

NAVIGATION (AMENDMENT) BILL, 1953.

EXPLANATORY NOTE.

The objects of this Bill are—

- (a) to enable regulations to be made under section 113 of the Navigation Act, 1901-1949, in relation to seaplanes for the purpose of preventing accidents at sea—
 - (i) between seaplanes on the surface of the water; and
 - (ii) between vessels and seaplanes on the surface of the water;
- (b) to apply certain sections of the Navigation Act, 1901-1949, which relate to the regulations for the prevention of collisions at sea, to seaplanes on the surface of the water.

[CONFIDENTIAL]

(Rough Draft for Consideration Only.)

No. , 1953.

A BILL

To make further provision in relation to preventing collisions at sea; for this purpose to amend the Navigation Act, 1901-1949, in certain respects; and for purposes connected therewith.

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

1. (1) This Act may be cited as the "Navigation (Amendment) Act, 1953."

Short title, citation and commencement.

Navigation (Amendment).

(2) The Navigation Act, 1901, as amended by subsequent Acts and by this Act, may be cited as the Navigation Act, 1901-1953.

(3) This Act shall commence upon the first day of
5 January, one thousand nine hundred and fifty-four.

2. The Navigation Act, 1901-1949, is amended by inserting at the end of section one hundred and thirteen the following new subsections:—

Amendment
of Act No.
60, 1901.
Sec. 113.
(Enactment
of regula-
tions
concerning
lights, fog-
signals, and
sailing
rules.)

10 (3) (a) The power conferred by subsection two of
this section to make new regulations in addition to
or in substitution for the regulations contained in
the Seventh Schedule hereto shall, without limiting
the generality of the power so conferred in relation
to vessels for the purpose mentioned in sub-
15 paragraph (ii) of this paragraph, include power to
make regulations in relation to seaplanes—

cf. 12, 13 & 14,
Geo. VI,
c. 67, s. 52
(1) (3).

- 20 (i) for the prevention of collisions at sea
between seaplanes on the surface of the
water;
- (ii) for the prevention of collisions at sea
between vessels and seaplanes on the
surface of the water; and
- 25 (iii) for prescribing the lights to be carried and
exhibited and the fog-signals to be carried
and used by seaplanes on the surface of the
water,

and accordingly sections one hundred and fourteen,
one hundred and fifteen, one hundred and sixteen,
one hundred and seventeen and one hundred and
30 nineteen of this Act shall apply in relation to sea-
planes on the surface of the water as they apply in
relation to ships or vessels, except that the reference
in

Navigation (Amendment).

in the said section one hundred and sixteen to the person in charge of the deck shall be construed as a reference to the pilot or other person on duty in charge of the seaplane.

5 (b) The Governor may, by proclamation, annul or modify any of the regulations made under subsection two of this section by virtue of the enactment of paragraph (a) of this subsection, or
10 make new regulations in addition thereto or in substitution therefor, and any such alteration in or addition to the regulations shall be of the same force as if it had been enacted in this Act.

(4) For the purposes of this section—

15 (a) the expression "seaplane" shall be construed as including a flying boat and any other aircraft designed to manoeuvre on the water;

20 (b) seaplanes taking off from, or alighting on, the water shall be deemed to be on the surface of the water while in contact therewith.

