tightness can be maintained in any sea conditions, and for this purpose tests for tightness shall be required at the initial survey, and may be required at periodical surveys and at annual inspections or at more frequent intervals.
Regulation 17

*Machinery Space Openings*

(1) Machinery space openings in position 1 or 2 shall be properly framed and efficiently enclosed by steel casings of ample strength, and where the casings are not protected by other structures their strength shall be specially considered. Access openings in such casings shall be fitted with doors complying with the requirements of Regulation 12 (1), the sills of which shall be at least 600 millimetres (23½ inches) above the deck if in position 1, and at least 380 millimetres (15 inches) above the deck if in position 2. Other openings in such casings shall be fitted with equivalent covers, permanently attached in their proper positions.

(2) Coamings of any fiddley, funnel or machinery space ventilator in an exposed position on the freeboard or superstructure deck shall be as high above the deck as is reasonable and practicable. Fiddley openings shall be fitted with strong covers of steel or other equivalent material permanently attached in their proper positions and capable of being secured weathertight.

Regulation 18

*Miscellaneous Openings in Freeboard and Superstructure Decks*

(1) Manholes and flush scuttles in position 1 or 2 or within superstructures other than enclosed superstructures shall be closed by substantial covers capable of being made watertight. Unless secured by closely spaced bolts, the covers shall be permanently attached.

(2) Openings in freeboard decks other than hatchways, machinery space openings, manholes and flush scuttles shall be protected by an enclosed superstructure, or by a deckhouse or companionway of equivalent strength and weathertightness. Any such opening in an exposed superstructure deck or in the top of a deckhouse on the freeboard deck which gives access to a space below the freeboard deck or a space within an enclosed superstructure shall be protected by an efficient deckhouse or companionway. Doorways in such deckhouses or companionways shall be fitted with doors complying with the requirements of Regulation 12 (1).

(3) In position 1 the height above the deck of sills to the doorways in companionways shall be at least 600 millimetres (23½ inches). In position 2 it shall be at least 380 millimetres (15 inches).
Regulation 19

**Ventilators**

1. Ventilators in position 1 or 2 to spaces below freeboard decks or decks of enclosed superstructures shall have coamings of steel or other equivalent material, substantially constructed and efficiently connected to the deck. Where the coaming of any ventilator exceeds 900 millimetres (35½ inches) in height it shall be specially supported.

2. Ventilators passing through superstructures other than enclosed superstructures shall have substantially constructed coamings of steel or other equivalent material at the freeboard deck.

3. Ventilators in position 1 the coamings of which extend to more than 4.5 metres (14.8 feet) above the deck, and in position 2 the coamings of which extend to more than 2.3 metres (7.5 feet) above the deck, need not be fitted with closing arrangements unless specifically required by the Administration.

4. Except as provided in paragraph (3) of this Regulation, ventilator openings shall be provided with efficient weathertight closing appliances. In ships of not more than 100 metres (328 feet) in length the closing appliances shall be permanently attached; where not so provided in other ships, they shall be conveniently stowed near the ventilators to which they are to be fitted. Ventilators in position 1 shall have coamings of a height of at least 900 millimetres (35½ inches) above the deck; in position 2 the coamings shall be of a height at least 760 millimetres (30 inches) above the deck.

5. In exposed positions, the height of coamings may be required to be increased to the satisfaction of the Administration.

Regulation 20

**Air Pipes**

Where air pipes to ballast and other tanks extend above the freeboard or superstructure decks, the exposed parts of the pipes shall be of substantial construction; the height from the deck to the point where water may have access below shall be at least 760 millimetres (30 inches) on the freeboard deck and 450 millimetres (17½ inches) on the superstructure deck. Where these heights may interfere with the working of the ship, a lower height may be approved, provided the Administration is satisfied that the closing arrangements and other circumstances justify a lower height. Satisfactory means permanently attached, shall be provided for closing the openings of the air pipes.
Regulation 21

*Cargo Ports and other similar Openings*

1. Cargo ports and other similar openings in the sides of ships below the freeboard deck shall be fitted with doors so designed as to ensure watertightness and structural integrity commensurate with the surrounding shell plating. The number of such openings shall be the minimum compatible with the design and proper working of the ship.

2. Unless permitted by the Administration, the lower edge of such openings shall not be below a line drawn parallel to the freeboard deck at side, which has at its lowest point the upper edge of the uppermost load line.

Regulation 22

*Scuppers, Inlets and Discharges*

1. Discharges led through the shell either from spaces below the freeboard deck or from within superstructures and deckhouses on the freeboard deck fitted with doors complying with the requirements of Regulation 12 shall be fitted with efficient and accessible means for preventing water from passing inboard. Normally each separate discharge shall have one automatic non-return valve with a positive means of closing it from a position above the freeboard deck. Where, however, the vertical distance from the summer load waterline to the inboard end of the discharge pipe exceeds 0.01 L, the discharge may have two automatic non-return valves without positive means of closing, provided that the inboard valve is always accessible for examination under service conditions; where that vertical distance exceeds 0.02 L a single automatic non-return valve without positive means of closing may be accepted subject to the approval of the Administration. The means for operating the positive action valve shall be readily accessible and provided with an indicator showing whether the valve is open or closed.

2. In manned machinery spaces main and auxiliary sea inlets and discharges in connexion with the operation of machinery may be controlled locally. The controls shall be readily accessible and shall be provided with indicators showing whether the valves are open or closed.

3. Scuppers and discharge pipes originating at any level and penetrating the shell either more than 450 millimetres (17½ inches) below the freeboard deck or less than 600 millimetres (23½ inches) above the summer load waterline shall be provided with a non-return valve at the shell. This valve,
unless required by paragraph (1), may be omitted if the piping is of substantial thickness.

(4) Scuppers leading from superstructures or deckhouses not fitted with doors complying with the requirements of Regulation 12 shall be led overboard.

(5) All valves and shell fittings required by this Regulation shall be of steel, bronze or other approved ductile material. Valves of ordinary cast iron or similar material are not acceptable. All pipes to which this Regulation refers shall be of steel or other equivalent material to the satisfaction of the Administration.

Regulation 23

Side Scuttles

(1) Side scuttles to spaces below the freeboard deck or to spaces within enclosed superstructures shall be fitted with efficient hinged inside deadlights arranged so that they can be effectively closed and secured watertight.

(2) No side scuttle shall be fitted in a position so that its sill is below a line drawn parallel to the freeboard deck at side and having its lowest point 2.5 per cent of the breadth (B) above the load waterline, or 500 millimetres (19½ inches), whichever is the greater distance.

(3) The side scuttles, together with their glasses, if fitted, and deadlights, shall be of substantial and approved construction.

Regulation 24

Freeing Ports

(1) Where bulwarks on the weather portions of freeboard or superstructure decks form wells, ample provision shall be made for rapidly freeing the decks of water and for draining them. Except as provided in paragraphs (2) and (3) of this Regulation, the minimum freeing port area (A) on each side of the ship for each well on the freeboard deck shall be that given by the following formulae in cases where the sheer in way of the well is standard or greater than standard. The minimum area for each well on superstructure decks shall be one-half of the area given by the formulae.

Where the length of bulwark (l) in the well is 20 metres or less

\[ A = 0.7 + 0.035l \]  

square metres,
where \( l \) exceeds 20 metres

\[
A = 0.07l
\]

\( l \) need in no case be taken as greater than 0.7 \( L \).

If the bulwark is more than 1.2 metres in average height the required area shall be increased by 0.004 square metres per metre of length of well for each 0.1 metre difference in height. If the bulwark is less than 0.9 metre in average height, the required area may be decreased by 0.004 square metres per metre of length of well for each 0.1 metre difference in height.

Or,

where the length of bulwark \((l)\) in the well is 66 feet or less

\[
A = 7.6 + 0.115l
\]

where \( l \) exceeds 66 feet

\[
A = 0.23l
\]

\( l \) need in no case be taken as greater than 0.7 \( L \).

If the bulwark is more than 3.9 feet in average height the required area shall be increased by 0.04 square feet per foot of length of well for each foot difference in height. If the bulwark is less than 3 feet in average height, the required area may be decreased by 0.04 square feet per foot of length for each foot difference in height.

(2) In ships with no sheer the calculated area shall be increased by 50 per cent. Where the sheer is less than the standard the percentage shall be obtained by interpolation.

(3) Where a ship is fitted with a trunk which does not comply with the requirements of Regulation 36 (1) (e) or where continuous or substantially continuous hatchway side coamings are fitted between detached superstructures the minimum area of the freeing port openings shall be calculated from the following Table:

<table>
<thead>
<tr>
<th>Breadth of hatchway or trunk in relation to the breadth of ship</th>
<th>Area of freeing ports in relation to the total area of the bulwarks</th>
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<tbody>
<tr>
<td>40% or less</td>
<td>20%</td>
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<tr>
<td>75% or more</td>
<td>10%</td>
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</table>

The area of freeing ports at intermediate breadths shall be obtained by linear interpolation.
(4) In ships having superstructures which are open at either or both ends, adequate provision for freeing the space within such superstructures shall be provided to the satisfaction of the Administration.

(5) The lower edges of the freeing ports shall be as near the deck as practicable. Two-thirds of the freeing port area required shall be provided in the half of the well nearest the lowest point of the sheer curve.

(6) All such openings in the bulwarks shall be protected by rails or bars spaced approximately 230 millimetres (9 inches) apart. If shutters are fitted to freeing ports, ample clearance shall be provided to prevent jamming. Hinges shall have pins or bearings of non-corrodible material. If shutters are fitted with securing appliances, these appliances shall be of approved construction.

Regulation 25

Protection of the Crew

(1) The strength of the deckhouses used for the accommodation of the crew shall be to the satisfaction of the Administration.

(2) Efficient guard rails or bulwarks shall be fitted on all exposed parts of the freeboard and superstructure decks. The height of the bulwarks or guard rails shall be at least 1 metre (39½ inches) from the deck, provided that where this height would interfere with the normal operation of the ship, a lesser height may be approved if the Administration is satisfied that adequate protection is provided.

(3) The opening below the lowest course of the guard rails shall not exceed 230 millimetres (9 inches). The other courses shall be not more than 380 millimetres (15 inches) apart. In the case of ships with rounded gunwales the guard rail supports shall be placed on the flat of the deck.

(4) Satisfactory means (in the form of guard rails, life lines, gangways or underdeck passages etc.) shall be provided for the protection of the crew in getting to and from their quarters, the machinery space and all other parts used in the necessary work of the ship.

(5) Deck cargo carried on any ship shall be so stowed that any opening which is in way of the cargo and which gives access to and from the crew’s quarters, the machinery space and all other parts used in the necessary work of the ship, can be properly closed and secured against the admission of water. Effective protection for the crew in the form of guard rails or life lines shall be
provided above the deck cargo if there is no convenient passage on or below the deck of the ship.

Regulation 26

Special Conditions of Assignment for Type ‘A’ Ship

Machinery Casings

(1) Machinery casings on Type ‘A’ ships as defined in Regulation 27 shall be protected by an enclosed poop or bridge of at least standard height, or by a deckhouse of equal height and equivalent strength, provided that machinery casings may be exposed if there are no openings giving direct access from the freeboard deck to the machinery space. A door complying with the requirements of Regulation 12 may, however, be permitted in the machinery casing, provided that it leads to a space or passageway which is as strongly constructed as the casing and is separated from the stairway to the engine room by a second weathertight door of steel or other equivalent material.

Gangway and Access

(2) An efficiently constructed fore and aft permanent gangway of sufficient strength shall be fitted on Type ‘A’ ships at the level of the superstructure deck between the poop and the midship bridge or deckhouse where fitted, or equivalent means of access shall be provided to carry out the purpose of the gangway, such as passages below deck. Elsewhere, and on Type ‘A’ ships without a midship bridge, arrangements to the satisfaction of the Administration shall be provided to safeguard the crew in reaching all parts used in the necessary work of the ship.

(3) Safe and satisfactory access from the gangway level shall be available between separate crew accommodations and also between crew accommodations and the machinery space.

Hatchways

(4) Exposed hatchways on the freeboard and forecastle decks or on the tops of expansion trunks on Type ‘A’ ships shall be provided with efficient watertight covers of steel or other equivalent material.
Freeing Arrangements

(5) Type ‘A’ ships with bulwarks shall have open rails fitted for at least half the length of the exposed parts of the weather deck or other effective freeing arrangements. The upper edge of the sheer strake shall be kept as low as practicable.

(6) Where superstructures are connected by trunks, open rails shall be fitted for the whole length of the exposed parts of the freeboard deck.
CHAPTER III.—FREEBOARDS

Regulation 27

Types of Ships

(1) For the purposes of freeboard computation ships shall be divided into Type ‘A’ and Type ‘B’.

Type ‘A’ ships

(2) A Type ‘A’ ship is one which is designed to carry only liquid cargoes in bulk, and in which cargo tanks have only small access openings closed by watertight gasketed covers of steel or equivalent material. Such a ship necessarily has the following inherent features:

(a) high integrity of the exposed deck; and

(b) high degree of safety against flooding, resulting from the low permeability of loaded cargo spaces and the degree of subdivision usually provided.

(3) A Type ‘A’ ship, if over 150 metres (492 feet) in length, and designed to have empty compartments when loaded to its summer load waterline, shall be able to withstand the flooding of any one of these empty compartments at an assumed permeability of 0.95, and remain afloat in a condition of equilibrium considered to be satisfactory by the Administration. In such a ship, if over 225 metres (738 feet) in length, the machinery space shall be treated as a floodable compartment but with a permeability of 0.85.

For the guidance of Administrations the following limits may be regarded as satisfactory:

(a) the final waterline after flooding is below the lower edge of any opening through which progressive flooding may take place;

(b) the maximum angle of heel due to unsymmetrical flooding is of the order of 15 degrees;

(c) the metacentric height in the flooded condition is positive.

(4) A Type ‘A’ ship shall be assigned a freeboard not less than that based on Table A of Regulation 28.
Type ‘B’ ships

(5) All ships which do not come within the provisions regarding Type ‘A’ ships in paragraphs (2) and (3) of this Regulation shall be considered as Type ‘B’ ships.

(6) Type ‘B’ ships, which in position 1 have hatchways fitted with hatch covers complying with the requirements of Regulations 15 (7) or 16 shall, except as provided in paragraphs (7) to (10) inclusive of this Regulation, be assigned freeboards based on Table B of Regulation 28.

(7) Any Type ‘B’ ships of over 100 metres (328 feet) in length may be assigned freeboards less than those required under paragraph (6) of this Regulation provided that, in relation to the amount of reduction granted, the Administration is satisfied that:

(a) the measures provided for the protection of the crew are adequate;
(b) the freeing arrangements are adequate;
(c) the covers in positions 1 and 2 comply with the provisions of Regulation 16 and have adequate strength; special care being given to their sealing and securing arrangements;
(d) the ship, when loaded to its summer load waterline, will remain afloat in a satisfactory condition of equilibrium after flooding of any single damaged compartment at an assumed permeability of 0.95 excluding the machinery space; and
(e) in such a ship, if over 225 metres (738 feet) in length, the machinery space shall be treated as a floodable compartment but with a permeability of 0.85.

For the guidance of Administrations in applying sub-paragraphs (d) and (e) of this paragraph the limits given in sub-paragraphs (3) (a), (b) and (c) may be regarded as satisfactory.

The relevant calculations may be based upon the following main assumptions:

– the vertical extent of damage is equal to the depth of the ship;
– the penetration of damage is not more than B/5;
– no main transverse bulkhead is damaged;
– the height of the centre of gravity above the base line is assessed allowing for homogeneous loading of cargo holds, and for 50 per cent of the designed capacity of consumable fluids and stores, etc.

(8) In calculating the freeboards for Type ‘B’ ships which comply with the requirements of paragraph (7) of this Regulation, the values from Table B of
Regulation 28 shall not be reduced by more than 60 per cent of the difference between the ‘B’ and ‘A’ tabular values for the appropriate ship lengths.

(9) The reduction in tabular freeboard allowed under paragraph (8) of this Regulation may be increased up to the total difference between the values in Table A and those in Table B of Regulation 28 on condition that the ship complies with the requirements of Regulation 26 (1), (2), (3), (5) and (6), as if it were a Type ‘A’ ship, and further complies with the provisions of paragraph (7) (a) to (d) inclusive of this Regulation except that the reference in sub-paragraph (d) to the flooding of any single damaged compartment shall be treated as a reference to the flooding of any two adjacent fore and aft compartments, neither of which is the machinery space. Also any such ship of over 225 metres (738 feet) in length, when loaded to its summer load waterline, shall remain afloat in a satisfactory condition of equilibrium after flooding of the machinery space, taken alone, at an assumed permeability of 0.85.

(10) Type ‘B’ ships, which in position 1 have hatchways fitted with hatch covers which comply with the requirements of Regulation 15, other than paragraph (7), shall be assigned freeboards based upon the values given in Table B of Regulation 28 increased by the values given in the following table:

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### Schedule 4 Articles of, and Annexes to, the Load Line Convention

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Freeboards at intermediate lengths of ship shall be obtained by linear interpolation.

Ships above 200 metres in length shall be dealt with by the Administration.

*Freeboard increase over tabular freeboard for Type ‘B’ ships, for ships with hatch covers not complying with Regulation 15 (7) or 16*

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108 Navigation Act 1912
Freeboards at intermediate lengths of ship shall be obtained by linear interpolation.

Ships above 660 feet in length shall be dealt with by the Administration.

(11) A lighter, barge or other ship without independent means of propulsion shall be assigned a freeboard in accordance with the provisions of these Regulations. However, in the case of barges which are unmanned the requirements of Regulations 25, 26 (2) and (3) and 39 shall not apply. Such unmanned barges which have on the freeboard deck only small access openings closed by weathertight gasketed covers of steel or equivalent material may be assigned freeboards 25 per cent less than those calculated in accordance with these Regulations.

Regulation 28

*Freeboard Tables*

*Type ‘A’ Ships*

(1) The tabular freeboard for Type ‘A’ ships shall be determined from the following table:

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## TABLE A

**Freeboard Table for Type ‘A’ Ship**

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Freeboards at intermediate lengths of ship shall be obtained by linear interpolation.

Ships above 365 metres in length shall be dealt with by the Administration.

### TABLE A

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*Navigation Act 1912*  113
### Schedule 4  Articles of, and Annexes to, the Load Line Convention

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114  
*Navigation Act 1912*
Freeboards at intermediate lengths of ship shall be obtained by linear interpolation.

Ships above 1200 feet in length shall be dealt with by the Administration.

*Type ‘B’ ships*

(2) The tabular freeboard for Type ‘B’ ships shall be determined from the following table:

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### Schedule 4

**Articles of, and Annexes to, the Load Line Convention**

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Freeboards at intermediate lengths of ship shall be obtained by linear interpolation.

Ships above 365 metres in length shall be dealt with by the Administration.
### TABLE B

**Freeboard Table for Type ‘B’ Ships**

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<th>Length of ship (feet)</th>
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*Navigation Act 1912* 119
Schedule 4  Articles of, and Annexes to, the Load Line Convention

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<th>Length of ship (feet)</th>
<th>Freeboard (inches)</th>
<th>Length of ship (feet)</th>
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Freeboards at intermediate lengths of ship shall be obtained by linear interpolation.

Ships above 1200 feet in length shall be dealt with by the Administration.

**Regulation 29**

*Correction to the Freeboard for Ships under 100 metres (328 feet) in length*

The tabular freeboard for a Type ‘B’ ship of between 24 metres (79 feet) and 100 metres (328 feet) in length having enclosed superstructures with an effective length of up to 35 per cent of the length of the ship shall be increased by:

\[
7.5 (100 - L) \left( 0.35 - \frac{E}{L} \right) \text{ millimetres}
\]

where \( L = \) length of ship in metres,

\( E = \) effective length of superstructure in metres as defined in Regulation 35;

or

\[
0.09 (328 - L) \left( 0.35 - \frac{E}{L} \right) \text{ inches}
\]

where \( L = \) length of ship in feet,

\( E = \) effective length of superstructure in feet as defined in Regulation 35.
Regulation 30

*Correction for Block Coefficient*

Where the block coefficient \( (C_b) \) exceeds 0.68, the tabular freeboard specified in Regulation 28 as modified, if applicable, by Regulations 27 (8), 27 (10) and 29 shall be multiplied by the factor \( \frac{C_b + 0.68}{1.36} \).

Regulation 31

*Correction for Depth*

1. Where \( D \) exceeds \( \frac{L}{15} \) the freeboard shall be increased by

\[
\left( D - \frac{L}{15} \right) R \text{ millimetres where } R = \frac{L}{0.48} \text{ at lengths less than 120 metres and } 250 \text{ at 120 metres length and above, or}
\]

\[
\left( D - \frac{L}{15} \right) R \text{ inches, where } R = \frac{L}{131.2} \text{ at lengths less than 393.6 feet and } 3 \text{ at 393.6 feet length and above.}
\]

2. Where \( D \) is less than \( \frac{L}{15} \) no reduction shall be made except in a ship with an enclosed superstructure covering at least 0.6 \( L \) amidships, with a complete trunk, or combination of detached enclosed superstructures and trunks which extend all fore and aft, where the freeboard shall be reduced at the rate prescribed in paragraph (1) of this Regulation.

3. Where the height of superstructure or trunk is less than the standard height, the reduction shall be in the ratio of the actual to the standard height as defined in Regulation 33.

Regulation 32

*Correction for Position of Deck Line*

Where the actual depth to the upper edge of the deck line is greater or less than \( D \), the difference between the depths shall be added to or deducted from the freeboard.
Regulation 33

Standard Height of Superstructure

The standard height of a superstructure shall be as given in the following table:

<table>
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<tr>
<th>Standard Height (in metres)</th>
<th>L (metres)</th>
<th>Raised Quarter Deck</th>
<th>All other Superstructures</th>
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<th>Standard Height (in feet)</th>
<th>L (feet)</th>
<th>Raised Quarter Deck</th>
<th>All other Superstructures</th>
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The standard heights at intermediate lengths of the ship shall be obtained by linear interpolation.

Regulation 34

Length of Superstructure

(1) Except as provided in paragraph (2) of this Regulation, the length of a superstructure (S) shall be the mean length of the parts of the superstructure which lie within the length (L).

(2) Where the end bulkhead of an enclosed superstructure extends in a fair convex curve beyond its intersection with the superstructure sides, the length of the superstructure may be increased on the basis of an equivalent plane bulkhead. This increase shall be two-thirds of the fore and aft extent of the curvature. The maximum curvature which may be taken into account in determining this increase is one-half the breadth of the superstructure at the point of intersection of the curved end of the superstructure with its side.
Regulation 35

Effective Length of Superstructure

(1) Except as provided for in paragraph (2) of this Regulation, the effective length (E) of an enclosed superstructure of standard height shall be its length.

(2) In all cases where an enclosed superstructure of standard height is set in from the sides of the ship as permitted in Regulation 3 (10), the effective length shall be the length modified by the ratio of b/Bs, where

\[ E = \text{length} \times \frac{b}{Bs} \]

Where a superstructure is set in for a part of its length, this modification shall be applied only to the set in part.

(3) Where the height of an enclosed superstructure is less than the standard height, the effective length shall be its length reduced in the ratio of the actual height to the standard height. Where the height exceeds the standard, no increase shall be made to the effective length of the superstructure.

(4) The effective length of a raised quarter deck, if fitted with an intact bulkhead, shall be its length up to a maximum of 0.6 L. Where the bulkhead is not intact, the raised quarter deck shall be treated as a poop of less than standard height.

(5) Superstructures which are not enclosed shall have no effective length.

Regulation 36

Trunks

(1) A trunk or similar structure which does not extend to the sides of the ship shall be regarded as efficient on the following conditions:

(a) the trunk is at least as strong as a superstructure;

(b) the hatchways are in the trunk deck, and the hatchway coamings and covers comply with the requirements of Regulations 13 to 16 inclusive and the width of the trunk deck stringer provides a satisfactory gangway and sufficient lateral stiffness. However, small access openings with watertight covers may be permitted in the freeboard deck;

(c) a permanent working platform fore and aft fitted with guard rails is provided by the trunk deck, or by detached trunks connected to superstructures by efficient permanent gangways;
(d) ventilators are protected by the trunk, by watertight covers or by other equivalent means;

(e) open rails are fitted on the weather parts of the freeboard deck in way of the trunk for at least half their length;

(f) the machinery casings are protected by the trunk, by a superstructure of at least standard height, or by a deckhouse of the same height and of equivalent strength;

(g) the breadth of the trunk is at least 60 per cent of the breadth of the ship; and

(h) where there is no superstructure, the length of the trunk is at least 0.6 L.

(2) The full length of an efficient trunk reduced in the ratio of its mean breadth to B shall be its effective length.

(3) The standard height of a trunk is the standard height of a superstructure other than a raised quarter deck.

(4) Where the height of a trunk is less than the standard height, its effective length shall be reduced in the ratio of the actual to the standard height. Where the height of hatchway coamings on the trunk deck is less than that required under Regulation 15 (1), a reduction from the actual height of trunk shall be made which corresponds to the difference between the actual and the required height of coaming.

Regulation 37

\textit{Deduction for Superstructures and Trunks}

(1) Where the effective length of superstructures and trunks is 1.0 L, the deduction from the freeboard shall be 350 millimetres at 24 metres length of ship, 860 millimetres at 85 metres length, and 1070 millimetres at 122 metres length and above (14 inches at 79 feet length of ship, 34 inches at 279 feet length, and 42 inches at 400 feet length and above); deductions at intermediate lengths shall be obtained by linear interpolation.

(2) Where the total effective length of superstructures and trunks is less than 1.0 L the deduction shall be a percentage obtained from one of the following tables:
### Percentage of Deduction for Type ‘A’ ships

<table>
<thead>
<tr>
<th>Total Effective Length of Superstructures and Trunks</th>
<th>0</th>
<th>0.1L</th>
<th>0.2L</th>
<th>0.3L</th>
<th>0.4L</th>
<th>0.5L</th>
<th>0.6L</th>
<th>0.7L</th>
<th>0.8L</th>
<th>0.9L</th>
<th>1.0L</th>
</tr>
</thead>
<tbody>
<tr>
<td>Percentage of deduction for all types of superstructures</td>
<td>0</td>
<td>7</td>
<td>14</td>
<td>21</td>
<td>31</td>
<td>41</td>
<td>52</td>
<td>63</td>
<td>75.3</td>
<td>87.7</td>
<td>100</td>
</tr>
</tbody>
</table>

Percentages at intermediate lengths of superstructures shall be obtained by linear interpolation.

### Percentage of Deduction for Type ‘B’ ships

<table>
<thead>
<tr>
<th>Total Effective Length of Superstructures and Trunks</th>
<th>0</th>
<th>0.1L</th>
<th>0.2L</th>
<th>0.3L</th>
<th>0.4L</th>
<th>0.5L</th>
<th>0.6L</th>
<th>0.7L</th>
<th>0.8L</th>
<th>0.9L</th>
<th>1.0L</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ships with forecastle and without detached bridge</td>
<td>I</td>
<td>0</td>
<td>5</td>
<td>10</td>
<td>15</td>
<td>23.5</td>
<td>32</td>
<td>46</td>
<td>63</td>
<td>75.3</td>
<td>87.7</td>
</tr>
<tr>
<td>Ships with forecastle and detached bridge</td>
<td>II</td>
<td>0</td>
<td>6.3</td>
<td>12.7</td>
<td>19</td>
<td>27.5</td>
<td>36</td>
<td>46</td>
<td>63</td>
<td>75.3</td>
<td>87.7</td>
</tr>
</tbody>
</table>

Percentages at intermediate lengths of superstructures shall be obtained by linear interpolation.

(3) For ships of Type ‘B’:

(a) Where the effective length of a bridge is less than 0.2 L, the percentages shall be obtained by linear interpolation between lines I and II.

(b) Where the effective length of a forecastle is more than 0.4 L, the percentages shall be obtained from line II.

(c) Where the effective length of a forecastle is less than 0.07 L, the above percentages shall be reduced by:

\[ 5 \times \frac{0.07 L - f}{0.07 L} \]

where \( f \) is the effective length of the forecastle.
Regulation 38

*Sheer*

*General*

(1) The sheer shall be measured from the deck at side to a line of reference drawn parallel to the keel through the sheer line amidships.

(2) In ships designed with a rake of keel, the sheer shall be measured in relation to a reference line drawn parallel to the design load waterline.

(3) In flush deck ships and in ships with detached superstructures the sheer shall be measured at the freeboard deck.

(4) In ships with topsides of unusual form in which there is a step or break in the topsides, the sheer shall be considered in relation to the equivalent depth amidships.

(5) In ships with a superstructure of standard height which extends over the whole length of the freeboard deck, the sheer shall be measured at the superstructure deck. Where the height exceeds the standard the least difference (Z) between the actual and standard heights shall be added to each end ordinate. Similarly, the intermediate ordinates at distances of $\frac{1}{6} L$ and $\frac{1}{3} L$ from each perpendicular shall be increased by 0.444 Z and 0.111 Z respectively.

(6) Where the deck of an enclosed superstructure has at least the same sheer as the exposed freeboard deck, the sheer of the enclosed portion of the freeboard deck shall not be taken into account.

(7) Where an enclosed poop or forecastle is of standard height with greater sheer than that of the freeboard deck, or is of more than standard height, an addition to the sheer of the freeboard deck shall be made as provided in paragraph (12) of this Regulation.

*Standard Sheer Profile*

(8) The ordinates of the standard sheer profile are given in the following table:
### Standard Sheer Profile
(Where L is in metres)

<table>
<thead>
<tr>
<th>Station</th>
<th>Ordinate (in millimetres)</th>
<th>Factor</th>
</tr>
</thead>
<tbody>
<tr>
<td>After Perpendicular ......</td>
<td>$25 \left( \frac{L}{3} + 10 \right)$</td>
<td>1</td>
</tr>
<tr>
<td>$1/6$ L from A.P. ..........</td>
<td>$11.1 \left( \frac{L}{3} + 10 \right)$</td>
<td>3</td>
</tr>
<tr>
<td>$1/3$ L from A.P. ..........</td>
<td>$2.8 \left( \frac{L}{3} + 10 \right)$</td>
<td>3</td>
</tr>
<tr>
<td>Amidships .....................</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>$1/6$ L from F.P. ..........</td>
<td>$22.2 \left( \frac{L}{3} + 10 \right)$</td>
<td>3</td>
</tr>
<tr>
<td>Amidships .....................</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>$1/3$ L from F.P. ..........</td>
<td>$5.6 \left( \frac{L}{3} + 10 \right)$</td>
<td>3</td>
</tr>
<tr>
<td>Forward Perpendicular ..</td>
<td>$50 \left( \frac{L}{3} + 10 \right)$</td>
<td>1</td>
</tr>
</tbody>
</table>

### Standard Sheer Profile
(Where L is in feet)

<table>
<thead>
<tr>
<th>Station</th>
<th>Ordinate (in inches)</th>
<th>Factor</th>
</tr>
</thead>
<tbody>
<tr>
<td>After Perpendicular ......</td>
<td>0.1 $L + 10$</td>
<td>1</td>
</tr>
<tr>
<td>$1/6$ L from A.P. ..........</td>
<td>0.04444 $L + 4.44$</td>
<td>3</td>
</tr>
<tr>
<td>$1/3$ L from A.P. ..........</td>
<td>0.01111 $L + 1.11$</td>
<td>3</td>
</tr>
<tr>
<td>Amidships .....................</td>
<td>0</td>
<td>1</td>
</tr>
</tbody>
</table>
Measurement of Variation from Standard Sheer Profile

(9) Where the sheer profile differs from the standard, the four ordinates of each profile in the forward or after half shall be multiplied by the appropriate factors given in the table of ordinates. The difference between the sums of the respective products and those of the standard divided by 8 measures the deficiency or excess of sheer in the forward or after half. The arithmetical mean of the excess or deficiency in the forward and after halves measures the excess or deficiency of sheer.

(10) Where the after half of the sheer profile is greater than the standard and the forward half is less than the standard, no credit shall be allowed for the part in excess and deficiency only shall be measured.

(11) Where the forward half of the sheer profile exceeds the standard, and the after portion of the sheer profile is not less than 75 per cent of the standard, credit shall be allowed for the part in excess; where the after part is less than 50 per cent of the standard no credit shall be given for the excess sheer forward. Where the after sheer is between 50 per cent and 75 per cent of the standard intermediate allowances may be granted for excess sheer forward.

(12) Where sheer credit is given for a poop or forecastle the following formula shall be used:

\[
    s = \frac{y L}{3 L'}
\]

where  
\( s \) = sheer credit, to be deducted from the deficiency or added to the excess of sheer,  
\( y \) = difference between actual and standard height of superstructure at the end of sheer,  
\( L' \) = mean enclosed length of poop or forecastle up to a maximum length of 0.5 L,  
\( L \) = length of ship as defined in Regulation 3 (1) of this Annex.
The above formula provides a curve in the form of a parabola tangent to the actual sheer curve at the freeboard deck and intersecting the end ordinate at a point below the superstructure deck a distance equal to the standard height of a superstructure. The superstructure deck shall not be less than standard height above this curve at any point. This curve shall be used in determining the sheer profile for forward and after halves of the ship.

**Correction for Variations from Standard Sheer Profile**

(13) The correction for sheer shall be the deficiency or excess of sheer (see paragraphs (9) to (11) inclusive of this Regulation), multiplied by

\[ 0.75 - \frac{S}{2L} \]

where \( S \) is the total length of enclosed superstructures.

**Addition for Deficiency in Sheer**

(14) Where the sheer is less than the standard, the correction for deficiency in sheer (see paragraph (13) of this Regulation) shall be added to the freeboard.

**Deduction for Excess Sheer**

(15) In ships where an enclosed superstructure covers 0.1 \( L \) before and 0.1 \( L \) abaft amidships, the correction for excess of sheer as calculated under the provisions of paragraph (13) of this Regulation shall be deducted from the freeboard; in ships where no enclosed superstructure covers amidships, no deduction shall be made from the freeboard; where an enclosed superstructure covers less than 0.1 \( L \) before and 0.1 \( L \) abaft amidships, the deduction shall be obtained by linear interpolation. The maximum deduction for excess sheer shall be at the rate of 125 millimetres per 100 metres of length (1\( \frac{1}{2} \) inches per 100 feet of length).

**Regulation 39**

**Minimum Bow Height**

(1) The bow height defined as the vertical distance at the forward perpendicular between the waterline corresponding to the assigned summer freeboard and the designed trim and the top of the exposed deck at side shall be not less than:

for ships below 250 metres in length,

\[ 56 \left[ 1 - \frac{L}{500} \right] \frac{1.36}{C_b + 0.68} \text{ millimetres;} \]
for ships of 250 metres and above in length,

\[
7000 \frac{1.36}{C_b + 0.68} \, \text{millimetres;}
\]

where \( L \) is the length of the ship in metres,

\( C_b \) is the block coefficient which is to be taken as not less than 0.68

or,

for ships below 820 feet in length,

\[
0.672 L \left(1 - \frac{L}{1640}\right) \frac{1.36}{C_b + 0.68} \, \text{inches;}
\]

for ships of 820 feet and above in length,

\[
275.6 \frac{1.36}{C_b + 0.68} \, \text{inches;}
\]

where \( L \) is the length of the ship in feet,

\( C_b \) is the block coefficient which is to be taken as not less than 0.68.

(2) Where the bow height required in paragraph (1) of this Regulation is obtained by sheer, the sheer shall extend for at least 15 per cent of the length of the ship measured from the forward perpendicular. Where it is obtained by fitting a superstructure, such superstructure shall extend from the stem to a point at least 0.07 \( L \) abaft the forward perpendicular, and it shall comply with the following requirements:

\( a \) for ships not over 100 metres (328 feet) in length it shall be enclosed as defined in Regulation 3 (10), and

\( b \) for ships over 100 metres (328 feet) in length it need not comply with Regulation 3 (10) but shall be fitted with closing appliances to the satisfaction of the Administration.

(3) Ships which, to suit exceptional operational requirements, cannot meet the requirements of paragraphs (1) and (2) of this Regulation may be given special consideration by the Administration.
Regulation 40

Minimum Freeboards

Summer Freeboard

(1) The minimum freeboard in summer shall be the freeboard derived from the tables in Regulation 28 as modified by the corrections in Regulations 27, as applicable, 29, 30, 31, 32, 37, 38 and, if applicable, 39.

(2) The freeboard in salt water, as calculated in accordance with paragraph (1) of this Regulation, but without the correction for deck line, as provided by Regulation 32, shall not be less than 50 millimetres (2 inches). For ships having in position 1 hatchways with covers which do not comply with the requirements of Regulations 15 (7), 16 or 26, the freeboard shall be not less than 150 millimetres (6 inches).

Tropical Freeboard

(3) The minimum freeboard in the Tropical Zone shall be the freeboard obtained by a deduction from the summer freeboard of one forty-eighth of the summer draught measured from the top of the keel to the centre of the ring of the load line mark.

(4) The freeboard in salt water, as calculated in accordance with paragraph (1) of this Regulation, but without the correction for deck line, as provided by Regulation 32, shall not be less than 50 millimetres (2 inches). For ships having in position 1 hatchways with covers which do not comply with the requirements of Regulations 15 (7), 16 or 26, the freeboard shall be not less than 150 millimetres (6 inches).

Winter Freeboard

(5) The minimum freeboard in winter shall be the freeboard obtained by an addition to the summer freeboard of one forty-eighth of summer draught, measured from the top of the keel to the centre of the ring of the load line mark.

Winter North Atlantic Freeboard

(6) The minimum freeboard for ships of not more than 100 metres (328 feet) in length, which enter any part of the North Atlantic defined in Regulation 52 (Annex II) during the winter seasonal period, shall be the winter freeboard plus 50 millimetres (2 inches). For other ships, the Winter North Atlantic Freeboard shall be the winter freeboard.
Fresh Water Freeboard

(7) The minimum freeboard in fresh water of unit density shall be obtained by deducting from the minimum freeboard in salt water:

\[ \frac{\Delta}{40T} \] centimetres (inches)

where \( \Delta = \) displacement in salt water in tons at the summer load waterline,
\( T = \) tons per centimetre (inch) immersion in salt water at the summer load waterline.

(8) Where the displacement at the summer load waterline cannot be certified, the deduction shall be one forty-eighth of summer draught, measured from the top of the keel to the centre of the ring of the load line mark.
CHAPTER IV.—SPECIAL REQUIREMENTS FOR SHIPS ASSIGNED TIMBER FREEBOARDS

Regulation 41

Application of this Chapter

Regulations 42 to 45 inclusive apply only to ships to which timber load lines are assigned.

Regulation 42

Definitions

(1) Timber Deck Cargo. The term “timber deck cargo” means a cargo of timber carried on an uncovered part of a freeboard or superstructure deck. The term does not include wood pulp or similar cargo.

(2) Timber Load Line. A timber deck cargo may be regarded as giving a ship a certain additional buoyancy and a greater degree of protection against the sea. For that reason, ships carrying a timber deck cargo may be granted a reduction of freeboard calculated according to the provisions of Regulation 45 and marked on the ship’s side in accordance with the provisions of Regulation 6 (3) and (4). However, in order that such special freeboard may be granted and used, the timber deck cargo shall comply with certain conditions which are laid down in Regulation 44, and the ship itself shall also comply with certain conditions relating to its construction which are set out in Regulation 43.

Regulation 43

Construction of Ship

Superstructure

(1) Ships shall have a forecastle of at least standard height and a length of at least 0.07 L. In addition, if the ship is less than 100 metres (328 feet) in length, a poop of at least standard height, or a raised quarter deck with either a deckhouse or a strong steel hood of at least the same total height shall be fitted aft.
Double Bottom Tanks

(2) Double bottom tanks where fitted within the midship half length of the ship shall have adequate watertight longitudinal subdivision.

Bulwarks

(3) The ship shall be fitted either with permanent bulwarks at least 1 metre (39½ inches) in height, specially stiffened on the upper edge and supported by strong bulwark stays attached to the deck and provided with necessary freeing ports, or with efficient rails of the same height and of specially strong construction.

Regulation 44

Stowage

General

(1) Openings in the weather deck over which cargo is stowed shall be securely closed and battened down. The ventilators shall be efficiently protected.

(2) Timber deck cargo shall extend over at least the entire available length which is the total length of the well or wells between superstructures. Where there is no limiting superstructure at the after end, the timber shall extend at least to the after end of the aftermost hatchway. The timber shall be stowed as solidly as possible to at least the standard height of the superstructure.

(3) On a ship within a seasonal winter zone in winter, the height of the deck cargo above the weather deck shall not exceed one-third of the extreme breadth of the ship.

(4) The timber deck cargo shall be compactly stowed, lashed and secured. It shall not interfere in any way with the navigation and necessary work of the ship.

Uprights

(5) Uprights, when required by the nature of the timber, shall be of adequate strength considering the breadth of the ship; the spacing shall be suitable for the length and character of timber carried, but shall not exceed 3 metres (9.8 feet). Strong angles or metal sockets or equally efficient means shall be provided for securing the uprights.
Lashings

(6) Timber deck cargo shall be efficiently secured throughout its length by independent over-all lashings spaced not more than 3 metres (9.8 feet) apart. Eye plates for these lashings shall be efficiently attached to the sheer strake or to the deck stringer plate at intervals of not more than 3 metres (9.8 feet). The distance from an end bulkhead of a superstructure to the first eye plate shall be not more than 2 metres (6.6 feet). Eye plates and lashings shall be provided 0.6 metres (23½ inches) and 1.5 metres (4.9 feet) from the ends of timber deck cargoes where there is no bulkhead.

(7) Lashings shall be not less than 19 millimetres (¾ inch) close link chain or flexible wire rope of equivalent strength, fitted with sliphooks and turnbuckles, which shall be accessible at all times. Wire rope lashings shall have a short length of long link chain to permit the length of lashings to be regulated.

(8) When timber is in lengths less than 3.6 metres (11.8 feet) the spacing of the lashings shall be reduced or other suitable provisions made to suit the length of timber.

(9) All fittings required for securing the lashings shall be of strength corresponding to the strength of the lashings.

Stability

(10) Provision shall be made for a safe margin of stability at all stages of the voyage, regard being given to additions of weight, such as those due to absorption of water and icing and to losses of weight such as those due to consumption of fuel and stores.

Protection of Crew, Access to Machinery Spaces, etc.

(11) In addition to the requirements of Regulation 25 (5) of this Annex guard rails or life lines spaced not more than 330 millimetres (13 inches) apart vertically shall be provided on each side of the deck cargo to a height of at least 1 metre (39½ inches) above the cargo.

Steering Arrangements

(12) Steering arrangements shall be effectively protected from damage by cargo and, as far as practicable, shall be accessible. Efficient provision shall be made for steering in the event of a breakdown in the main steering arrangements.
Regulation 45

_Computation for Freeboard_

(1) The minimum summer freeboard shall be computed in accordance with Regulations 27 (5), 27 (6), 27 (11), 28, 29, 30, 31, 32, 37 and 38, except that Regulation 37 is modified by substituting the following percentages for those given in Regulation 37:

<table>
<thead>
<tr>
<th>Total effective length of superstructures</th>
<th>0</th>
<th>0.1L</th>
<th>0.2L</th>
<th>0.3L</th>
<th>0.4L</th>
<th>0.5L</th>
<th>0.6L</th>
<th>0.7L</th>
<th>0.8L</th>
<th>0.9L</th>
<th>1.0L</th>
</tr>
</thead>
<tbody>
<tr>
<td>Percentage of deduction for all types of superstructure .....</td>
<td>20</td>
<td>31</td>
<td>42</td>
<td>53</td>
<td>64</td>
<td>70</td>
<td>76</td>
<td>82</td>
<td>88</td>
<td>94</td>
<td>100</td>
</tr>
</tbody>
</table>

Percentages at intermediate lengths of superstructures shall be obtained by linear interpolation.

(2) The Winter Timber Freeboard shall be obtained by adding to the Summer Timber Freeboard one thirty-sixth of the moulded summer timber draught.

(3) The Winter North Atlantic Timber Freeboard shall be the same as the Winter North Atlantic Freeboard prescribed in Regulation 40 (6).

(4) The Tropical Timber Freeboard shall be obtained by deducting from the Summer Timber Freeboard one forty-eighth of the moulded summer timber draught.

(5) The Fresh Water Timber Freeboard shall be computed in accordance with Regulation 40 (7) based on the summer timber load waterline.
ANNEX II

ZONES, AREAS AND SEASONAL PERIODS

The zones and areas in this Annex are, in general, based on the following criteria:

Summer—not more than 10 per cent winds of force 8 Beaufort (34 knots) or more.

Tropical—not more than 1 per cent winds of force 8 Beaufort (34 knots) or more. Not more than one tropical storm in 10 years in an area of 5° square in any one separate calendar month.

In certain special areas, for practical reasons, some degree of relaxation has been found acceptable.

A chart is attached to this Annex to illustrate the zones and areas defined below.

Regulation 46

Northern Winter Seasonal Zones and Area

(1) North Atlantic Winter Seasonal Zones I and II

(a) The North Atlantic Winter Seasonal Zone I lies within the meridian of longitude 50°W from the coast of Greenland to latitude 45°N, thence the parallel of latitude 45°N to longitude 15°W, thence the meridian longitude 15°W to latitude 60°N, thence the parallel of latitude 60°N, to the Greenwich Meridian, thence this meridian northwards.

   Seasonal periods:
   WINTER: 16 October to 15 April
   SUMMER: 16 April to 15 October

(b) The North Atlantic Winter Seasonal Zone II lies within the meridian of longitude 68°30′W from the coast of the United States to latitude 40°N, thence the rhumb line to the point latitude 36°N, longitude 73°W, thence the parallel of latitude 36°N, to longitude 25°W and thence the rhumb line to Cape Toriñana.

   Excluded from this zone are the North Atlantic Winter Seasonal Zone I and the Baltic Sea bounded by the parallel of the latitude of The Skaw in the Skagerrak.
Seasonal periods:
WINTER: 1 November to 31 March
SUMMER: 1 April to 31 October

(2) North Atlantic Winter Seasonal Area
The boundary of the North Atlantic Winter Seasonal Area is—
the meridian of longitude 68°30’W from the coast of the United States to latitude 40°N, thence the rhumb line to the southernmost intersection of the meridian of longitude 61°W with the coast of Canada and thence the east coasts of Canada and the United States.
Seasonal periods:
For ships over 100 metres (328 feet) in length:
WINTER: 16 December to 15 February
SUMMER: 16 February to 15 December
For ships of 100 metres (328 feet) and under in length:
WINTER: 1 November to 31 March
SUMMER: 1 April to 31 October

(3) North Pacific Winter Seasonal Zone
The southern boundary of the North Pacific Winter Seasonal Zone is—
the parallel of latitude 50°N from the east coast of the USSR to the west coast of Sakhalin, thence the west coast of Sakhalin to the southern extremity of Cape Kril’on, thence the rhumb line to Wakkanai, Hokkaido, Japan, thence the east and south coasts of Hokkaido to longitude 145°E, thence the meridian of longitude 145°E to latitude 35°N, thence the parallel of latitude 35°N to longitude 150°W and thence the rhumb line to the southern extremity of Dall Island, Alaska.
Seasonal periods:
WINTER: 16 October to 15 April
SUMMER: 16 April to 15 October

Regulation 47
Southern Winter Seasonal Zone
The northern boundary of the Southern Winter Seasonal Zone is—
the rhumb line from the east coast of the American continent to Cape Tres Puntas to the point latitude 34°S, longitude 50°W, thence the parallel of latitude 34°S to longitude 17°E, thence the rhumb line to the point latitude 35°10’S, longitude 20°E, thence the rhumb line to the point latitude 34°S,
longitude 28°E, thence along the rhumb line to the point latitude 35°30′S, longitude 118°E, and thence the rhumb line to Cape Grim on the northwest coast of Tasmania; thence along the north and east coasts of Tasmania to the southernmost point of Bruny Island, thence the rhumb line to Black Rock Point on Stewart Island, thence the rhumb line to the point latitude 47°S, longitude 170°E, thence along the rhumb line to the point latitude 33°S, longitude 170°W, and thence the parallel of latitude 33°S to the west coast of the American continent.

Seasonal periods:
- WINTER: 16 April to 15 October
- SUMMER: 16 October to 15 April

Regulation 48

Tropical Zone

(1) Northern Boundary of the Tropical Zone
The northern boundary of the Tropical Zone is—
the parallel of latitude 13°N from the east coast of the American continent to longitude 60°W, thence the rhumb line to the point latitude 10°N, longitude 58°W, thence the parallel of latitude 10°N to longitude 20°W, thence the meridian of longitude 20°W to latitude 30°N and thence the parallel of latitude 30°N to the west coast of Africa; from the east coast of Africa the parallel of latitude 8°N to longitude 70°E, thence the meridian of longitude 70°E to latitude 13°N, thence the parallel of latitude 13°N to the west coast of India; thence the south coast of India to latitude 10°30′N on the east coast of India, thence the rhumb line to the point latitude 9°N, longitude 82°E, thence the meridian of longitude 82°E to latitude 8°N, thence the parallel of latitude 8°N to the west coast of Malaysia, thence the coast of South-East Asia to the east coast of Vietnam at latitude 10°N, thence the parallel of latitude 10°N to longitude 145°E, thence the meridian of longitude 145°E to latitude 13°N and thence the parallel of latitude 13°N to the west coast of the American continent.

Saigon is to be considered as being on the boundary line of the Tropical Zone and the Seasonal Tropical Area.

(2) Southern Boundary of the Tropical Zone
The southern boundary of the Tropical Zone is—
the rhumb line from the Port of Santos, Brazil, to the point where the meridian of longitude 40°W intersects the Tropic of Capricorn; thence the Tropic of Capricorn to the west coast of Africa; from the east coast of
Africa the parallel of latitude 20°S to the west coast of Madagascar, thence the west and north coasts of Madagascar to longitude 50°E, thence the meridian of longitude 50°E to latitude 10°S, thence the parallel of latitude 10°S to longitude 98°E, thence the rhumb line to Port Darwin, Australia, thence the coasts of Australia and Wessel Island eastwards to Cape Wessel, thence the parallel of latitude 11°S to the west side of Cape York; from the east side of Cape York the parallel of latitude 11°S to longitude 150°W, thence the rhumb line to the point latitude 26°S, longitude 75°W, and thence the rhumb line to the west coast of the American continent at latitude 30°S.

Coquimbo and Santos are to be considered as being on the boundary line of the Tropical and Summer Zones.

(3) Areas to be included in the Tropical Zone
The following areas are to be treated as included in the Tropical Zone—

(a) The Suez Canal, the Red Sea and the Gulf of Aden, from Port Said to the meridian of longitude 45°E.

Aden and Berbera are to be considered as being on the boundary line of the Tropical Zone and the Seasonal Tropical Area.

(b) The Persian Gulf to the meridian of longitude 59°E.

(c) The area bounded by the parallel of latitude 22°S from the east coast of Australia to the Great Barrier Reef, thence the Great Barrier Reef to latitude 11°S. The northern boundary of the area is the southern boundary of the Tropical Zone.

Regulation 49

Seasonal Tropical Areas

The following are Seasonal Tropical Areas:

(1) In the North Atlantic
An area bounded—

on the north by the rhumb line from Cape Catoche, Yucatan, to Cape San Antonio, Cuba, the north coast of Cuba to latitude 20°N and thence the parallel of latitude 20°N to longitude 20°W;

on the west by the coast of the American continent;

on the south and east by the northern boundary of the Tropical Zone.

Seasonal periods:

TROPICAL: 1 November to 15 July
SUMMER: 16 July to 31 October
(2) **In the Arabian Sea**

An area bounded—
on the west by the coast of Africa, the meridian of longitude 45°E in the Gulf of Aden, the coast of South Arabia and the meridian of longitude 59°E in the Gulf of Oman;
on the north and east by the coasts of Pakistan and India;
on the south by the northern boundary of the Tropical Zone.

Seasonal periods:
- TROPICAL: 1 September to 31 May
- SUMMER: 1 June to 31 August

(3) **In the Bay of Bengal**

The Bay of Bengal north of the northern boundary of the Tropical Zone.

Seasonal periods:
- TROPICAL: 1 December to 30 April
- SUMMER: 1 May to 30 November

(4) **In the South Indian Ocean**

(a) An area bounded—
on the north and west by the southern boundary of the Tropical Zone and the east coast of Madagascar;
on the south by the parallel of latitude 20°S;
on the east by the rhumb line from the point latitude 20°S, longitude 50°E, to the point latitude 15°S, longitude 51°30′E and thence by the meridian of longitude 51°30′E to latitude 10°S.

Seasonal periods:
- TROPICAL: 1 April to 30 November
- SUMMER: 1 December to 31 March

(b) An area bounded—
on the north by the southern boundary of the Tropical Zone;
on the east by the coast of Australia;
on the south by the parallel of latitude 15°S from longitude 51°30′E, to longitude 120°E and thence the meridian of longitude 120°E to the coast of Australia;
on the west by the meridian of longitude 51°30′E.

Seasonal periods:
- TROPICAL: 1 May to 30 November
- SUMMER: 1 December to 30 April
(5) *In the China Sea*

An area bounded—

- on the west and north by the coasts of Vietnam and China from latitude 10°N to Hong Kong;
- on the east by the rhumb line from Hong Kong to the Port of Sual (Luzon Island) and the west coasts of the Islands of Luzon, Samar and Leyte to latitude 10°N;
- on the south by the parallel of latitude 10°N.

Hong Kong and Sual are to be considered as being on the boundary of the Seasonal Tropical area and Summer Zone.

Seasonal periods:

- **TROPICAL:** 21 January to 30 April
- **SUMMER:** 1 May to 20 January

(6) *In the North Pacific*

(a) An area bounded—

- on the north by the parallel of latitude 25°N;
- on the west by the meridian of longitude 160°E;
- on the south by the parallel of latitude 13°N;
- on the east by the meridian of longitude 130°W.

Seasonal periods:

- **TROPICAL:** 1 April to 31 October
- **SUMMER:** 1 November to 31 March

(b) An area bounded—

- on the north and east by the west coast of the American continent;
- on the west by the meridian of longitude 123°W from the coast of the American continent to latitude 33°N and by the rhumb line from the point latitude 33°N, longitude 123°W, to the point latitude 13°N, longitude 105°W;
- on the south by the parallel of latitude 13°N.

Seasonal periods:

- **TROPICAL:** 1 March to 30 June and
  - 1 November to 30 November
- **SUMMER:** 1 July to 31 October and
  - 1 December to 28/29 February
(7) **In the South Pacific**

(a) The Gulf of Carpentaria south of latitude 11°S.

Seasonal periods:
- TROPICAL: 1 April to 30 November
- SUMMER: 1 December to 31 March

(b) An area bounded—
- on the north and east by the southern boundary of the Tropical Zone;
- on the south by the Tropic of Capricorn from the east coast of Australia to longitude 150°W, thence by the meridian of longitude 150°W to latitude 20°S and thence by the parallel of latitude 20°S to the point where it intersects the southern boundary of the Tropical Zone;
- on the west by the boundaries of the area within the Great Barrier Reef included in the Tropical Zone and by the east coast of Australia.

Seasonal periods:
- TROPICAL: 1 April to 30 November
- SUMMER: 1 December to 31 March

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**Regulation 50**

**Summer Zones**

The remaining areas constitute the Summer Zones. However, for ships of 100 metres (328 feet) and under in length, the area bounded—
- on the north and west by the east coast of the United States;
- on the east by the meridian of longitude 68°30'W from the coast of the United States to latitude 40°N and thence by the rhumb line to the point latitude 36°N, longitude 73°W;
- on the south by the parallel of latitude 36°N;
- is a Winter Seasonal Area.

Seasonal periods:
- WINTER: 1 November to 31 March
- SUMMER: 1 April to 31 October
Regulation 51

Enclosed Seas

(1) Baltic Sea
This sea bounded by the parallel of latitude of the Skaw in the Skagerrak is included in the Summer Zones.
However, for the ships of 100 metres (328 feet) and under in length, it is a Winter Seasonal Area.
Seasonal periods:
  WINTER: 1 November to 31 March
  SUMMER: 1 April to 31 October

(2) Black Sea
This sea is included in the Summer Zones.
However, for ships of 100 metres (328 feet) and under in length, the area north of latitude 44°N is a Winter Seasonal Area.
Seasonal periods:
  WINTER: 1 December to 28/29 February
  SUMMER: 1 March to 30 November

(3) Mediterranean
This sea is included in the Summer Zones.
However, for ships of 100 metres (328 feet) and under in length, the area bounded—
on the north and west by the coasts of France and Spain and the meridian of longitude 3°E from the coast of Spain to latitude 40°N;
on the south by the parallel of latitude 40°N from longitude 3°E to the west coast of Sardinia;
on the east by the west and north coasts of Sardinia from latitude 40°N longitude 9°E, thence by the meridian of longitude 9°E to the south coast of Corsica, thence by the west and north coasts of Corsica to longitude 9°E and thence by the rhumb line to Cape Siciè; is a Winter Seasonal Area.
Seasonal periods:
  WINTER: 16 December to 15 March
  SUMMER: 16 March to 15 December
(4) **Sea of Japan**

This sea south of latitude 50°N is included in the Summer Zones. However, for ships of 100 metres (328 feet) and under in length, the area between the parallel of latitude 50°N and the rhumb line from the east coast of Korea at latitude 38°N to the west coast of Hokkaido, Japan, at latitude 43°12′N is a Winter Seasonal Area.

Seasonal periods:
- **WINTER**: 1 December to 28/29 February
- **SUMMER**: 1 March to 30 November

**Regulation 52**

*The Winter North Atlantic Load Line*

The part of the North Atlantic referred to in Regulation 40 (6) (Annex I) comprises:

(a) that part of the North Atlantic Winter Seasonal Zone II which lies between the meridians of 15°W and 50°W;

(b) the whole of the North Atlantic Winter Seasonal Zone I, the Shetland Islands to be considered as being on the boundary.
ANNEX III

CERTIFICATES

INTERNATIONAL LOAD LINE CERTIFICATE (1966)

(Official seal)

Issued under the provisions of the International Convention on Load Lines, 1966, under the authority of the Government of

(full official designation of the country)

................................................................................................................................

(full official designation of the competent person or organization

by ...........................................................................................................................

recognized under the provisions of the International Convention

................................................................................................................................

on Load Lines, 1966)

................................................................................................................................

<table>
<thead>
<tr>
<th>Name of Ship</th>
<th>Distinctive Number or Letters</th>
<th>Port of Registry</th>
<th>Length (L) as defined in Article 2 (8)</th>
</tr>
</thead>
</table>

Freeboard assigned as:

* A new ship
* An existing ship

Type of ship

* Type ‘A’
* Type ‘B’
* Type ‘B’ with reduced freeboard
* Type ‘B’ with increased freeboard

*Delete whatever is inapplicable.

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### Articles of, and Annexes to, the Load Line Convention Schedule 4

**Freeboard from deck line**

<table>
<thead>
<tr>
<th>Season</th>
<th>North Atlantic</th>
<th>Timber Tropical</th>
<th>Timber Summer</th>
<th>Timber Winter</th>
<th>Timber Winter North Atlantic</th>
</tr>
</thead>
<tbody>
<tr>
<td>Winter</td>
<td>mm. (inches)</td>
<td>mm. (inches)</td>
<td>mm. (inches)</td>
<td>mm. (inches)</td>
<td>mm. (inches)</td>
</tr>
<tr>
<td>Tropical</td>
<td>mm. (inches)</td>
<td>mm. (inches)</td>
<td>mm. (inches)</td>
<td>mm. (inches)</td>
<td>mm. (inches)</td>
</tr>
<tr>
<td>Summer</td>
<td>mm. (inches)</td>
<td>mm. (inches)</td>
<td>mm. (inches)</td>
<td>mm. (inches)</td>
<td>mm. (inches)</td>
</tr>
</tbody>
</table>

**Load line**

The upper edge of the deck line from which these freeboards are measured is mm. (inches) deck at side.

Note: Freeboards and load lines which are not applicable need not be entered on the certificate.

Allowance for fresh water for all freeboards other than timber mm. (inches). For timber freeboards mm. (inches).

Date of initial or periodical survey...

This is to certify that this ship has been surveyed and that the freeboards have been assigned and load lines shown above have been marked in accordance with the International Convention on Load Lines, 1966.

This certificate is valid until, subject to periodical inspections in accordance with Article 14 (1) (c) of the Convention.

Issued at... (Place of issue of certificate)

........... 19...
(Date of issue)  (Signature of official issuing the certificate)  
and/or  
(Seal of issuing authority)  

*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)  

**NOTES:**  

1. When a ship departs from a port situated on a river or inland waters, deeper loading shall be permitted corresponding to the weight of fuel and all other materials required for consumption between the point of departure and the sea.  

2. When a ship is in fresh water of unit density the appropriate load line may be submerged by the amount of the fresh water allowance shown above. Where the density is other than unity, an allowance shall be made proportional to the difference between 1.025 and the actual density.  

**Reverse of Certificate**  

This is to certify that at a periodical inspection required by Article 14 (1) (c) of the Convention, this ship was found to comply with the relevant provisions of the Convention.  

Place ................................................... Date.................................................  

Signature and/or Seal of issuing authority.  

Place ................................................... Date ................................................  

Signature and/or Seal of issuing authority.  

Place ................................................... Date................................................  

Signature and/or Seal of issuing authority.  

Place ................................................... Date................................................  

Signature and/or Seal of issuing authority.  

The provisions of the Convention being fully complied with by this ship, the validity of this certificate is, in accordance with Article 19 (2) of the Convention, extended until......................................................  

Place ................................................... Date................................................  

Signature and/or Seal of issuing authority.
INTERNATIONAL LOAD LINE EXEMPTION CERTIFICATE

(Official seal)

Issued under the provisions of the International Convention on Load Lines, 1966, under the authority of the Government of

(full official designation of the country)

................................................................................................................................

(full official designation of the competent person or organization

by............................................................................................................................

recognized under the provision of the International Convention

................................................................................................................................

on Load Lines, 1966)

................................................................................................................................

<table>
<thead>
<tr>
<th>Name of Ship</th>
<th>Distinctive Number or Letters</th>
<th>Port of Registry</th>
</tr>
</thead>
</table>

This is to certify that the above-mentioned ship is exempted from the provisions of the 1966 Convention, under the authority conferred by Article 6 (2)/Article 6 (4)* of the Convention referred to above.

The provisions of the Convention from which the ship is exempted under Article 6 (2) are:

................................................................................................................................

................................................................................................................................

................................................................................................................................

* Delete whichever is inapplicable.

The voyage for which exemption is granted under Article 6 (4) is:

From: ......................................................................................................................

To: ......................................................................................................................

Conditions, if any, on which the exemption is granted under either Article 6 (2) or Article 6 (4):

................................................................................................................................

................................................................................................................................

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................................................................................................................................
This certificate is valid until.................................................................subject, where appropriate, to periodical inspections in accordance with Article 14 (1) (c) of the Convention.

Issued at............................................................................................................

(Place of issue of certificate)

............19….. ............................................................................

(Date of issue) (Signature of official issuing the certificate)

and/or

(Seal of issuing authority)

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)

Reverse of Certificate

This is to certify that this ship continues to comply with the conditions under which this exemption was granted.

Place ...................................................     Date.................................................

Signature and/or Seal of issuing authority.

Place ...................................................     Date ................................................

Signature and/or Seal of issuing authority.

Place ....................................................     Date................................................

Signature and/or Seal of issuing authority.

Place ....................................................     Date................................................

Signature and/or Seal of issuing authority.

This ship continues to comply with the conditions under which this exemption was granted and the validity of this certificate is, in accordance with Article 19 (4) (a) of the Convention, extended until..............................................

Place ....................................................     Date.................................................

Signature and/or Seal of issuing authority.
ARTICLE I

General Obligation under the present Convention

The Contracting Parties undertake to give effect to the provisions of the present Convention and the Annexes hereto, which shall constitute an integral part of the present Convention.

ARTICLE II

Definitions

For the purpose of the present Convention, unless expressly provided otherwise:

1. “Container” means an article of transport equipment:
   (a) of a permanent character and accordingly strong enough to be suitable for repeated use;
   (b) specially designed to facilitate the transport of goods, by one or more modes of transport, without intermediate reloading;
   (c) designed to be secured and/or readily handled, having corner fittings for these purposes;
   (d) of a size such that the area enclosed by the four outer bottom corners is either:
      (i) at least 14 sq. m. (150 sq. ft.) or
      (ii) at least 7 sq. m. (75 sq. ft.) if it is fitted with top corner fittings;
   the term “container” includes neither vehicles nor packaging; however, containers when carried on chassis are included.

2. “Corner fittings” means an arrangement of apertures and faces at the top and/or bottom of a container for the purposes of handling, stacking and/or securing.

3. “Administration” means the Government of a Contracting Party under whose authority containers are approved.

4. “Approved” means approved by the Administration.

5. “Approval” means the decision by an Administration that a design type or a container is safe within the terms of the present Convention.
6. “International transport” means transport between points of departure and destination situated in the territory of two countries to at least one of which the present Convention applies. The present Convention shall also apply when part of a transport operation between two countries takes place in the territory of a country to which the present Convention applies.

7. “Cargo” means any goods, wares, merchandise and articles of every kind whatsoever carried in the containers.

8. “New container” means a container the construction of which was commenced on or after the date of entry into force of the present Convention.

9. “Existing container” means a container which is not a new container.

10. “Owner” means the owner as provided for under the national law of the Contracting Party or the lessee or bailee, if an agreement between the parties provides for the exercise of the owner’s responsibility for maintenance and examination of the container by such lessee or bailee.

11. “Type of container” means the design type approved by the Administration.

12. “Type-series container” means any container manufactured in accordance with the approved design type.

13. “Prototype” means a container representative of those manufactured or to be manufactured in a design type series.

14. “Maximum Operating Gross Weight or Rating” or “R” means the maximum allowable combined weight of the container and its cargo.

15. “Tare Weight” means the weight of the empty container including permanently affixed ancillary equipment.

16. “Maximum Permissible Payload” or “P” means the difference between maximum operating gross weight or rating and tare weight.

ARTICLE III

Application

1. The present Convention applies to new and existing containers used in international transport, excluding containers specially designed for air transport.

2. Every new container shall be approved either in accordance with the provisions for type-testing or for individual testing as contained in Annex I.

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3. Every existing container shall be approved in accordance with the relevant provisions for approval of existing containers set out in Annex I within 5 years from the date of entry into force of the present Convention.

ARTICLE IV

Testing, Inspection, Approval and Maintenance

1. For the enforcement of the provisions in Annex I every Administration shall establish an effective procedure for the testing, inspection and approval of containers in accordance with the criteria established in the present Convention, provided however that an Administration may entrust such testing, inspection and approval to organizations duly authorized by it.

2. An Administration which entrusts such testing, inspection and approval to an organization shall inform the Secretary-General of the Inter-Governmental Maritime Consultative Organization (hereinafter referred to as “the Organization”) for communication to Contracting Parties.

3. Application for approval may be made to the Administration of any Contracting Party.

4. Every container shall be maintained in a safe condition in accordance with the provisions of Annex I.

5. If an approved container does not in fact comply with the requirements of Annexes I and II the Administration concerned shall take such steps as it deems necessary to bring the container into compliance with such requirements or to withdraw the approval.

ARTICLE V

Acceptance of Approval

1. Approval under the authority of a Contracting Party, granted under the terms of the present Convention, shall be accepted by the other Contracting Parties for all purposes covered by the present Convention. It shall be regarded by the other Contracting Parties as having the same force as an approval issued by them.

2. A Contracting Party shall not impose any other structural safety requirements or tests on containers covered by the present Convention, provided however that nothing in the present Convention shall preclude the application of provisions of national regulations or legislation or of international agreements, prescribing additional structural safety requirements or tests for containers.
specially designed for the transport of dangerous goods, or for those features unique to containers carrying bulk liquids or for containers when carried by air. The term “dangerous goods” shall have that meaning assigned to it by international agreements.

ARTICLE VI

Control

1. Every container which has been approved under article III shall be subject to control in the territory of the Contracting Parties by officers duly authorized by such Contracting Parties. This control shall be limited to verifying that the container carries a valid Safety Approval Plate as required by the present Convention, unless there is significant evidence for believing that the condition of the container is such as to create an obvious risk to safety. In that case the officer carrying out the control shall only exercise it in so far as it may be necessary to ensure that the container is restored to a safe condition before it continues in service.

2. Where the container appears to have become unsafe as a result of a defect which may have existed when the container was approved, the Administration responsible for that approval shall be informed by the Contracting Party which detected the defect.

ARTICLE VII

Signature, ratification, acceptance, approval and accession


2. The present Convention is subject to ratification, acceptance or approval by States which have signed it.

3. The present Convention shall remain open for accession by any State referred to in paragraph 1.
4. Instruments of ratification, acceptance, approval or accession shall be deposited with the Secretary-General of the Organization (hereinafter referred to as “the Secretary-General”).

ARTICLE VIII

Entry into force

1. The present Convention shall enter into force twelve months from the date of the deposit of the tenth instrument of ratification, acceptance, approval or accession.

2. For each State ratifying, accepting, approving or acceding to the present Convention after the deposit of the tenth instrument of ratification, acceptance, approval or accession, the present Convention shall enter into force twelve months after the date of the deposit by such State of its instrument of ratification, acceptance, approval or accession.

3. Any State which becomes a Party to the present Convention after the entry into force of an amendment shall, failing an expression of a different intention by that State,

(a) be considered as a Party to the Convention as amended; and

(b) be considered as a Party to the unamended Convention in relation to any Party to the Convention not bound by the amendment.

ARTICLE IX

Procedure for amending any part or parts of the present Convention

1. The present Convention may be amended upon the proposal of a Contracting Party by any of the procedures specified in this article.

2. Amendment after consideration in the Organization:

(a) Upon the request of a Contracting Party, any amendment proposed by it to the present Convention shall be considered in the Organization. If adopted by a majority of two-thirds of those present and voting in the Maritime Safety Committee of the Organization, to which all Contracting Parties shall have been invited to participate and vote, such amendment shall be communicated to all Members of the Organization and all Contracting Parties at least six months prior to its consideration by the Assembly of the Organization. Any Contracting Party which is not a Member of the Organization shall be entitled to participate and vote when the amendment is considered by the Assembly.
(b) If adopted by a two-thirds majority of those present and voting in the Assembly, and if such majority includes a two-thirds majority of the Contracting Parties present and voting, the amendment shall be communicated by the Secretary-General to all Contracting Parties for their acceptance.

(c) Such amendment shall come into force twelve months after the date on which it is accepted by two-thirds of the Contracting Parties. The amendment shall come into force with respect to all Contracting Parties except those which, before it comes into force, make a declaration that they do not accept the amendment.

3. Amendment by a Conference:

Upon the request of a Contracting Party, concurred in by at least one-third of the Contracting Parties, a Conference to which the States referred to in article VII shall be invited will be convened by the Secretary-General.

ARTICLE X

Special procedure for amending the Annexes

1. Any amendment to the Annexes proposed by a Contracting Party shall be considered in the Organization at the request of that Party.

2. If adopted by a two-thirds majority of those present and voting in the Maritime Safety Committee of the Organization to which all Contracting Parties shall have been invited to participate and to vote, and if such majority includes a two-thirds majority of the Contracting Parties present and voting, such amendment shall be communicated by the Secretary-General to all Contracting Parties for their acceptance.

3. Such an amendment shall enter into force on a date to be determined by the Maritime Safety Committee at the time of its adoption unless by a prior date determined by the Maritime Safety Committee at the same time, one-fifth or five of the Contracting Parties, whichever number is less, notify the Secretary-General of their objection to the amendment. Determination by the Maritime Safety Committee of the dates referred to in this paragraph shall be by a two-thirds majority of those present and voting, which majority shall include a two-thirds majority of the Contracting Parties present and voting.

4. On entry into force any amendment shall, for all Contracting Parties which have not objected to the amendment, replace and supersede any previous provision to which the amendment refers; an objection made by a Contracting Party shall not be binding on other Contracting Parties as to acceptance of containers to which the present Convention applies.

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5. The Secretary-General shall inform all Contracting Parties and Members of the Organization of any request and communication under this article and the date on which any amendment enters into force.

6. Where a proposed amendment to the Annexes has been considered but not adopted by the Maritime Safety Committee, any Contracting Party may request the convening of a Conference to which the States referred to in article VII shall be invited. Upon receipt of notification of concurrence by at least one-third of the other Contracting Parties such a Conference shall be convened by the Secretary-General to consider amendments to the Annexes.

ARTICLE XI

Denunciation

1. Any Contracting Party may denounce the present Convention by effecting the deposit of an instrument with the Secretary-General. The denunciation shall take effect one year from the date of such deposit with the Secretary-General.

2. A Contracting Party which has communicated an objection to an amendment to the Annexes may denounce the present Convention and such denunciation shall take effect on the date of entry into force of such an amendment.

ARTICLE XII

Termination

The present Convention shall cease to be in force if the number of Contracting Parties is less than five for any period of twelve consecutive months.

ARTICLE XIII

Settlement of Disputes

1. Any dispute between two or more Contracting Parties concerning the interpretation or application of the present Convention which cannot be settled by negotiation or other means of settlement shall, at the request of one of them, be referred to an arbitration tribunal composed as follows: each party to the dispute shall appoint an arbitrator and these two arbitrators shall appoint a third arbitrator, who shall be the Chairman. If, three months after receipt of a request, one of the parties has failed to appoint an arbitrator or if the arbitrators have failed to elect the Chairman, any of the parties may request the
Secretary-General to appoint an arbitrator or the Chairman of the arbitration tribunal.

2. The decision of the arbitration tribunal established under the provisions of paragraph 1 shall be binding on the parties to the dispute.

3. The arbitration tribunal shall determine its own rules of procedure.

4. Decisions of the arbitration tribunal, both as to its procedure and its place of meeting and as to any controversy laid before it, shall be taken by majority vote.

5. Any controversy which may arise between the parties to the dispute as regards the interpretation and execution of the award may be submitted by any of the parties for judgment to the arbitration tribunal which made the award.

ARTICLE XIV

Reservations

1. Reservations to the present Convention shall be permitted, excepting those relating to the provisions of articles I–VI, XIII, the present article and the Annexes, on condition that such reservations are communicated in writing and, if communicated before the deposit of the instrument of ratification, acceptance, approval or accession, are confirmed in that instrument. The Secretary-General shall communicate such reservations to all States referred to in article VII.

2. Any reservations made in accordance with paragraph 1:

(a) modifies for the Contracting Party which made the reservation the provisions of the present Convention to which the reservation relates to the extent of the reservation; and

(b) modifies those provisions to the same extent for the other Contracting Parties in their relations with the Contracting Party which entered the reservation.

3. Any Contracting Party which has formulated a reservation under paragraph 1 may withdraw it at any time by notification to the Secretary-General.
ARTICLE XV

Notification

In addition to the notifications and communications provided for in articles IX, X and XIV, the Secretary-General shall notify all the States referred to in article VII of the following:

(a) signatures, ratifications, acceptances, approvals and accessions under article VII;
(b) the dates of entry into force of the present Convention in accordance with article VIII;
(c) the date of entry into force of amendments to the present Convention in accordance with articles IX and X;
(d) denunciations under article XI;
(e) the termination of the present Convention under article XII.

ARTICLE XVI

Authentic texts

The original of the present Convention, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General, who shall communicate certified true copies to all States referred to in article VII.
ANNEX I

REGULATIONS FOR THE TESTING, INSPECTION, APPROVAL AND MAINTENANCE OF CONTAINERS

CHAPTER I—REGULATIONS COMMON TO ALL SYSTEMS OF APPROVAL

Regulation 1

Safety Approval Plate

1. A Safety Approval Plate conforming to the specifications set out in the Appendix to this Annex shall be permanently affixed to every approved container at a readily visible place, adjacent to any other approval plate issued for official purposes, where it would not be easily damaged.

2. (a) The Plate shall contain the following information in at least the English or French language:

   “CSC SAFETY APPROVAL”
   Country of approval and approval reference
   Date (month and year) of manufacture
   Manufacturer’s identification number of the container or, in the case of existing containers for which that number is unknown, the number allotted by the Administration
   Maximum operating gross weight (kilogrammes and lbs)
   Allowable stacking weight for 1.8 g (kilogrammes and lbs)
   Transverse racking test load value (kilogrammes and lbs).

   (b) A blank space should be reserved on the Plate for insertion of end-wall and/or side-wall strength values (factors) in accordance with paragraph 3 of this Regulation and Annex II, tests 6 and 7. A blank space should also be reserved on the Plate for the first and subsequent maintenance examination dates (month and year) when used.

3. Where the Administration considers that a new container satisfies the requirements of the present Convention in respect of safety and if, for such container, the end-wall and/or side-wall strength values (factors) are designed to be greater or less than those stipulated in Annex II, such values shall be indicated on the Safety Approval Plate.
4. The presence of the Safety Approval Plate does not remove the necessity of displaying such labels or other information as may be required by other regulations which may be in force.

Regulation 2

Maintenance

1. The owner of the container shall be responsible for maintaining it in safe condition.

2. The owner of an approved container shall examine the container or have it examined in accordance with the procedure either prescribed or approved by the Contracting Party concerned, at intervals appropriate to operating conditions. The date (month and year) before which a new container shall undergo its first examination shall be marked on the Safety Approval Plate.

3. The date (month and year) before which the container shall be re-examined shall be clearly marked on the container on or as close as practicable to the Safety Approval Plate and in a manner acceptable to that Contracting Party which prescribed or approved the particular maintenance procedure involved.

4. The interval from the date of manufacture to the date of the first examination shall not exceed five years. Subsequent examination of new containers and re-examination of existing containers shall be at intervals of not more than 24 months. All examinations shall determine whether the container has any defects which could place any person in danger.

5. For the purpose of this Regulation “the Contracting Party concerned” is the Contracting Party of the territory in which the owner is domiciled or has his head office.
CHAPTER II—REGULATIONS FOR APPROVAL OF NEW CONTAINERS BY DESIGN TYPE

Regulation 3

Approval of New Containers

To qualify for approval for safety purposes under the present Convention all new containers shall comply with the requirements set out in Annex II.

Regulation 4

Design Type Approval

In the case of containers for which an application for approval has been submitted, the Administration will examine designs and witness testing of a prototype container to ensure that the containers will conform with the requirements set out in Annex II. When satisfied, the Administration shall notify the applicant in writing that the container meets the requirements of the present Convention and this notification shall entitle the manufacturer to affix the Safety Approval Plate to every container of the design type series.

Regulation 5

Provisions for Approval by Design Type

1. Where the containers are to be manufactured by design type series, application made to an Administration for approval by design type shall be accompanied by drawings, a design specification of the type of container to be approved and such other data as may be required by the Administration.

2. The applicant shall state the identification symbols which will be assigned by the manufacturer to the type of container to which the application for approval relates.

3. The application shall also be accompanied by an assurance from the manufacturer that he will:
   (a) produce to the Administration such containers of the design type concerned as the Administration may wish to examine;
   (b) advise the Administration of any change in the design or specification and await its approval before affixing the Safety Approval Plate to the container;
(c) affix the Safety Approval Plate to each container in the design type series and to no others;

(d) keep a record of containers manufactured to the approved design type. This record shall at least contain the manufacturer’s identification numbers, dates of delivery and names and addresses of customers to whom the containers are delivered.

4. Approval may be granted by the Administration to containers manufactured as modifications of an approved design type if the Administration is satisfied that the modifications do not affect the validity of tests conducted in the course of design type approval.

5. The Administration shall not confer on a manufacturer authority to affix Safety Approval Plates on the basis of design type approval unless satisfied that the manufacturer has instituted internal production-control features to ensure that the containers produced will conform to the approved prototype.

Regulation 6

Examination during Production

In order to ensure that containers of the same design type series are manufactured to the approved design, the Administration shall examine or test as many units as it considers necessary, at any stage during production of the design type series concerned.

Regulation 7

Notification of Administration

The manufacturer shall notify the Administration prior to commencement of production of each new series of containers to be manufactured in accordance with an approved design type.
CHAPTER III—REGULATIONS FOR APPROVAL OF NEW CONTAINERS BY INDIVIDUAL APPROVAL

Regulation 8

Approval of Individual Containers

Approval of individual containers may be granted where the Administration, after examination and witnessing of tests, is satisfied that the container meets the requirements of the present Convention; the Administration, when so satisfied, shall notify the applicant in writing of approval and this notification shall entitle him to affix the Safety Approval Plate to such container.
CHAPTER IV—REGULATIONS FOR APPROVAL OF EXISTING CONTAINERS

Regulation 9

Approval of Existing Containers

1. If, within 5 years from the date of entry into force of the present Convention, the owner of an existing container presents the following information to an Administration:
   (a) date and place of manufacture;
   (b) manufacturer’s identification number of the container if available;
   (c) maximum operating gross weight capability;
   (d) (i) evidence that a container of this type has been safely operated in maritime and/or inland transport for a period of at least two years, or
       (ii) evidence to the satisfaction of the Administration that the container was manufactured to a design type which had been tested and found to comply with the technical conditions set out in Annex II, with the exception of those technical conditions relating to the end-wall and side-wall strength tests, or
       (iii) evidence that the container was constructed to standards which, in the opinion of the Administration, were equivalent to the technical conditions set out in Annex II, with the exception of those technical conditions relating to the end-wall and side-wall strength tests;
   (e) allowable stacking weight for 1.8 g (kilogrammes and lbs); and
   (f) such other data as required for the Safety Approval Plate,

then the Administration, after investigation, shall notify the owner in writing whether approval is granted; and if so, this notification shall entitle the owner to affix the Safety Approval Plate after an examination of the container concerned has been carried out in accordance with Regulation 2.

2. Existing containers which do not qualify for approval under paragraph 1 of this Regulation may be presented for approval under the provisions of Chapter II or Chapter III of this Annex. For such containers the requirements of Annex II relating to end-wall and/or side-wall strength tests shall not apply. The Administration may, if it is satisfied that the containers in question have been in service, waive such of the requirements in respect of presentation of drawings.

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and testing, other than the lifting and floor-strength tests, as it may deem appropriate.

**APPENDIX**

The Safety Approval Plate, conforming to the model reproduced below, shall take the form of a permanent, non-corrosive fire-proof rectangular plate measuring not less than 200 mm by 100 mm. The words “CSC Safety Approval” of a minimum letter height of 8 mm and all other words and numbers of a minimum height of 5 mm shall be stamped into, embossed on or indicated on the surface of the Plate in any other permanent and legible way.

![CSC Safety Approval Plate Model]

1. Country of Approval and Approval Reference as given in the example on line 1. (The country of Approval should be indicated by means of the distinguishing sign used to indicate country of registration of motor vehicles in international road traffic).

2. Date (month and year) of manufacture.

3. Manufacturer’s identification number of the container or, in the case of existing containers for which that number is unknown, the number allotted by the Administration.

4. Maximum Operating Gross Weight (kilogrammes and lbs.).

5. Allowable Stacking Weight for 1.8 g (kilogrammes and lbs.).

6. Transverse Racking Test Load Value (kilogrammes and lbs.).

7. End Wall Strength to be indicated on plate only if end walls are designed to withstand a load of less or greater than 0.4 times the maximum permissible payload, i.e. 0.4 P.
8. Side Wall Strength to be indicated on plate only if the side walls are designed to withstand a load of less or greater than 0.6 times the maximum permissible payload, i.e. 0.6 P.

9. First maintenance examination date (month and year) for new containers and subsequent maintenance examination dates (month and year) if Plate used for this purpose.
ANNEX II

STRUCTURAL SAFETY REQUIREMENTS AND TESTS

Introduction

In setting the requirements of this Annex, it is implicit that in all phases of the operation of containers the forces as a result of motion, location, stacking and weight of the loaded container and external forces will not exceed the design strength of the container. In particular, the following assumptions have been made:

(a) the container will so be restrained that it is not subjected to forces in excess of those for which it has been designed;
(b) the container will have its cargo stowed in accordance with the recommended practices of the trade so that the cargo does not impose upon the container forces in excess of those for which it has been designed.

Construction

1. A container made from any suitable material which satisfactorily performs the following tests without sustaining any permanent deformation or abnormality which would render it incapable of being used for its designed purpose shall be considered safe.

2. The dimensions, positioning and associated tolerances of corner fittings shall be checked having regard to the lifting and securing systems in which they will function.

3. When containers are provided with special fittings for use only when such containers are empty, this restriction shall be marked on the container.

Test loads and test procedures

Where appropriate to the design of the container, the following test loads and test procedures shall be applied to all kinds of containers under test:
1. LIFTING

The container, having the prescribed INTERNAL LOADING, shall be lifted in such a way that no significant acceleration forces are applied. After lifting, the container shall be suspended or supported for five minutes and then lowered to the ground.

(A) Lifting from corner fittings

<table>
<thead>
<tr>
<th>Internal loading:</th>
<th>Test procedures</th>
</tr>
</thead>
<tbody>
<tr>
<td>A uniformly distributed load such that the combined weight of container and test load is equal to 2R.</td>
<td>(i) Lifting from top corner fittings: Containers greater than 3,000 mm (10 ft.) (nominal) in length shall have lifting forces applied vertically at all four top corner fittings. Containers of 3,000 mm (10 ft.) (nominal) in length or less shall have lifting forces applied at all four top corner fittings, in such a way that the angle between each lifting device and the vertical shall be 30°.</td>
</tr>
</tbody>
</table>

Externally applied forces: Such as to lift the combined weight of 2R in the manner prescribed (under the heading TEST PROCEDURES). (ii) Lifting from bottom corner fittings: Containers shall have lifting forces applied in such a manner that the lifting devices bear on the bottom corner fittings only. The lifting forces shall be applied at angles to the horizontal of: 30° for containers of length 12,000 mm (40 ft.) (nominal) or greater; 37° for containers of length 9,000 mm (30 ft.) (nominal) and up to but not including 12,000 mm (40 ft.) (nominal), 45° for containers of length 6,000 mm (20 ft.) nominal and up to but not including 9,000 mm (30 ft.) (nominal), 60° for containers of less than 6,000 mm (20 ft.) (nominal). |
<table>
<thead>
<tr>
<th>Test loadings and applied forces</th>
<th>Test procedures</th>
</tr>
</thead>
<tbody>
<tr>
<td>(B) Lifting by any other additional methods</td>
<td></td>
</tr>
</tbody>
</table>
| Internal loading: | (i) Lifting from fork lift pockets:  
A uniformly distributed load such that the combined weight of container and test load is equal to 1.25 R.  
Externally applied forces:  
Such as to lift the combined weight of 1.25 R in the manner prescribed (under the heading TEST PROCEDURES). |
|   | The container shall be placed on bars which are in the same horizontal plane, one bar centred within each fork lift pocket which is used for lifting the loaded container. The bars shall be of the same width as the forks intended to be used in the handling, and shall project into the fork pocket 75 per cent of the length of the fork pocket. |
| Internal loading: | (ii) Lifting from grappler arm positions:  
A uniformly distributed load such that the combined weight of containers and test load is equal to 1.25 R.  
Externally applied forces:  
Such as to lift the combined weight of 1.25 R, in the manner prescribed (under the heading TEST PROCEDURES). |
|   | The container shall be placed on pads in the same horizontal plane, one under each grappler arm position. These pads shall be of the same sizes as the lifting area of the grappler arms intended to be used. |
| (iii) Other Methods | (iii) Other Methods  
Where containers are designed to be lifted in the loaded condition by any method not mentioned in (A) or (B) (i) and (ii) they shall also be tested with the INTERNAL LOADING AND EXTERNALLY APPLIED FORCES representative of the acceleration conditions appropriate to that method. |

2. STACKING

1. For conditions of international transport where the maximum vertical acceleration forces vary significantly from 1.8 g and when the container is reliably and effectively limited to such conditions of transport, the stacking load may be varied by the appropriate ratio of acceleration forces.

2. On successful completion of this test the container may be rated for the allowable superimposed static stacking weight which should be indicated on the Safety Approval Plate against the heading “Allowable stacking weight for 1.8 g (kilogrammes and lbs)”. 

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<table>
<thead>
<tr>
<th>Test loadings and applied forces</th>
<th>Test procedures</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Internal loading:</strong></td>
<td>The container, having the prescribed INTERNAL LOADING, shall be placed on four level pads which are in turn supported on a rigid horizontal surface, one under each bottom corner fitting or equivalent corner structure. The pads shall be centralized under the fittings and shall be of approximately the same plan dimensions as the fittings.</td>
</tr>
<tr>
<td>A uniformly distributed load such that the combined weight of container and test load is equal to 1.8 R.</td>
<td></td>
</tr>
<tr>
<td><strong>Externally applied forces:</strong></td>
<td>Each EXTERNALLY APPLIED FORCE shall be applied to each of the corner fittings through a corresponding test corner fitting or through a pad of the same plan dimensions. The test corner fitting or pad shall be offset with respect to the top corner fitting of the container by 25 mm (1 in.) laterally and 38 mm (1½ in.) longitudinally.</td>
</tr>
<tr>
<td>Such as to subject each of the four top corner fittings to a vertical downward force equal to ¼ x 1.8 x the allowable superimposed static stacking weight.</td>
<td></td>
</tr>
</tbody>
</table>

3. CONCENTRATED LOADS

(a) **On roof**

Internal loading: None.

Externally applied forces:

A concentrated load of 300 kg (660 lb.) uniformly distributed over an area of 600 mm x 300 mm (24 in.x12 in.).

The EXTERNALLY APPLIED FORCES shall be applied vertically downwards to the outer surface of the weakest area of the roof of the container.
<table>
<thead>
<tr>
<th>Test loadings and applied forces</th>
<th>Test procedures</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>3. CONCENTRATED LOADS</strong></td>
<td></td>
</tr>
<tr>
<td>(b) <strong>On floor</strong></td>
<td></td>
</tr>
<tr>
<td>Internal loading:</td>
<td>The test should be made with the container resting on four level supports under its four bottom corners in such a manner that the base structure of the container is free to deflect.</td>
</tr>
<tr>
<td>Two concentrated loads each of 2,730 kg (6,000 lb.) and each applied to the container floor through a contact area of 142 cm² (22 sq in.).</td>
<td>A testing device loaded to a weight of 5,460 kg (12,000 lb.) that is 2,730 kg (6,000 lb.) on each of two surfaces having, when loaded, a total contact area of 284 cm² (44 sq in.) that is 142 cm² (22 sq in.) on each surface, the surface width being 180 mm (7 in.) spaced 760 mm (30 in.) apart, centre to centre, should be manoeuvred over the entire floor area of the container.</td>
</tr>
<tr>
<td>Externally applied forces:</td>
<td>None.</td>
</tr>
<tr>
<td>None.</td>
<td></td>
</tr>
<tr>
<td><strong>4. TRANSVERSE RACKING</strong></td>
<td></td>
</tr>
<tr>
<td>Internal loading:</td>
<td>The container in tare condition shall be placed on four level supports one under each bottom corner and shall be restrained against lateral and vertical movement by means of anchor devices so arranged that the lateral restraint is provided only at the bottom corners diagonally opposite to those at which the forces are applied.</td>
</tr>
<tr>
<td>None.</td>
<td></td>
</tr>
</tbody>
</table>
Test loadings and applied forces | Test procedures
---|---
Externally applied forces:
Such as to rack the end structures of the container sideways. The forces shall be equal to those for which the container was designed. | The EXTERNALLY APPLIED FORCES shall be applied either separately or simultaneously to each of the top corner fittings on one side of the container in lines parallel both to the base and to the planes of the ends of the container. The forces shall be applied first towards and then away from the top corner fittings. In the case of containers in which each end is symmetrical about its own vertical centreline, one side only need be tested, but both sides of containers with asymmetric ends shall be tested.

5. LONGITUDINAL RESTRAINT (STATIC TEST)

When designing and constructing containers, it must be borne in mind that containers, when carried by inland modes of transport may sustain accelerations of 2 g applied horizontally in a longitudinal direction.

Internal loading:
A uniformly distributed load, such that the combined weight of a container and test load is equal to the maximum operating gross weight or rating, R.

Externally applied forces:
Such as to subject each side of the container to longitudinal compressive and tensile forces of magnitude R, that is, a combined force of 2R on the base of the container as a whole.

The container having the prescribed INTERNAL LOADING shall be restrained longitudinally by securing the two bottom corner fittings or equivalent corner structures at one end to suitable anchor points.

The EXTERNALLY APPLIED FORCES shall be applied first towards and then away from the anchor points. Each side of the container shall be tested.

6. END-WALLS

The end-walls should be capable of withstanding a load of not less than 0.4 times the maximum permissible payload. If, however, the end-walls are designed to withstand a load of less or greater than 0.4 times the maximum permissible payload such a strength factor shall be indicated on the Safety Approval Plate in accordance with Annex I, Regulation 1.
### Schedule 5  International Convention for Safe Containers

<table>
<thead>
<tr>
<th>Test loadings and applied forces</th>
<th>Test procedures</th>
</tr>
</thead>
<tbody>
<tr>
<td>Internal loading:</td>
<td>The prescribed INTERNAL LOADING shall be applied as follows:</td>
</tr>
<tr>
<td>Such as to subject the inside of an end-wall to a uniformly distributed load of 0.4P or such other load for which the container may be designed.</td>
<td>Both ends of a container shall be tested except where the ends are identical only one end need be tested. The end-walls of containers which do not have open sides or side doors may be tested separately or simultaneously. The end-walls of containers which do have open sides or side doors should be tested separately. When the ends are tested separately the reactions to the forces applied to the end-wall shall be confined to the base structure of the container.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Externally applied forces: None.</th>
</tr>
</thead>
</table>

### 7. SIDE-WALLS

The side-walls should be capable of withstanding a load of not less than 0.6 times the maximum permissible payload. If, however, the side-walls are designed to withstand a load of less or greater than 0.6 times the maximum permissible payload, such a strength factor shall be indicated on the Safety Approval Plate in accordance with Annex I, Regulation 1.

<table>
<thead>
<tr>
<th>Internal loading:</th>
<th>The prescribed INTERNAL LOADING shall be applied as follows:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Such as to subject the inside of a side-wall to a uniformly distributed load of 0.6P or such other load for which the container may be designed.</td>
<td>Both sides of a container shall be tested except where the sides are identical only one side need be tested. Side-walls shall be tested separately and the reactions to the internal loading shall be confined to the corner fittings or equivalent corner structures. Open topped containers shall be tested in the condition in which they are designed to be operated, for example, with removable top members in position.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Externally applied forces: None.</th>
</tr>
</thead>
</table>
Schedule 5A—1981 Amendments to Annex I of the International Convention for Safe Containers (CSC)

Section 187A

CHAPTER I

Regulation 2

Amend the heading of Regulation 2 to read: “Maintenance and Examination”.

In paragraph 3, line 4, delete the word “maintenance” and insert therefor “examination”.

Add at the end of paragraph 4 the following text:

“As a transitional provision, any requirements for marking on containers the date of the first examination of new containers or the re-examination of new containers covered in Regulation 10 and of existing containers shall be waived until 1 January 1987. However, an Administration may make more stringent requirements for the containers of its own (national) owners.”

Add at the end of paragraph 5 the following text:

“However, in the event that the owner is domiciled or has his head office in a country the government of which has not yet made arrangements for prescribing or approving an examination scheme and until such time as the arrangements have been made the owner may use the procedure prescribed or approved by the Administration of a Contracting Party which is prepared to act as ‘the Contracting Party concerned’. The owner shall comply with the conditions for the use of such procedures set by the Administration in question.”
CHAPTER IV

Amend the heading to read:

“REGULATIONS FOR APPROVAL OF EXISTING CONTAINERS AND NEW CONTAINERS NOT APPROVED AT THE TIME OF MANUFACTURE”.

Regulation 9

Add to the end of paragraph 1 the following:

“The examination of the container concerned and the affixing of the Safety Approval Plate shall be accomplished not later than 1 January 1985.” Insert a new Regulation 10 reading:

“Regulation 10

Approval of New Containers Not Approved at Time of Manufacture

If, on or before 6 September 1982, the owner of a new container which was not approved at the time of manufacture presents the following information to an Administration:

(a) date and place of manufacture;
(b) manufacturer’s identification number of the container if available;
(c) maximum operating gross weight capability;
(d) evidence to the satisfaction of the Administration that the container was manufactured to a design type which had been tested and found to comply with the technical conditions set out in Annex II;
(e) allowable stacking weight for 1.8g (kilogrammes and lbs); and
(f) such other data as required for the Safety Approval Plate;

the Administration, after investigation, may approve the container, notwithstanding the provisions of Chapter II. Where approval is granted, such approval shall be notified to the owner in writing, and this notification shall entitle the owner to affix the Safety Approval Plate after an examination of the container concerned has been carried out in accordance with Regulation 2. The examination of the container concerned and the affixing of the Safety Approval Plate shall be accomplished not later than 1 January 1985.”
ARTICLE 1

General Obligation under the Convention

The Contracting Governments undertake to give effect to the provisions of the present Convention and the Annexes hereto which shall constitute an integral part of the present Convention. Every reference to the present Convention constitutes at the same time a reference to the Annexes.

ARTICLE 2

Definitions

For the purpose of the present Convention, unless expressly provided otherwise:

(1) “Regulations” means the Regulations annexed to the present Convention;

(2) “Administration” means the Government of the State whose flag the ship is flying;

(3) “international voyage” means a sea voyage from a country to which the present Convention applies to a port outside such country, or conversely. For this purpose, every territory for the international relations of which a Contracting Government is responsible or for which the United Nations are the administering authority is regarded as a separate country;

(4) “gross tonnage” means the measure of the overall size of a ship determined in accordance with the provisions of the present Convention;

(5) “net tonnage” means the measure of the useful capacity of a ship determined in accordance with the provisions of the present Convention;

(6) “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 of coming into force of the present Convention;

(7) “existing ship” means a ship which is not a new ship;
(8) “length” means 96 per cent of the total length on a waterline at 85 per cent of the least moulded depth measured from the top of the keel, or the length from the fore side of the stem to the axis of the rudder stock on that waterline, if that be greater. In ships designed with a rake of keel the waterline on which this length is measured shall be parallel to the designed waterline;

(9) “Organization” means the Inter-Governmental Maritime Consultative Organization.

ARTICLE 3
Application

(1) The present Convention shall apply to the following ships engaged on international voyages:
   (a) ships registered in countries the Governments of which are Contracting Governments;
   (b) ships registered in territories to which the present Convention is extended under Article 20; and
   (c) unregistered ships flying the flag of a State, the Government of which is a Contracting Government.

(2) The present Convention shall apply to:
   (a) new ships;
   (b) existing ships which undergo alterations or modifications which the Administration deems to be a substantial variation in their existing gross tonnage;
   (c) existing ships if the owner so requests; and
   (d) all existing ships, twelve years after the date on which the Convention comes into force, except that such ships, apart from those mentioned in (b) and (c) of this paragraph, shall retain their then existing tonnages for the purpose of the application to them of relevant requirements under other existing International Conventions.

(3) Existing ships to which the present Convention has been applied in accordance with sub-paragraph (2) (c) of this Article shall not subsequently have their tonnages determined in accordance with the requirements which the Administration applied to ships on international voyages prior to the coming into force of the present Convention.
ARTICLE 4

Exceptions

(1) The present Convention shall not apply to:

(a) ships of war; and
(b) ships of less than 24 metres (79 feet) in length.

(2) Nothing herein shall apply to ships solely navigating:

(a) the Great Lakes of North America and the River St. Lawrence as far east as a rhumb line drawn from Cap des Rosiers to West Point, Anticosti Island, and, on the north side of Anticosti Island, the meridian of longitude 63°W;
(b) the Caspian Sea; or
(c) the Plate, Parana and Uruguay Rivers as far east as a rhumb line drawn between Punta Rasa (Cabo San Antonio), Argentina, and Punta del Este, Uruguay.

ARTICLE 5

Force Majeure

(1) A ship which is not subject to the provisions of the present Convention at the time of its departure on any voyage shall not become subject to such provisions on account of any deviation from its intended voyage due to stress of weather or any other cause of force majeure.

(2) In applying the provisions of the present Convention, the Contracting Governments shall give due consideration to any deviation or delay caused to any ship owing to stress of weather or any other cause of force majeure.

ARTICLE 6

Determination of Tonnages

The determination of gross and net tonnages shall be carried out by the Administration which may, however, entrust such determination either to persons or organizations recognized by it. In every case the Administration concerned shall accept full responsibility for the determination of gross and net tonnages.
ARTICLE 7

Issue of Certificate

(1) An International Tonnage Certificate (1969) shall be issued to every ship, the gross and net tonnages of which have been determined in accordance with the present Convention.

(2) Such certificate shall be issued by the Administration or by any person or organization duly authorized by it. In every case, the Administration shall assume full responsibility for the certificate.

ARTICLE 8

Issue of Certificate by another Government

(1) A Contracting Government may, at the request of another Contracting Government, determine the gross and net tonnages of a ship and issue or authorize the issue of an International Tonnage Certificate (1969) to the ship in accordance with the present Convention.

(2) A copy of the certificate and a copy of the calculations of the tonnages shall be transmitted as early as possible to the requesting Government.

(3) A certificate so issued shall contain a statement to the effect that it has been issued at the request of the Government of the State whose flag the ship is or will be flying and it shall have the same validity and receive the same recognition as a certificate issued under Article 7.

(4) No International Tonnage Certificate (1969) shall be issued to a ship which is flying the flag of a State the Government of which is not a Contracting Government.

ARTICLE 9

Form of Certificate

(1) The certificate shall be drawn up in the official language or languages of the issuing country. If the language used is neither English nor French, the text shall include a translation into one of these languages.

(2) The form of the certificate shall correspond to that of the model given in Annex II.
ARTICLE 10

Cancellation of Certificate

(1) Subject to any exceptions provided in the Regulations, an International Tonnage Certificate (1969) shall cease to be valid and shall be cancelled by the Administration if alterations have taken place in the arrangement, construction, capacity, use of spaces, total number of passengers the ship is permitted to carry as indicated in the ship’s passenger certificate, assigned load line or permitted draught of the ship, such as would necessitate an increase in gross tonnage or net tonnage.

(2) A certificate issued to a ship by an Administration shall cease to be valid upon transfer of such a ship to the flag of another State, except as provided in paragraph (3) of this Article.

(3) Upon transfer of a ship to the flag of another State the Government of which is a Contracting Government, the International Tonnage Certificate (1969) shall remain in force for a period not exceeding three months, or until the Administration issues another International Tonnage Certificate (1969) to replace it, whichever is the earlier. The Contracting Government of the State whose flag the ship was flying hitherto shall transmit to the Administration as soon as possible after the transfer takes place a copy of the certificate carried by the ship at the time of transfer and a copy of the relevant tonnage calculations.

ARTICLE 11

Acceptance of Certificate

The certificate issued under the authority of a Contracting Government in accordance with the present Convention shall be accepted by the other Contracting Governments and regarded for all purposes covered by the present Convention as having the same validity as certificates issued by them.

ARTICLE 12

Inspection

(1) A ship flying the flag of a State the Government of which is a Contracting Government shall be subject, when in the ports of other Contracting Governments, to inspection by officers duly authorized by such Governments. Such inspection shall be limited to the purpose of verifying:

(a) that the ship is provided with a valid International Tonnage Certificate (1969); and

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(b) that the main characteristics of the ship correspond to the data given in the certificate.

(2) In no case shall the exercise of such inspection cause any delay to the ship.

(3) Should the inspection reveal that the main characteristics of the ship differ from those entered on the International Tonnage Certificate (1969) so as to lead to an increase in the gross tonnage or the net tonnage, the Government of the State whose flag the ship is flying shall be informed without delay.

ARTICLE 13
Privileges

The privileges of the present Convention may not be claimed in favour of any ship unless it holds a valid certificate under the Convention.

ARTICLE 14
Prior Treaties, Conventions and Arrangements

(1) All other treaties, conventions and arrangements relating to tonnage matters at present in force between Governments Parties to the present Convention shall continue to have full and complete effect during the terms thereof as regards:
   (a) ships to which the present Convention does not apply; and
   (b) ships to which the present Convention applies, in respect of matters for which it has not expressly provided.

(2) To the extent, however, that such treaties, conventions or arrangements conflict with the provisions of the present Convention, the provisions of the present Convention shall prevail.

ARTICLE 15
Communication of Information

The Contracting Governments undertake to communicate to and deposit with the Organization:
   (a) a sufficient number of specimens of their certificates issued under the provisions of the present Convention for circulation to the Contracting Governments;
   (b) the text of the laws, orders, decrees, regulations and other instruments which shall have been promulgated on the various matters within the scope of the present Convention; and

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(c) a list of non-governmental agencies which are authorized to act in their behalf in matters relating to tonnages for circulation to the Contracting Governments.

ARTICLE 16

Signature, Acceptance and Accession

(1) The present Convention shall remain open for signature for six months from 23 June 1969, and shall thereafter remain open for accession. Governments of States Members of the United Nations, or of any of the Specialized Agencies, or of the International Atomic Energy Agency, or parties to the Statute of the International Court of Justice may become Parties to the Convention by:
   (a) signature without reservation as to acceptance;
   (b) signature subject to acceptance followed by acceptance; or
   (c) accession.

(2) Acceptance or accession shall be effected by the deposit of an instrument of acceptance or accession with the Organization. The Organization shall inform all Governments which have signed the present Convention or acceded to it of each new acceptance or accession and of the date of its deposit. The Organization shall also inform all Governments which have already signed the Convention of any signature effected during the six months from 23 June 1969.

ARTICLE 17

Coming into Force

(1) The present Convention shall come into force twenty-four months after the date on which not less than twenty-five Governments of States the combined merchant fleets of which constitute not less than sixty-five per cent of the gross tonnage of the world’s merchant shipping have signed without reservation as to acceptance or deposited instruments of acceptance or accession in accordance with Article 16. The Organization shall inform all Governments which have signed or acceded to the present Convention of the date on which it comes into force.

(2) For Governments which have deposited an instrument of acceptance of or accession to the present Convention during the twenty-four months mentioned in paragraph (1) of this Article, the acceptance or accession shall take effect on the coming into force of the present Convention or
three months after the date of deposit of the instrument of acceptance or accession, whichever is the later date.

(3) For Governments which have deposited an instrument of acceptance of or accession to the present Convention after the date on which it comes into force, the Convention shall come into force three months after the date of the deposit of such instrument.

(4) After the date on which all the measures required to bring an amendment to the present Convention into force have been completed, or all necessary acceptances are deemed to have been given under sub-paragraph (b) of paragraph (2) of Article 18 in case of amendment by unanimous acceptance, any instrument of acceptance or accession deposited shall be deemed to apply to the Convention as amended.

ARTICLE 18

Amendments

(1) The present Convention may be amended upon the proposal of a Contracting Government by any of the procedures specified in this Article.

(2) Amendment by unanimous acceptance:
   (a) Upon the request of a Contracting Government, any amendment proposed by it to the present Convention shall be communicated by the Organization to all Contracting Governments for consideration with a view to unanimous acceptance.
   (b) Any such amendment shall enter into force twelve months after the date of its acceptance by all Contracting Governments unless an earlier date is agreed upon. A Contracting Government which does not communicate its acceptance or rejection of the amendment to the Organization within twenty-four months of its first communication by the latter shall be deemed to have accepted the amendment.

(3) Amendment after consideration in the Organization:
   (a) Upon the request of a Contracting Government, any amendment proposed by it to the present Convention will be considered in the Organization. If adopted by a majority of two-thirds of those present and voting in the Maritime Safety Committee of the Organization, such amendment shall be communicated to all Members of the Organization and all Contracting Governments at least six months prior to its consideration by the Assembly of the Organization.
(b) If adopted by a two-thirds majority of those present and voting in the Assembly, the amendment shall be communicated by the Organization to all Contracting Governments for their acceptance.

(c) Such amendment shall come into force twelve months after the date on which it is accepted by two-thirds of the Contracting Governments. The amendment shall come into force with respect to all Contracting Governments except those which, before it comes into force, make a declaration that they do not accept the amendment.

(d) The Assembly, by a two-thirds majority of those present and voting, including two-thirds of the Governments represented on the Maritime Safety Committee and present and voting in the Assembly, may propose a determination at the time of its adoption that an amendment is of such an important nature that any Contracting Government which makes a declaration under sub-paragraph (c) of this paragraph and which does not accept the amendment within a period of twelve months after it comes into force, shall cease to be a party to the present Convention upon the expiry of that period. This determination shall be subject to the prior acceptance of two-thirds of the Contracting Governments.

(e) Nothing in this paragraph shall prevent the Contracting Government which first proposed action under this paragraph on an amendment to the present Convention from taking at any time such alternative action as it deems desirable in accordance with paragraphs (2) or (4) of this Article.

(4) Amendment by a conference:

(a) Upon the request of a Contracting Government, concurred in by at least one-third of the Contracting Governments, a conference of Governments will be convened by the Organization to consider amendments to the present Convention.

(b) Every amendment adopted by such a conference by a two-thirds majority of those present and voting of the Contracting Governments shall be communicated by the Organization to all Contracting Governments for their acceptance.

(c) Such amendment shall come into force twelve months after the date on which it is accepted by two-thirds of the Contracting Governments. The amendment shall come into force with respect to all Contracting Governments except those which, before it comes into force, make a declaration that they do not accept the amendment.
(d) By a two-thirds majority of those present and voting, a conference convened under sub-paragraph (a) of this paragraph may determine at the time of its adoption that an amendment is of such an important nature that any Contracting Government which makes a declaration under sub-paragraph (c) of this paragraph, and which does not accept the amendment within a period of twelve months after it comes into force, shall cease to be a party to the present Convention upon the expiry of that period.

(5) The Organization shall inform all Contracting Governments of any amendments which may come into force under this Article, together with the date on which each such amendment will come into force.

(6) Any acceptance or declaration under this Article shall be made by the deposit of an instrument with the Organization which shall notify all Contracting Governments of the receipt of the acceptance or declaration.

ARTICLE 19

Denunciation

(1) The present Convention may be denounced by any Contracting Government at any time after the expiry of five years from the date on which the Convention comes into force for that Government.

(2) Denunciation shall be effected by the deposit of an instrument with the Organization which shall inform all the other Contracting Governments of any such denunciation received and of the date of its receipt.

(3) A denunciation shall take effect one year, or such longer period as may be specified in the instrument of denunciation, after its receipt by the Organization.

ARTICLE 20

Territories

(1) (a) The United Nations, in cases where they are the administering authority for a territory, or any Contracting Government responsible for the international relations of a territory, shall as soon as possible consult with such territory or take such measures as may be appropriate in an endeavour to extend the present Convention to that territory and may at any time by notification in writing to the Organization declare that the present Convention shall extend to such territory.
(b) The present Convention shall, from the date of receipt of the notification or from such other date as may be specified in the notification, extend to the territory named therein.

(2) (a) The United Nations, or any Contracting Government which has made a declaration under sub-paragraph (a) of paragraph (1) of this Article at any time after the expiry of a period of five years from the date on which the Convention has been so extended to any territory, may by notification in writing to the Organization declare that the present Convention shall cease to extend to any such territory named in the notification.

(b) The present Convention shall cease to extend to any territory mentioned in such notification one year, or such longer period as may be specified therein, after the date of receipt of the notification by the Organization.

(3) The Organization shall inform all the Contracting Governments of the extension of the present Convention to any territories under paragraph (1) of this Article, and of the termination of any such extension under the provisions of paragraph (2) stating in each case the date from which the present Convention has been or will cease to be so extended.

ARTICLE 21

Deposit and Registration

(1) The present Convention shall be deposited with the Organization and the Secretary-General of the Organization shall transmit certified true copies thereof to all Signatory Governments and to all Governments which accede to the present Convention.

(2) As soon as the present Convention comes into force, the text shall be transmitted by the Secretary-General of the Organization to the Secretariat of the United Nations for registration and publication, in accordance with Article 102 of the Charter of the United Nations.

ARTICLE 22

Languages

The present Convention is established in a single copy in the English and French languages, both texts being equally authentic. Official translations in the Russian and Spanish languages shall be prepared and deposited with the signed original.
ANNEX I

REGULATIONS FOR DETERMINING GROSS AND NET TONNAGES OF SHIPS

Regulation 1

General

(1) The tonnage of a ship shall consist of gross tonnage and net tonnage.

(2) The gross tonnage and the net tonnage shall be determined in accordance with the provisions of these Regulations.

(3) The gross tonnage and the net tonnage of novel types of craft whose constructional features are such as to render the application of the provisions of these Regulations unreasonable or impracticable shall be as determined by the Administration. Where the tonnage is so determined, the Administration shall communicate to the Organization details of the method used for that purpose, for circulation to the Contracting Governments for their information.

Regulation 2

Definitions of Terms used in the Annexes

(1) Upper Deck

   The upper deck is the uppermost complete deck exposed to weather and sea, which has permanent means of weathertight closing of all openings in the weather part thereof, and below which all openings in the sides of the ship are fitted with permanent means of watertight closing. In a ship having a stepped upper deck, the lowest line of the exposed deck and the continuation of that line parallel to the upper part of the deck is taken as the upper deck.

(2) Moulded Depth

   (a) The moulded depth is the vertical distance measured from the top of the keel to the underside of the upper deck at side. In wood and composite ships the distance is measured from the lower edge of the keel rabbet. Where the form at the lower part of the midship section is of a hollow character, or where thick garboards are fitted, the distance is measured from the point where the line of the flat of the bottom continued inwards cuts the side of the keel.

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(b) In ships having rounded gunwales, the moulded depth shall be measured to the point of intersection of the moulded lines of the deck and side shell plating, the lines extending as though the gunwales were of angular design.

(c) Where the upper deck is stepped and the raised part of the deck extends over the point at which the moulded depth is to be determined, the moulded depth shall be measured to a line of reference extending from the lower part of the deck along a line parallel with the raised part.

(3) **Breadth**

The breadth is the maximum breadth of the ship, measured amidships to the moulded line of the frame in a ship with a metal shell and to the outer surface of the hull in a ship with a shell of any other material.

(4) **Enclosed Spaces**

Enclosed spaces are all those spaces which are bounded by the ship’s hull, by fixed or portable partitions or bulkheads, by decks or coverings other than permanent or movable awnings. No break in a deck, nor any opening in the ship’s hull, in a deck or in a covering of a space, or in the partitions or bulkheads of a space, nor the absence of a partition or bulkhead, shall preclude a space from being included in the enclosed space.

(5) **Excluded Spaces**

Notwithstanding the provisions of paragraph (4) of this Regulation, the spaces referred to in sub-paragraphs (a) to (e) inclusive of this paragraph shall be called excluded spaces and shall not be included in the volume of enclosed spaces, except that any such space which fulfils at least one of the following three conditions shall be treated as an enclosed space:

- the space is fitted with shelves or other means for securing cargo or stores;
- the openings are fitted with any means of closure;
- the construction provides any possibility of such openings being closed:

(a) (i) A space within an erection opposite an end opening extending from deck to deck except for a curtain plate of a depth not exceeding by more than 25 millimetres (one inch) the depth of the adjoining deck beams, such opening having a breadth equal to or greater than 90 per cent of the breadth of the deck at the line of the opening of the space. This provision shall be applied so as to
exclude from the enclosed spaces only the space between the actual end opening and a line drawn parallel to the line or face of the opening at a distance from the opening equal to one half of the width of the deck at the line of the opening (Figure 1 in Appendix 1).

(a) (ii) Should the width of the space because of any arrangement except by convergence of the outside plating, become less than 90 per cent of the breadth of the deck, only the space between the line of the opening and a parallel line drawn through the point where the athwartships width of the space becomes equal to, or less than, 90 per cent of the breadth of the deck shall be excluded from the volume of enclosed spaces (Figures 2, 3 and 4 in Appendix 1).

(a) (iii) Where an interval which is completely open except for bulwarks or open rails separates any two spaces, the exclusion of one or both of which is permitted under sub-paragraphs (a) (i) and/or (a) (ii), such exclusion shall not apply if the separation between the two spaces is less than the least half breadth of the deck in way of the separation (Figures 5 and 6 in Appendix 1).

(b) A space under an overhead deck covering open to the sea and weather, having no other connexion on the exposed sides with the body of the ship than the stanchions necessary for its support. In such a space, open rails or a bulwark and curtain plate may be fitted or stanchions fitted at the ship’s side, provided that the distance between the top of the rails or the bulwark and the curtain plate is not less than 0.75 metres (2.5 feet) or one-third of the height of the space, whichever is the greater (Figure 7 in Appendix 1).

(c) A space in a side-to-side erection directly in way of opposite side openings not less in height than 0.75 metres (2.5 feet) or one-third of the height of the erection, whichever is the greater. If the opening in such an erection is provided on one side only, the space to be excluded from the volume of enclosed spaces shall be limited inboard from the opening to a maximum of one-half of the breadth of the deck in way of the opening (Figure 8 in Appendix 1).

(d) A space in an erection immediately below an uncovered opening in the deck overhead, provided that such an opening is exposed to the weather and the space excluded from
enclosed spaces is limited to the area of the opening (Figure 9 in Appendix 1).

(e) A recess in the boundary bulkhead of an erection which is exposed to the weather and the opening of which extends from deck to deck without means of closing, provided that the interior width is not greater than the width at the entrance and its extension into the erection is not greater than twice the width of its entrance (Figure 10 in Appendix 1).

(6) **Passenger**

A passenger is every person other than:

(a) 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

(b) a child under one year of age.

(7) **Cargo Spaces**

Cargo spaces to be included in the computation of net tonnage are enclosed spaces appropriated for the transport of cargo which is to be discharged from the ship, provided that such spaces have been included in the computation of gross tonnage. Such cargo spaces shall be certified by permanent marking with the letters CC (cargo compartment) to be so positioned that they are readily visible and not to be less than 100 millimetres (4 inches) in height.

(8) **Weathertight**

Weathertight means that in any sea conditions water will not penetrate into the ship.

**Regulation 3**

**Gross Tonnage**

The gross tonnage (GT) of a ship shall be determined by the following formula:

\[
GT = K_1 V
\]

where: \( V = \) Total volume of all enclosed spaces of the ship in cubic metres,

\[
K_1 = 0.2 + 0.02 \log_{10} V \text{ (or as tabulated in Appendix 2).}
\]
Regulation 4

Net Tonnage

(1) The net tonnage (NT) of a ship shall be determined by the following formula:

\[ NT = K_2 V_c \left( \frac{4d}{3D} \right)^2 + K_3 \left( N_1 + \frac{N_2}{10} \right), \]

in which the formula:

(a) the factor \( \left( \frac{4d}{3D} \right)^2 \) shall not be taken as greater than unity;

(b) the term \( K_2 V_c \left( \frac{4d}{3D} \right)^2 \) shall not be taken as less than 0.25 GT; and

(c) NT shall not be taken as less than 0.30 GT,

and in which:

\[ V_c = \text{total volume of cargo spaces in cubic metres}, \]
\[ K_2 = 0.2 + 0.02 \log_{10} V_c \text{ (or as tabulated in Appendix 2)}, \]
\[ K_3 = 1.25 \left( \frac{GT + 10,000}{10,000} \right), \]
\[ D = \text{moulded depth amidships in metres as defined in Regulation 2 (2),} \]
\[ d = \text{moulded draught amidships in metres as defined in paragraph (2) of this Regulation,} \]
\[ N_1 = \text{number of passengers in cabins with not more than 8 berths,} \]
\[ N_2 = \text{number of other passengers,} \]
\[ N_1 + N_2 = \text{total number of passengers the ship is permitted to carry as indicated in the ship’s passenger certificate; when } N_1 + N_2 \text{ is less than 13, } N_1 \text{ and } N_2 \text{ shall be taken as zero,} \]
\[ GT = \text{gross tonnage of the ship as determined in accordance with the provisions of Regulation 3.} \]

(2) The moulded draught (d) referred to in paragraph (1) of this Regulation shall be one of the following draughts:

(a) for ships to which the International Convention on Load Lines in force applies, the draught corresponding to the Summer Load Line (other than timber load lines) assigned in accordance with that Convention;
(b) for passenger ships, the draught corresponding to the deepest subdivision load line assigned in accordance with the International Convention for the Safety of Life at Sea in force or other international agreement where applicable;

(c) for ships to which the International Convention on Load Lines does not apply but which have been assigned a load line in compliance with national requirements, the draught corresponding to the summer load line so assigned;

(d) for ships to which no load line has been assigned but the draught of which is restricted in compliance with national requirements, the maximum permitted draught;

(e) for other ships, 75 per cent of the moulded depth amidships as defined in Regulation 2 (2).

**Regulation 5**

*Change of Net Tonnage*

(1) When the characteristics of a ship, such as $V$, $V_c$, $d$, $N_1$ or $N_2$ as defined in Regulations 3 and 4, are altered and where such an alteration results in an increase in its net tonnage as determined in accordance with the provisions of Regulation 4, the net tonnage of the ship corresponding to the new characteristics shall be determined and shall be applied without delay.

(2) A ship to which load lines referred to in sub-paragraphs (2) (a) and (2) (b) of Regulation 4 are concurrently assigned shall be given only one net tonnage as determined in accordance with the provisions of Regulation 4 and that tonnage shall be the tonnage applicable to the appropriate assigned load line for the trade in which the ship is engaged.

(3) When the characteristics of a ship such as $V$, $V_c$, $d$, $N_1$ or $N_2$ as defined in Regulations 3 and 4 are altered or when the appropriate assigned load line referred to in paragraph (2) of this Regulation is altered due to the change of the trade in which the ship is engaged, and where such an alteration results in a decrease in its net tonnage as determined in accordance with the provisions of Regulation 4, a new International Tonnage Certificate (1969) incorporating the net tonnage so determined shall not be issued until twelve months have elapsed from the date on which the current Certificate was issued; provided that this requirement shall not apply:

(a) if the ship is transferred to the flag of another State, or

(b) if the ship undergoes alterations or modifications which are deemed by the Administration to be of a major character, such as the removal of a superstructure which requires an alteration of the assigned load line, or
(c) to passenger ships which are employed in the carriage of large numbers of unberthed passengers in special trades, such, for example, as the pilgrim trade.

**Regulation 6**

*Calculation of Volumes*

(1) All volumes included in the calculation of gross and net tonnages shall be measured, irrespective of the fitting of insulation or the like, to the inner side of the shell or structural boundary plating in ships constructed of metal, and to the outer surface of the shell or to the inner side of structural boundary surfaces in ships constructed of any other material.

(2) Volumes of appendages shall be included in the total volume.

(3) Volumes of spaces open to the sea may be excluded from the total volume.

**Regulation 7**

*Measurement and Calculation*

(1) All measurement used in the calculation of volumes shall be taken to the nearest centimetre or one-twentieth of a foot.

(2) The volumes shall be calculated by generally accepted methods for the space concerned and with an accuracy acceptable to the Administration.

(3) The calculation shall be sufficiently detailed to permit easy checking.
ANNEX II

CERTIFICATE

INTERNATIONAL TONNAGE CERTIFICATE (1969)

Issued under the provisions of the International Convention on Tonnage Measurement of Ships, 1969, under the authority of the Government of...........................

............................................................................................................................... ............

(full official designation of country)

for which the convention came into force on ......................... 19............................

by ............................................................................................................................ ...........

(full official designation of the competent person or organization recognized under the provisions of the International Convention on Tonnage Measurement of Ships, 1969)

<table>
<thead>
<tr>
<th>Name of Ship</th>
<th>Distinctive Number or Letters</th>
<th>Port of Registry</th>
<th>*Date</th>
</tr>
</thead>
</table>

*Date on which the keel was laid or the ship was at a similar stage of construction (Article 2 (6)), or date on which the ship underwent alterations or modifications of a major character (Article 3 (2) (b)), as appropriate.

MAIN DIMENSIONS

<table>
<thead>
<tr>
<th>Length (Article 2 (8))</th>
<th>Breadth (Regulation 2 (3))</th>
<th>Moulded Depth amidships to Upper Deck (Regulation 2 (2))</th>
</tr>
</thead>
</table>
THE TONNAGES OF THE SHIP ARE:

GROSS TONNAGE ........................................................

NET TONNAGE ..........................................................

This is to certify that the tonnages of this ship have been determined in accordance with the provisions of the International Convention of Tonnage Measurement of Ships, 1969.

Issued at ................................................................. .......................... 19......
(place of issue of certificate) (date of issue)

..........................................................................................
(Signature of official issuing the certificate)

and/or

(seal of issuing authority)

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)

<table>
<thead>
<tr>
<th>SPACES INCLUDED IN TONNAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name of Space</td>
</tr>
<tr>
<td>Underdeck</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>NUMERO OF PASSENGERS</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Regulation 4 (1))</td>
</tr>
<tr>
<td>Number of passengers in cabins</td>
</tr>
</tbody>
</table>
with not more than 8 berths.........................
| Number of other passengers......................... |
### EXCLUDED SPACES
(Regulation 2 (5))

An asterisk (*) should be added to those spaces listed above which comprise both enclosed and excluded spaces.

### MOULDED DRAUGHT
(Regulation 4 (2))

<table>
<thead>
<tr>
<th>Date and place of original measurement</th>
<th>.................................................................</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date and place of last previous measurement</td>
<td>.................................................................</td>
</tr>
</tbody>
</table>

**REMARKS:**

---

*Navigation Act 1912* 197
APPENDIX 1

Figures referred to in Regulation 2 (5)

In the following figures:  
O = excluded space.  
C = enclosed space.  
I = space to be considered as an enclosed space.

Hatched in parts to be included as enclosed spaces.
B = breadth of the deck in way of the opening.

In ships with rounded gunwales the breadth is measured as indicated in Figure 11.
Reg. 2(5)(a)

\[ h = \text{AT LEAST } \frac{h}{3} \text{ OR } 0.75 \text{ m (2.5 FEET)} \]
\[ \text{WHICHEVER IS THE GREATER} \]

Fig. 7

Reg. 2(5)(b)

THWARTSHIP CLOSED

\[ h = \text{AT LEAST } \frac{h}{3} \text{ OR } 0.75 \text{ m (2.5 FEET)} \]
\[ \text{WHICHEVER IS THE GREATER} \]

Fig. 8

Reg. 2(5)(c)

ABCD - OPENING IN THE DECK
SPACE ABCDEFGH SHALL BE EXCLUDED FROM ENCLOSED SPACE

Fig. 9
Schedule 8  International Convention on Tonnage Measurement of Ships, 1969

Reg. 2350

Fig. 10

SHIPS WITH ROUNDED GUNWALES

Fig. 11

200  Navigation Act 1912
**APPENDIX 2**

COEFFICIENTS $K_1$ AND $K_2$ REFERRED TO IN REGULATIONS 3 AND 4 (1)

$V$ or $V_c = $ Volume in cubic metres

| $V$ or $V_c$ | $K_1$ or $K_2$ | $10$ | $20$ | $30$ | $40$ | $50$ | $60$ | $70$ | $80$ | $90$ | $100$ | $200$ | $300$ | $400$ | $500$ | $600$ | $700$ | $800$ | $900$ | $1000$ | $1500$ | $2000$ | $2500$ | $3000$ | $3500$ | $4000$ |
|--------------|----------------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
|              | $K_1$ or $K_2$ | $0.2200$ | $0.2260$ | $0.2295$ | $0.2320$ | $0.2340$ | $0.2356$ | $0.2369$ | $0.2381$ | $0.2391$ | $0.2400$ | $0.2460$ | $0.2495$ | $0.2520$ | $0.2540$ | $0.2556$ | $0.2569$ | $0.2581$ | $0.2591$ | $0.2600$ | $0.2660$ | $0.2695$ | $0.2720$ | $0.2740$ | $0.2756$ | $0.2769$ | $0.2781$ | $0.2791$ |
|              | $V$ or $V_c$    | $45000$ | $50000$ | $55000$ | $60000$ | $65000$ | $70000$ | $75000$ | $80000$ | $85000$ | $90000$ | $95000$ | $100000$ | $110000$ | $120000$ | $130000$ | $140000$ | $150000$ | $160000$ | $170000$ | $180000$ | $190000$ | $200000$ | $210000$ | $220000$ | $230000$ | $240000$ | $250000$ |

Coefficients $K_1$ or $K_2$ at intermediate values of $V$ or $V_c$ shall be obtained by linear interpolation.
PART A

INTERNATIONAL CONVENTION ON SALVAGE, 1989

THE STATES PARTIES TO THE PRESENT CONVENTION,

RECOGNIZING the desirability of determining by agreement uniform international rules regarding salvage operations,

NOTING that substantial developments, in particular the increased concern for the protection of the environment, have demonstrated the need to review the international rules presently contained in the Convention for the Unification of Certain Rules of Law relating to Assistance and Salvage at Sea, done at Brussels, 23 September 1910,

CONSCIOUS of the major contribution which efficient and timely salvage operations can make to the safety of vessels and other property in danger and to the protection of the environment,

CONVINCED of the need to ensure that adequate incentives are available to persons who undertake salvage operations in respect of vessels and other property in danger,

HAVE AGREED as follows:

Chapter I—General provisions

Article 1

Definitions

For the purpose of this Convention:

(a) 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.

(b) Vessel means any ship or craft, or any structure capable of navigation.

(c) Property means any property not permanently and intentionally attached to the shoreline and includes freight at risk.

(d) 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.
(e) Payment means any reward, remuneration or compensation due under this Convention.

(f) Organization means the International Maritime Organization.

(g) Secretary-General means the Secretary-General of the Organization.

Article 2
Application of the Convention
This Convention shall apply whenever judicial or arbitral proceedings relating to matters dealt with in this Convention are brought in a State Party.

Article 3
Platforms and drilling units
This Convention shall not apply to fixed or floating platforms or to mobile offshore drilling units when such platforms or units are on location engaged in the exploration, exploitation or production of sea-bed mineral resources.

Article 4
State-owned vessels
1. Without prejudice to article 5, this Convention shall not apply to warships or other non-commercial vessels owned or operated by a State and entitled, at the time of salvage operations, to sovereign immunity under generally recognized principles of international law unless that State decides otherwise.

2. Where a State Party decides to apply the Convention to its warships or other vessels described in paragraph 1, it shall notify the Secretary-General thereof specifying the terms and conditions of such application.

Article 5
Salvage operations controlled by public authorities
1. This Convention shall not affect any provisions of national law or any international convention relating to salvage operations by or under the control of public authorities.

2. Nevertheless, salvors carrying out such salvage operations shall be entitled to avail themselves of the rights and remedies provided for in this Convention in respect of salvage operations.

3. The extent to which a public authority under a duty to perform salvage operations may avail itself of the rights and remedies provided for in this

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Convention shall be determined by the law of the State where such authority is situated.

Article 6
Salvage contracts
1. This Convention shall apply to any salvage operations save to the extent that a contract otherwise provides expressly or by implication.
2. The master shall have the authority to conclude contracts for salvage operations on behalf of the owner of the vessel. The master or the owner of the vessel shall have the authority to conclude such contracts on behalf of the owner of the property on board the vessel.
3. Nothing in this article shall affect the application of article 7 nor duties to prevent or minimize damage to the environment.

Article 7
Annulment and modification of contracts
A contract or any terms thereof may be annulled or modified if:
(a) the contract has been entered into under undue influence or the influence of danger and its terms are inequitable; or
(b) the payment under the contract is in an excessive degree too large or too small for the services actually rendered.

Chapter II—Performance of salvage operations

Article 8
Duties of the salvor and of the owner and master
1. The salvor shall owe a duty to the owner of the vessel or other property in danger:
(a) to carry out the salvage operations with due care;
(b) in performing the duty specified in subparagraph (a), to exercise due care to prevent or minimize damage to the environment;
(c) whenever circumstances reasonably require, to seek assistance from other salvors; and
(d) to accept the intervention of other salvors when reasonably requested to do so by the owner or master of the vessel or other property in danger; provided however that the amount of his reward shall not be prejudiced should it be found that such a request was unreasonable.
2. The owner and master of the vessel or the owner of other property in danger shall owe a duty to the salvor:
   (a) to co-operate fully with him during the course of the salvage operations;
   (b) in so doing, to exercise due care to prevent or minimize damage to the environment; and
   (c) when the vessel or other property has been brought to a place of safety, to accept redelivery when reasonably requested by the salvor to do so.

Article 9  
Rights of coastal States

Nothing in this Convention shall affect the right of the coastal State concerned to take measures in accordance with generally recognized principles of international law to protect its coastline or related interests from pollution or the threat of pollution following upon a maritime casualty or acts relating to such a casualty which may reasonably be expected to result in major harmful consequences, including the right of a coastal State to give directions in relation to salvage operations.

Article 10  
Duty to render assistance

1. Every master is bound, so far as he can do so without serious danger to his vessel and persons thereon, to render assistance to any person in danger of being lost at sea.
2. The States Parties shall adopt the measures necessary to enforce the duty set out in paragraph 1.
3. The owner of the vessel shall incur no liability for a breach of the duty of the master under paragraph 1.

Article 11  
Co-operation

A State Party shall, whenever regulating or deciding upon matters relating to salvage operations such as admittance to ports of vessels in distress or the provision of facilities to salvors, take into account the need for co-operation between salvors, other interested parties and public authorities in order to ensure the efficient and successful performance of salvage operations for the
Chapter III—Rights of salvors

Article 12

Conditions for reward

1. Salvage operations which have had a useful result give right to a reward.
2. Except as otherwise provided, no payment is due under this Convention if the salvage operations have had no useful result.
3. This chapter shall apply, notwithstanding that the salved vessel and the vessel undertaking the salvage operations belong to the same owner.

Article 13

Criteria for fixing the reward

1. The reward shall be fixed with a view to encouraging salvage operations, taking into account the following criteria without regard to the order in which they are presented below:
   (a) the salved value of the vessel and other property;
   (b) the skill and efforts of the salvors in preventing or minimizing damage to the environment;
   (c) the measure of success obtained by the salver;
   (d) the nature and degree of the danger;
   (e) the skill and efforts of the salvors in salving the vessel, other property and life;
   (f) the time used and expenses and losses incurred by the salvors;
   (g) the risk of liability and other risks run by the salvors or their equipment;
   (h) the promptness of the services rendered;
   (i) the availability and use of vessels or other equipment intended for salvage operations;
   (j) the state of readiness and efficiency of the salver’s equipment and the value thereof.
2. Payment of a reward fixed according to paragraph 1 shall be made by all of the vessel and other property interests in proportion to their respective salved values. However, a State Party may in its national law provide that the payment of a reward has to be made by one of these interests, subject to
a right of recourse of this interest against the other interests for their respective shares. Nothing in this article shall prevent any right of defence.

3. The rewards, exclusive of any interest and recoverable legal costs that may be payable thereon, shall not exceed the salved value of the vessel and other property.

Article 14

Special compensation

1. If the salvor has carried out salvage operations in respect of a vessel which by itself or its cargo threatened damage to the environment and has failed to earn a reward under article 13 at least equivalent to the special compensation assessable in accordance with this article, he shall be entitled to special compensation from the owner of that vessel equivalent to his expenses as herein defined.

2. If, in the circumstances set out in paragraph 1, the salvor by his salvage operations has prevented or minimized damage to the environment, the special compensation payable by the owner to the salvor under paragraph 1 may be increased up to a maximum of 30% of the expenses incurred by the salvor. However, the tribunal, if it deems it fair and just to do so and bearing in mind the relevant criteria set out in article 13, paragraph 1, may increase such special compensation further, but in no event shall the total increase be more than 100% of the expenses incurred by the salvor.

3. Salvor’s expenses for the purpose of paragraphs 1 and 2 means the out-of-pocket expenses reasonably incurred by the salvor in the salvage operation and a fair rate for equipment and personnel actually and reasonably used in the salvage operation, taking into consideration the criteria set out in article 13, paragraph 1(h), (i) and (j).

4. The total special compensation under this article shall be paid only if and to the extent that such compensation is greater than any reward recoverable by the salvor under article 13.

5. If the salvor has been negligent and has thereby failed to prevent or minimize damage to the environment, he may be deprived of the whole or part of any special compensation due under this article.

6. Nothing in this article shall affect any right of recourse on the part of the owner of the vessel.
Article 15

Apportionment between salvors

1. The apportionment of a reward under article 13 between salvors shall be made on the basis of the criteria contained in that article.

2. The apportionment between the owner, master and other persons in the service of each salving vessel shall be determined by the law of the flag of that vessel. If the salvage has not been carried out from a vessel, the apportionment shall be determined by the law governing the contract between the salvor and his servants.

Article 16

Salvage of persons

1. No remuneration is due from persons whose lives are saved, but nothing in this article shall affect the provisions of national law on this subject.

2. A salvor of human life, who has taken part in the services rendered on the occasion of the accident giving rise to salvage, is entitled to a fair share of the payment awarded to the salvor for salving the vessel or other property or preventing or minimizing damage to the environment.

Article 17

Services rendered under existing contracts

No payment is due under the provisions of this Convention unless the services rendered exceed what can be reasonably considered as due performance of a contract entered into before the danger arose.

Article 18

The effect of salvor’s misconduct

A salvor may be deprived of the whole or part of the payment due under this Convention to the extent that the salvage operations have become necessary or more difficult because of fault or neglect on his part or if the salvor has been guilty of fraud or other dishonest conduct.

Article 19

Prohibition of salvage operations

Services rendered notwithstanding the express and reasonable prohibition of the owner or master of the vessel or the owner of any other property in danger.

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which is not and has not been on board the vessel shall not give rise to payment under this Convention.

Chapter IV—Claims and actions

Article 20
Maritime lien
1. Nothing in this Convention shall affect the salvor’s maritime lien under any international convention or national law.
2. The salvor may not enforce his maritime lien when satisfactory security for his claim, including interest and costs, has been duly tendered or provided.

Article 21
Duty to provide security
1. Upon the request of the salvor a person liable for a payment due under this Convention shall provide satisfactory security for the claim, including interest and costs of the salvor.
2. Without prejudice to paragraph 1, the owner of the salved vessel shall use his best endeavours to ensure that the owners of the cargo provide satisfactory security for the claims against them including interest and costs before the cargo is released.
3. The salved vessel and other property shall not, without the consent of the salvor, be removed from the port or place at which they first arrive after the completion of the salvage operations until satisfactory security has been put up for the salvor’s claim against the relevant vessel or property.

Article 22
Interim payment
1. The tribunal having jurisdiction over the claim of the salvor may, by interim decision, order that the salvor shall be paid on account such amount as seems fair and just, and on such terms including terms as to security where appropriate, as may be fair and just according to the circumstances of the case.
2. In the event of an interim payment under this article the security provided under article 21 shall be reduced accordingly.
Article 23
Limitation of actions

1. Any action relating to payment under this Convention shall be time-barred if judicial or arbitral proceedings have not been instituted within a period of two years. The limitation period commences on the day on which the salvage operations are terminated.

2. The person against whom a claim is made may at any time during the running of the limitation period extend that period by a declaration to the claimant. This period may in the like manner be further extended.

3. An action for indemnity by a person liable may be instituted even after the expiration of the limitation period provided for in the preceding paragraphs, if brought within the time allowed by the law of the State where proceedings are instituted.

Article 24
Interest

The right of the salvor to interest on any payment due under this Convention shall be determined according to the law of the State in which the tribunal seized of the case is situated.

Article 25
State-owned cargoes

Unless the State owner consents, no provision of this Convention shall be used as a basis for the seizure, arrest or detention by any legal process of, nor for any proceedings in rem against, non-commercial cargoes owned by a State and entitled, at the time of the salvage operations, to sovereign immunity under generally recognized principles of international law.

Article 26
Humanitarian cargoes

No provision of this Convention shall be used as a basis for the seizure, arrest or detention of humanitarian cargoes donated by a State, if such State has agreed to pay for salvage services rendered in respect of such humanitarian cargoes.
Article 27
Publication of arbitral awards
States Parties shall encourage, as far as possible and with the consent of the parties, the publication of arbitral awards made in salvage cases.

Chapter V—Final clauses

Article 28
Signature, ratification, acceptance, approval and accession
1. This Convention shall be open for signature at the Headquarters of the Organization from 1 July 1989 to 30 June 1990 and shall thereafter remain open for accession.
2. States may express their consent to be bound by this Convention by:
   (a) signature without reservation as to ratification, acceptance or approval; or
   (b) signature subject to ratification, acceptance or approval, followed by ratification, acceptance or approval; or
   (c) accession.
3. Ratification, acceptance, approval or accession shall be effected by the deposit of an instrument to that effect with the Secretary-General.

Article 29
Entry into force
1. This Convention shall enter into force one year after the date on which 15 States have expressed their consent to be bound by it.
2. For a State which expresses its consent to be bound by this Convention after the conditions for entry into force thereof have been met, such consent shall take effect one year after the date of expression of such consent.

Article 30
Reservations
1. Any State may, at the time of signature, ratification, acceptance, approval or accession, reserve the right not to apply the provisions of this Convention:
   (a) when the salvage operation takes place in inland waters and all vessels involved are of inland navigation;
(b) when the salvage operations take place in inland waters and no vessel is involved;
(c) when all interested parties are nationals of that State;
(d) when the property involved is maritime cultural property of prehistoric, archaeological or historic interest and is situated on the sea-bed.

2. Reservations made at the time of signature are subject to confirmation upon ratification, acceptance or approval.

3. Any State which has made a reservation to this Convention may withdraw it at any time by means of a notification addressed to the Secretary-General. Such withdrawal shall take effect on the date the notification is received. If the notification states that the withdrawal of a reservation is to take effect on a date specified therein, and such date is later than the date the notification is received by the Secretary-General, the withdrawal shall take effect on such later date.

Article 31

Denunciation

1. This Convention may be denounced by any State Party at any time after the expiry of one year from the date on which this Convention enters into force for that State.

2. Denunciation shall be effected by the deposit of an instrument of denunciation with the Secretary-General.

3. A denunciation shall take effect one year, or such longer period as may be specified in the instrument of denunciation, after the receipt of the instrument of denunciation by the Secretary-General.

Article 32

Revision and amendment

1. A conference for the purpose of revising or amending this Convention may be convened by the Organization.

2. The Secretary-General shall convene a conference of the States Parties to this Convention for revising or amending the Convention, at the request of eight States Parties, or one fourth of the States Parties, whichever is the higher figure.

3. Any consent to be bound by this Convention expressed after the date of entry into force of an amendment to this Convention shall be deemed to apply to the Convention as amended.

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Article 33

Depositary

1. This Convention shall be deposited with the Secretary-General.

2. The Secretary-General shall:
   
   (a) inform all States which have signed this Convention or acceded thereto, and all Members of the Organization, of:
       
       (i) each new signature or deposit of an instrument of ratification, acceptance, approval or accession together with the date thereof;
       
       (ii) the date of the entry into force of this Convention;
       
       (iii) the deposit of any instrument of denunciation of this Convention together with the date on which it is received and the date on which the denunciation takes effect;
       
       (iv) any amendment adopted in conformity with article 32;
       
       (v) the receipt of any reservation, declaration or notification made under this Convention;

   (b) transmit certified true copies of this Convention to all States which have signed this Convention or acceded thereto.

3. As soon as this Convention enters into force, a certified true copy thereof shall be transmitted by the Depositary to the Secretary-General of the United Nations for registration and publication in accordance with Article 102 of the Charter of the United Nations.

Article 34

Languages

This Convention is established in a single original in the Arabic, Chinese, English, French, Russian and Spanish languages, each text being equally authentic.

IN WITNESS WHEREOF the undersigned being duly authorized by their respective Governments for that purpose have signed this Convention.

DONE AT LONDON this twenty-eighth day of April one thousand nine hundred and eighty-nine.
PART B

COMMON UNDERSTANDING CONCERNING ARTICLES 13 AND 14 OF THE INTERNATIONAL CONVENTION ON SALVAGE, 1989

It is the common understanding of the Conference that, in fixing a reward under article 13 and assessing special compensation under article 14 of the International Convention on Salvage, 1989 the tribunal is under no duty to fix a reward under article 13 up to the maximum salved value of the vessel and other property before assessing the special compensation to be paid under article 14.
Navigation Act 1912

Act No. 4 of 1913 as amended

This compilation was prepared on 22 December 2008
taking into account amendments up to Act No. 144 of 2008

Volume 4 includes:  
Note 1  
Table of Acts  
Act Notes  
Table of Amendments  
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.

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<td><strong>Navigation (Protection of the Sea) Amendment Act 1981</strong></td>
<td>36, 1981</td>
<td>14 Apr 1981</td>
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<td>Ss. 1, 2 and 8: Royal Assent Ss. 3–5 and 7: (m) S. 8: 5 Feb 1984 (see s. 2(3) and Gazette 1984, No. S31)</td>
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<td>S. 3: (a)</td>
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8 Navigation Act 1912
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<td>Protection of the Sea Legislation Amendment Act 1986</td>
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<td>Ss. 3 and 13: Royal Assent (z) 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)</td>
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<td>Ss. 42(2)–(4) and 45(2)</td>
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Notes to the *Navigation Act 1912*

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*Navigation Act 1912* 13
Notes to the *Navigation Act 1912*

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<td>Criminal Code Amendment (Theft, Fraud, Bribery and Related Offences) Act 2000</td>
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<td>Ss. 1–3 and Schedule 1 (items 1, 4, 6, 7, 9–11, 32): Royal Assent Remainder: 24 May 2001</td>
<td>Sch. 2 (items 418, 419) [see Table A]</td>
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<td>S. 4 and Schedule 1 (items 264–267, 496): Royal Assent</td>
<td>S. 4 and Sch. 1 (item 496) [see Table A]</td>
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<td>Offshore Petroleum (Repeals and Consequential Amendments) Act 2006</td>
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### Notes to the *Navigation Act 1912*

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<th>Act</th>
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<th>Application, saving or transitional provisions</th>
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<td>Sch. 1 (item 5) [see Table A]</td>
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<td>Schedule 11 (items 23–41): 10 Dec 2008</td>
<td>Sch. 11 (items 33, 36, 40) [see Table A]</td>
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Notes to the *Navigation Act 1912*

**Act Notes**

(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:

  - 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.

  - To commence on 1st March, 1922. See *Gazettes*, 1921, p. 1377 and 1922, p. 67.

  - To commence on 1st February, 1923. See *Gazette*, 1922, p. 2757.

- Section 235:
  - To commence on 1st October, 1923. See *Gazette*, 1923, p. 289.

  - 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.


- Section 231A:


The remaining sections have not yet been proclaimed to commence. 

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.

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) 1993, 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).

Notes to the  Navigation Act 1912

Act Notes

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, VIII, 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(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, VIII, 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.
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.

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.

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.

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.

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 Statute Law (Miscellaneous Amendments) Act (No. 2) 1982 made by this Act shall be deemed to have come into operation on 20 October 1982.

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.

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).
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.

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).

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.

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 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).

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.

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).
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.

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).

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.

<table>
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<tr>
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<td>Date/Details</td>
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<td>1 May 1989</td>
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<tr>
<td>38. Schedule 2, item 13</td>
<td>Immediately after the commencement of section 5 of the Transport Legislation Amendment Act 1989.</td>
<td>16 March 1989</td>
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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.
Notes to the *Navigation Act 1912*

**Act Notes**

(2c) 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.

(2d) 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.

(2e) 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).

(2ea) 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.

(2f) 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.

(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.


(zl) 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.

(za) 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.

(2m) 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.
Notes to the *Navigation Act 1912*

### Act Notes

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<td>41. Schedule 2, item 16</td>
<td>Immediately after the time specified in the <em>Transport Legislation Amendment Act 1995</em> for the commencement of item 50 of Part H of Schedule 1 to that Act.</td>
<td>9 June 1997</td>
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<tr>
<td>41. Schedule 2, item 16</td>
<td>Immediately after the time specified in the <em>Transport Legislation Amendment Act 1995</em> for the commencement of item 50 of Part H of Schedule 1 to that Act.</td>
<td>9 June 1997</td>
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*(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:

- 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:

- 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:

- 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:

- 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.

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<td>62. Schedule 2, item 33</td>
<td>Immediately after the time specified in the <em>Transport and Regional Services Legislation Amendment (Application of Criminal Code) Act 2001</em> for the commencement of item 28 of Schedule 2 to that Act</td>
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<td>63. Schedule 2, item 34</td>
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*(zs)* Subsection 2(1) (item 2) of the *Transport Safety Investigation (Consequential Amendments) Act 2003* provides as follows:

- 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.

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24 *Navigation Act 1912*
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.

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<td>2. Schedule 1, items 1 to 22</td>
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Subsection 2(1) (items 25 and 26) of the Statute Law Revision Act 2008 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.

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| S. 2A              | ad. No. 36, 1958  
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| S. 3               | rs. No. 36, 1958; No. 96, 1961  
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| S. 5               | am. No. 1, 1921; No. 80, 1950; No. 109, 1952; No. 46, 1956  
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| S. 6               | am. No. 32, 1919; No. 1, 1921; No. 49, 1934; No. 80, 1950;  
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| S. 6B              | ad. No. 36, 1958  
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| S. 6E              | ad. No. 36, 1958  
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| S. 6F              | ad. No. 36, 1958  
am. No. 60, 1967  
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## Notes to the Navigation Act 1912

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#### Division 7

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ad. = added or inserted  am. = amended  rep. = repealed  rs. = repealed and substituted

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am. No. 78, 1990 |
| S. 206F            | ad. No. 49, 1934  
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| Heading to s. 206G | rs. No. 95, 1995 |
| 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. 60, 1967  
am. No. 98, 1979; No. 80, 1982; No. 57, 1988; No. 78, 1990; No. 143, 2001 |
| Ss. 206J, 206K     | rs. No. 60, 1967  
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| S. 206L            | ad. No. 96, 1953  
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| S. 206M            | ad. No. 96, 1953  
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am. No. 98, 1979  
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| S. 206Q            | ad. No. 98, 1953  
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| 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 |
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|                   | rs. No. 60, 1967  
|                   | am. No. 98, 1979; No. 10, 1981; No. 141, 1987; No. 57, 1988; No. 78, 1990  
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| S. 206W ........... | ad. No. 60, 1967  
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|                               | 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 |
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| S. 214 ........................ | am. No. 78, 1990 |

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| S. 216 ........................ | rs. No. 49, 1934  
|                               | am. No. 80, 1950  
|                               | rep. No. 96, 1953 |
| S. 216A ...................... | ad. No. 49, 1934  
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rs. No. 96, 1953

| S. 231 ....................... | rs. No. 1, 1921 |
|                           | am. No. 49, 1934; No. 30, 1935 |
|                           | am. No. 96, 1979 |
|                           | rs. No. 87, 1980 |
|                           | am. No. 80, 1982; No. 78, 1990 |

| S. 231A .................. | ad. No. 49, 1934 |
|                       | rs. No. 96, 1953 |
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| 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. 93, 1966; No. 98, 1979; No. 10, 1981; No. 57, 1988 |

| 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 |

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| 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 |

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| S. 272           | am. No. 98, 1979; No. 95, 1995 |
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- Subhead. before s. 392........ rep. No. 36, 1958
- 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

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- S. 400 .......... | am. No. 36, 1958; No. 98, 1979; No. 87, 1980 |
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Schedule II A ................... rep. No. 98, 1979

Schedule III ................... am. No. 1, 1921  rep. No. 36, 1958

Schedule IV .................... ad. No. 1, 1921  rep. No. 49, 1934


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Application, saving or transitional provisions


Schedule 2

418 Transitional—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.

419 Transitional—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.

66 Navigation Act 1912
Notes to the *Navigation Act 1912*

**Table A**


4 **Application 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.

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*Financial Framework Legislation Amendment Act 2005* (No. 8, 2005)

4 **Saving 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

496 Saving 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

13 Transitional 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.


Schedule 1

5 Transitional 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.

Maritime Legislation Amendment Act 2006 (No. 24, 2006)
Schedule 11

33 Application of amendment of section 156
The amendment of section 156 of the Navigation Act 1912 made by this Schedule applies in relation to a seaman who dies on or after the commencement of the amendment.

36 Application of amendments of section 157
The amendments of section 157 of the Navigation Act 1912 made by this Schedule apply in relation to wills made on or after the commencement of the amendments.

40 Application of amendments of section 158
The amendments of section 158 of the Navigation Act 1912 made by this Schedule apply in relation to a seaman who dies on or after the commencement of the amendments.
Navigation Act 1912

Act No. 4 of 1913 as amended

This compilation was prepared on 22 December 2008
taking into account amendments up to Act No. 144 of 2008

**Volume 4** includes:  
Note 1  
Table of Acts  
Act Notes  
Table of Amendments  
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.

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<td><em>Navigation Act 1952</em></td>
<td>109, 1952</td>
<td>8 Dec 1952</td>
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<td><em>Navigation Act 1953</em></td>
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<td>Navigation Act 1958</td>
<td>36, 1958</td>
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<td>Ss. 2(2), 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</td>
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<td>Ss. 57, 58, 61 and 64: 15 Dec 1976 (see s. 2(3))</td>
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<td>S. 73(1): 1 Nov 1979 (see s. 2(9) and Gazette 1979, No. S219)</td>
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<td>Ss. 80, 81(1), 82(1), 83(1), 84, 97 and 111: 22 Aug 1982 (see s. 2(8) and Gazette 1982, No. S163)</td>
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<td><strong>Transport Legislation Amendment Act 1988</strong></td>
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<td><strong>Australian Federal Police (Consequential Amendments) Act 1979</strong></td>
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<td>155, 1979</td>
<td>28 Nov 1979</td>
<td>19 Oct 1979 (see s. 2 and Gazette 1979, No. S206)</td>
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<td><strong>Australian Federal Police (Consequential Amendments) Act 1980</strong></td>
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<td>Ss. 5(4), 110 and 111 (e) S. 109 (am. by 10, 1981, s. 46; rep. by 57, 1988, s. 25) Ss. 82(2), 97(2) and 98(2)</td>
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<td><strong>Commonwealth Functions (Statutes Review) Act 1981</strong></td>
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<td>S. 224: Royal Assent (g) Ss. 225–228: (g)</td>
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<td>14 Nov 1983</td>
<td>Part VII (ss. 23, 24): (h)</td>
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<td><strong>Transport and Communications Legislation Amendment Act (No. 2) 1989</strong></td>
<td>23, 1990</td>
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<td>Statute Law (Miscellaneous Provisions) Act (No. 2) 1984</td>
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<td>76, 1986</td>
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<td>S. 7(3): 1 July 1989 (see s. 2(4))</td>
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<td>S. 8: 10 Jan 1995 (see Gazette 1994, No. S462) (zd)</td>
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## Notes to the *Navigation Act 1912*

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<td>Sch. 2 (items 418, 419) [see Table A]</td>
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<td>Workplace Relations Legislation Amendment (Registration and Accountability of Organisations) (Consequential Provisions) Act 2002</td>
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<td>Sch. 11 (items 33, 36, 40) [see Table A]</td>
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Notes to the *Navigation Act 1912*

**Act Notes**

(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 123 and 231:
  - To commence on 1st October, 1921. *See Gazette*, 1921, pp. 489 and 1230.
- Section 235:
- Sections 293A and 422A:
  - To commence on 31st August, 1925. *See Gazette*, 1925, p. 1285.
- Section 231A:
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) 1993, 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).

Notes to the *Navigation Act 1912*

**Act Notes**

*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.

**Notes:**

**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, XI, XII, XIII, XV, XVII (other than sections 220, 221, 222, 223, 225, 226, 227, 228 and 230), XVIII and XXIII shall come into operation on the day on which this Act receives the Royal Assent.
2. Section 225 shall come into operation on the day on which subsection 5(2) of the *Navigation Amendment Act 1980* comes into operation.
3. 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.
4. 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 31(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), 76(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 1980* 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, XI, XII, XIII, XV, XVII (other than sections 220, 221, 222, 223, 225, 226, 227, 228 and 230), XVIII and XXIII shall come into operation on the day on which this Act receives the Royal Assent.
2. 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.
Notes to the *Navigation Act 1912*

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**Act Notes**

(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 *Statute 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).
Notes to the  *Navigation Act 1912*

**Act Notes**

*(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).
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.

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).

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.

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<thead>
<tr>
<th>Provision(s)</th>
<th>Commencement</th>
<th>Date/Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>37. Schedule 2, item 12</td>
<td>Immediately after the commencement of section 7 of the Transport Legislation Amendment Act 1988.</td>
<td>1 May 1989</td>
</tr>
<tr>
<td>38. Schedule 2, item 13</td>
<td>Immediately after the commencement of section 5 of the Transport Legislation Amendment Act 1989.</td>
<td>16 March 1989</td>
</tr>
</tbody>
</table>

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.
Act Notes

(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.


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.


(zl) 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.

(zk) 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.

(zm) The Transport and Communications 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.
## Notes to the *Navigation Act 1912*

### Act Notes

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<th>Commencement</th>
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</thead>
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<tr>
<td>41. Schedule 2, item 16</td>
<td>Immediately after the time specified in the <em>Transport Legislation Amendment Act 1995</em> for the commencement of item 50 of Part H of Schedule 1 to that Act.</td>
<td>9 June 1997</td>
</tr>
</tbody>
</table>

(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.

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<tr>
<td>62. Schedule 2, item 33</td>
<td>Immediately after the time specified in the <em>Transport and Regional Services Legislation Amendment (Application of Criminal Code) Act 2001</em> for the commencement of item 28 of Schedule 2 to that Act</td>
<td>2 October 2001</td>
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<tr>
<td>63. Schedule 2, item 34</td>
<td>Immediately after the time specified in the <em>Transport and Regional Services Legislation Amendment (Application of Criminal Code) Act 2001</em> for the commencement of item 44 of Schedule 2 to that Act</td>
<td>2 October 2001</td>
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</tbody>
</table>

(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.

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<tr>
<td>2. Schedule 1</td>
<td>Immediately after the commencement of section 3 of the <em>Transport Safety Investigation Act 2003</em></td>
<td>1 July 2003</td>
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24 *Navigation Act 1912*
### Act Notes

(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.

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<th>Provision(s)</th>
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<tr>
<td>2. Schedule 1, items 1 to 22</td>
<td>Immediately after the commencement of Division 12C of Part IV of the Navigation Act 1912</td>
<td>27 May 2004 (see Gazette 2004, No. GN17)</td>
</tr>
</tbody>
</table>

(zu) Subsection 2(1) (items 25 and 26) of the Statute Law Revision Act 2008 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.

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<th>Provision(s)</th>
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| S. 2 ---------------| am. No. 32, 1919; No. 36, 1958; No. 1, 1965; No. 216, 1973; No. 98, 1979  
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| S. 2A               | ad. No. 36, 1958  
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| S. 3 ---------------| rs. No. 36, 1958; No. 96, 1961  
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| S. 6 ---------------| am. No. 32, 1919; No. 1, 1921; No. 49, 1934; No. 80, 1950; No. 109, 1952; No. 96, 1953  
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<td>Note to s. 7(1) .............</td>
<td>ad. No. 144, 2008</td>
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<td>S. 7A .........................</td>
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#### Division 2A

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| S. 85 .................... | am. No. 1, 1921; No. 49, 1934  
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|                     | am. No. 36, 1958; No. 98, 1979; No. 87, 1980; No. 10, 1981; No. 95, 1995; No. 73, 2008 |
| S. 86 .................... | am. No. 109, 1952  
|                     | rep. No. 76, 1986 |

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| S. 112.................. | am. No. 36, 1958; No. 98, 1979  
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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 |
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S. 195A            | ad. No. 98, 1979 |

S. 196             | am. No. 96, 1953; No. 36, 1958 |
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S. 206B .......... ad. No. 49, 1934; am. No. 98, 1979; No. 10, 1981

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| S. 377            | am. No. 1, 1921; No. 132, 1986  
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| S. 377A           | ad. No. 1, 1943  
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| S. 383            | am. No. 98, 1979 |
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| Subhead. before s. 386 | rep. No. 36, 1958 |
| S. 386            | am. No. 93, 1966; No. 98, 1979; No. 10, 1981; No. 95, 1995; No. 137, 2000 |
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<td>ad. No. 80, 1982</td>
</tr>
<tr>
<td>Schedule 6</td>
<td>ad. No. 98, 1979</td>
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<td>rep. No. 151, 1989</td>
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<td>Schedule 6A</td>
<td>ad. No. 80, 1982</td>
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<td>rep. No. 151, 1989</td>
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<td>Schedule VIII</td>
<td>ad. No. 28, 1972</td>
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<td>Renumbered Schedule 7</td>
<td>No. 98, 1979</td>
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<td>Schedule 7</td>
<td>rep. No. 10, 1981</td>
</tr>
<tr>
<td>Schedule 8</td>
<td>ad. No. 98, 1979</td>
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<tr>
<td>Schedule 9</td>
<td>ad. No. 95, 1995</td>
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</tbody>
</table>
Application, saving or transitional provisions


Schedule 2

418 Transitional—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*.

419 Transitional—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.
Table A


4 Application 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)

4 Saving 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

496 Saving 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

13 Transitional 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.


Schedule 1

5 Transitional 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.
Table A


Schedule 11

33 Application of amendment of section 156
The amendment of section 156 of the Navigation Act 1912 made by this Schedule applies in relation to a seaman who dies on or after the commencement of the amendment.

36 Application of amendments of section 157
The amendments of section 157 of the Navigation Act 1912 made by this Schedule apply in relation to wills made on or after the commencement of the amendments.

40 Application of amendments of section 158
The amendments of section 158 of the Navigation Act 1912 made by this Schedule apply in relation to a seaman who dies on or after the commencement of the amendments.