

**CHAPTER 267.****SHIPPING CASUALTIES (INVESTIGATION AND PREVENTION).***List of Subsidiary Legislation.*

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**COASTING AND PASSENGER TRADE REGULATIONS.**

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COASTING AND PASSENGER TRADE.

REGULATIONS

*made by the Comptroller of Customs under section 25 and approved by the Governor and Court of Policy on the 28th April, 1896, and amended on the 11th April, 1902.*

Regs. 28th  
Apr., 1896.  
11th Apr.,  
1902.

1. These regulations may be cited for all purposes as the Coasting and Passenger Trade Regulations.

Short title.

INSPECTION AND LICENSING OF VESSELS.

2. (1) Every vessel employed in coasting voyages shall, with her boats and equipments, be surveyed at least once in every year by an inspector.

Inspection of  
vessel em-  
ployed in  
coasting  
voyages.

(2) If, on such survey, any such vessel is found to be seaworthy and to be furnished with the articles mentioned in the first schedule to these regulations, and if her boats and equipments are found to be sufficient, in good order, and seaworthy, the inspector shall give to the owner or master of such vessel a certificate to that effect, and shall state in such certificate the total number of persons which such vessel may lawfully carry.

(3) If, on such survey, any such vessel is found to be in bad order or unseaworthy, or to be not furnished with the articles mentioned in the first schedule to these regulations, or if her boats and equipments are found to be insufficient, in bad order, or unseaworthy, the inspector shall forthwith give to the owner or master of such vessel a statement in writing of the particulars of the bad order or unseaworthiness of such vessel, or of the articles required, or of the insufficiency, bad order, or unseaworthiness of the boats and equipments, and shall, at the same time, require that the defects and deficiencies specified in such statement be made good before the vessel proceeds on her next voyage.

First  
schedule.

(4) After receipt by the owner or master of such statement and requisition, it shall not be lawful for such vessel to proceed or attempt to proceed on a voyage without such defects and deficiencies having been made good, to the satisfaction of an inspector, and the owner and master of any such vessel so proceeding or attempting to proceed shall respectively be deemed to have committed a breach of these regulations.

Granting of  
annual licence  
to vessel  
employed in  
coasting  
voyages.  
Cap. 298.

3. (1) No licence under the Tax Ordinance shall be issued for any such vessel until after the production to the Treasury of a certificate from an inspector that such vessel, with her boats and equipments, has been duly surveyed during the twelve months immediately preceding the date of the application for such licence, and that the requisition, if any, made on such survey has been duly complied with.

(2) The officer of the Treasury granting such licence shall mark the number thereof on the certificate of survey.

(3) The number of such licence shall be painted on each side of bow and on the stern of the vessel licensed, in letters not less than three inches in length, in white on a black ground.

(4) The total number of persons which such vessel is certified to carry shall also be painted on the vessel in the like places and like manner, immediately under the number of the licence.

(5) The licence shall state the total number of persons which the vessel licensed is certified to carry.

(6) In any case of non-compliance with any requirement of this regulation, the owner of the vessel in respect of which such non-compliance takes place shall be deemed to have committed a breach of these regulations.

Registration  
of vessels and  
persons em-  
ployed in  
coasting  
voyages, and  
of persons  
employed  
therein.

4. (1) Each inspector shall keep a book, to be called a "Register Book," for each successive year, and shall enter therein the names of all vessels employed in the coasting trade of the Colony, and of all vessels carrying freight for hire along the coasts, or within the ports of the Colony, which may be inspected by him, their ports of registration, registered numbers, and tonnage, their owners', masters', and mates' names, and the number of all persons employed on board of them, for each vessel respectively.

(2) Such register book shall be at all times open to the inspection of the Controller of Customs and of any officer of Customs duly authorised in that behalf by the Comptroller, and shall be a public record, which shall be claimed by, and be delivered to, the Comptroller, whenever the person keeping it from any cause ceases to be an inspector.

(3) The owner of any such vessel shall cause any change in the name of the owner, master, or mate, or in the number of the crew of such vessel, to be registered by an inspector within fourteen days after such change, under a penalty not exceeding ten dollars in case of his failure to do so.

(4) Each inspector shall note in his register book the result of any inspection of any such vessel made by him under these regulations.

#### CERTIFICATES OF COMPETENCY.

5. (1) No person shall be held to be qualified to be the master or mate of a vessel employed in coasting voyages unless such person produces a certificate of competency for his duty, to the satisfaction of the inspector in whose register book such vessel may be entered, and such inspector, if he is so satisfied, shall, on production of such certificate, testify his satisfaction in writing on the face of such certificate, whereupon such master or mate shall be deemed qualified for his duty.

Certificate of competency required of master, etc., of vessel employed in coasting voyages.

(2) If the owner of any such vessel employs any person as the master, mate, or person in charge of such vessel who is not so qualified for duty as aforesaid, such owner shall be deemed to have committed a breach of these regulations.

(3) Any inspector may grant a certificate of competency required by this regulation, after such an examination in the subjects mentioned in the second schedule to these regulations as such inspector may think fit.

Second schedule.

6. It shall be lawful for any inspector to suspend, for such period, not exceeding six months, as he may think fit, or to cancel, any certificate of competency granted under these regulations for any of the following offences, that is to say—

Power to suspend or cancel certificate of competency.

(1) drunkenness when on duty;

(2) habitual drunkenness;

(3) gross misconduct or repeated misconduct, including repeated violations of the Ordinance, or repeated breaches of these regulations; and

(4) mental or physical disability:

Provided that no such order of suspension or cancellation shall be made except after due inquiry by such inspector, and after the person against whom any charge of having committed any such offence has had a full opportunity of making his defence thereto: Provided, also, that an appeal shall lie from the decision of an inspector under this regulation to the Governor, whose order shall be final.

Production, on demand, of certificate of competency.

7. The master of any vessel employed in coasting voyages and the mate of any such vessel which is required to carry a certificated mate, shall, on demand by any inspector, officer of Customs, or Police Constable, produce his certificate of competency, and, in default of so doing, shall be deemed to have committed a breach of these regulations.

Prohibition of vessel employed in coasting voyages proceeding on voyage without certificated master, etc., on board.

8. (1) It shall not be lawful for any vessel employed in coasting voyages to proceed or attempt to proceed on a voyage without having on board a certificated master, or for any such vessel of twenty tons or over, other than an estate punt having only the crew on board, to proceed or attempt to proceed on a voyage without having on board a certificated mate.

(2) If any such vessel proceeds or attempts to proceed on a voyage in violation of any requirement of this regulation, the owner and master of such vessel shall respectively be deemed to have committed a breach of these regulations.

Prohibition of person not certificated acting as master or mate.

9. If any person, not being duly certificated in that behalf as required by these regulations, acts as the master or mate of a vessel which is required by these regulations to carry a certificated master or mate, he shall be deemed to have committed a breach of these regulations.

#### INSPECTION OF PASSENGER VESSELS.

Inspection of small vessels carrying passengers without the Colony. Regs. 11th Apr., 1902.

Third schedule.

10. (1) Every vessel of less than one hundred and fifty tons carrying passengers from any place within the Colony to any place without the Colony may, on each voyage before proceeding to sea, and shall once at least in each year, be inspected by an inspector, who, if he is satisfied with the seaworthiness of such vessel and of her boats and equipments (which shall comprise the articles mentioned in the third schedule to these regulations), shall certify accordingly in writing, and such certificate shall be produced by the master to the Comptroller of Customs at the time of clearing such vessel:

Provided that no such inspection or certificate shall be required when any such vessel has been inspected and passed by any duly constituted authority in any British Colony and a certificate, in force, to that effect is produced.

(2) In any case where the inspector is unable to give such certificate, he shall forthwith furnish the owner or master of such vessel with a statement in writing of the unseaworthiness of such vessel, and shall at the same time require that such vessel be made seaworthy before she proceeds on a voyage.

(3) The inspector shall, at the time of furnishing the owner or master of such vessel with a statement of her unseaworthiness, also furnish the Comptroller of Customs with a duplicate copy of such statement.

(4) If, after receipt by the owner or master of such statement and requisition, such vessel nevertheless proceeds or attempts to proceed on a voyage without such requisition having been complied with, the owner and master of such vessel shall respectively be deemed to have committed a breach of these regulations.

(5) Nothing in this regulation shall be construed or taken to affect the operation of Part III of the Merchant Shipping Act, 1894, of the Imperial Parliament.

57 & 58 Vict.,  
c. 60.

#### SAFETY AND ACCOMMODATION OF PASSENGERS.

11. (1) At the time of making an inspection as required by the last preceding regulation, the inspector who so inspects any such vessel shall also satisfy himself that the safety and accommodation of the passengers to be conveyed by such vessel have been provided for.

Inspector to satisfy himself as to safety and accommodation of passengers.

(2) If he is so satisfied, he shall state so in writing on the certificate required to be given under the said regulation, and if he is not so satisfied, he shall forthwith report accordingly in writing to the Comptroller of Customs and to the owner or master of such vessel, and shall require the owner or master to do what is necessary to ensure such safety and accommodation before such vessel proceeds on a voyage.

(3) If, after receipt by the owner or master of such requisition, such vessel nevertheless proceeds or attempts to proceed on a voyage without such requisition having been complied with, the owner and master of such vessel shall respectively be deemed to have committed a breach of these regulations.

(4) For the better carrying out of the provisions of this regulation any inspector shall, in the certificate given by him in relation to any such vessel, specify the total number of persons which such vessel may safely carry, not exceeding in any case the number allowed by section 6 of the Passengers Ordinance.

Cap. 265.

(5) If any such vessel proceeds or attempts to proceed on a voyage with any passenger in excess of the number so specified, the owner and master of such vessel shall respectively be deemed to have committed a breach of these regulations.

Coasting vessels to be subject to like inspection.

12. Every vessel, not being a punt, proceeding on a coasting voyage carrying passengers shall be subject to the control provided in the last preceding regulation for the safety and accommodation of passengers under like penalties in case of non-performance.

Number, etc., of persons to be carried by vessels employed in coasting voyages.

13. (1) It shall not be lawful for any sailing vessel employed in coasting voyages—

(a) of less than twelve tons, to carry any passengers;

(b) of twelve tons and not exceeding twenty tons to carry more than one person for each two tons, the crew and passengers, if any, and all other persons on board being included;

(c) exceeding twenty tons to carry more than one person for each two tons of the first twenty tons and more than one person for each ton above the first twenty tons, the crew and passengers, and all other persons on board being included.

(2) Any such vessel while on a voyage with passengers on board shall carry not less than one-third of her tonnage as ballast.

(3) It shall be lawful for steam vessels employed in coasting voyages to carry such number only of passengers as they may be found capable of carrying, as ascertained in accordance with the survey established from time to time by the Board of Trade of the United Kingdom, in their instructions as to the survey of passenger accommodation on vessels plying in partially smooth water, within the excursion limits of the ports, and for other sea-going home trade vessels. The Governor in Council shall have power by notice in the Gazette to declare what coasting voyages shall be deemed to be in partially smooth waters, within the excursion limits of the ports of the Colony, and within the sea-going home trade, respectively.

(4) For every square yard of space on deck of any vessel employed in coasting voyages occupied by cattle or other animals, or by cargo or other articles, there shall be deducted one passenger from the number of passengers allowed to be carried.

(5) Shelter shall be provided for not less than one-sixth of the persons, other than saloon and after-cabin passengers, on board of any such vessel.

(6) The master of any sailing vessel employed in coasting voyages which is about to proceed with passengers on board from Georgetown or New Amsterdam on a voyage of more than

fifty miles in length shall, before the vessel proceeds on the voyage, make and deliver to an officer of Customs at the port of departure a declaration in writing in which shall be set forth the number and names of the passengers. For the purposes of this regulation the Governor in Council shall have power, by notice in the Gazette, to declare what voyages from Georgetown and New Amsterdam respectively are voyages of more than fifty miles in length, and such voyages shall be deemed to be of that length accordingly.

(7) In any case of non-compliance with any requirement of this regulation, the owner and master of the vessel in respect of which such non-compliance takes place shall respectively be deemed to have committed a breach of these regulations.

14. (1) Where it is required by these regulations that any life-buoy or life-belt shall be carried on board of any vessel such life-buoy or life-belt shall be carried in such position or place and in such manner as to be easily seen, and to be readily available for immediate use.

Mode of carrying life-buoys and life-belts.

(2) In any case of non-compliance with any requirement of this regulation, the owner and master of the vessel with respect to which such non-compliance takes place shall respectively be deemed to have committed a breach of these regulations.

LIGHTS.

15. The lights hereinafter mentioned, and no others, shall be carried by vessels in all weathers, from sunset to sunrise, within the territorial waters of the Colony, that is to say—

Lights to be carried by vessels when under way and at anchor.

(1) A steam vessel when under way shall carry—

(a) on, or in front of the fore-mast, at a height above the hull of not less than twenty feet, and, if the breadth of the vessel exceeds twenty feet, then at a height above the hull not less than such breadth, a bright white light, so constructed as to show a uniform and unbroken light over an arc of the horizon of twenty points of the compass, so fixed as to throw the light ten points on each side of the vessel, viz., from right ahead to two points abaft the beam in either side, and of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least five miles;

(b) on the starboard side, a green light so constructed as to show a uniform and unbroken light over an arc of the horizon of ten points of the compass, so fixed as to throw the light from right ahead to two points abaft the beam



on the starboard side, and of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least two miles;

(c) on the port side, a red light so constructed as to show a uniform and unbroken light over an arc of the horizon of ten points of the compass, so fixed as to throw the light from right ahead to two points abaft the beam on the port side, and of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least two miles; and

(d) the said green and red side lights shall be fitted with inboard screens projecting at least three feet forward from the light, so as to prevent these lights from being seen across the bow.

(2) A sailing vessel, other than an open boat, under way or being towed, shall carry the same lights as are provided for a steam vessel under way, with the exception of the white light, which she shall not carry; and

(3) A vessel, other than an open boat, whether a steam vessel or a sailing vessel, when at anchor or moored, except when secured to a wharf or stelling, shall carry, where it can best be seen, but at a height not exceeding twenty feet above the hull, a white light, in a globular lantern of not less than eight inches in diameter, so constructed as to show a clear, uniform, and unbroken light all around the horizon, and of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least one mile.

Non-compliance with requirements as to lights.

16. In any case of non-compliance with any requirement of the last preceding regulation, the owner and master of the vessel with respect to which such non-compliance takes place shall respectively be deemed to have committed a breach of these regulations.

#### MISCELLANEOUS PROVISIONS.

Furnishing of books, etc., for vessel.

17. All books, charts, papers, instruments, lights, and other things which may be considered by an inspector to be necessary for the safe navigation of any vessel shall be supplied at the expense of the owner of such vessel, and shall be taken to be a part of such vessel's equipments.

Fees. Fourth schedule.

18. The fees set forth in the tariff contained in the fourth schedule to these regulations shall be payable in respect of the several matters therein mentioned.

FIRST SCHEDULE.

EQUIPMENT OF VESSELS EMPLOYED IN COASTING VOYAGES. reg. 2.

1. (a) Vessels not exceeding 25 tons, 1 anchor, with at least 30 fathoms of chain cable.

(b) Vessels exceeding 25 tons, 2 anchors, with at least 30 fathoms of chain cable on one and at least 45 fathoms on the other.

2. Side and anchor lights, as required by these regulations.
3. 1 bilge pump.
4. An entire suit of sails, in good order.
5. 1 compass.
6. 1 lifebuoy.
7. Lifebelt for every person on board in excess of the total boat accommodation.

8. 1 boat, of a cubic capacity according to tonnage of vessel, say, from 35 to 150 cubic feet. In the latter case two small boats may be carried in lieu of one large one.

9. The name of the vessel must be painted on each side of her bow. Her name, and the name of her port of registry, must be painted on her stern. Such names shall be so painted on a dark ground in white or yellow letters, or on a light ground in black letters, and such letters shall in either case be not less than two inches in length and of proportionate breadth.

*Note.*—The requirement specified in No. 5 is not to apply in the case of punts and vessels not exceeding 25 tons not carrying passengers.

SECOND SCHEDULE.

SUBJECTS FOR EXAMINATION OF MASTERS AND MATES OF VESSELS EMPLOYED IN COASTING VOYAGES. reg. 5.

1. Rule of the road, as applicable to sailing vessels, and, in the case of a master or mate of a steam vessel, to steam vessels also.

2. How to act in case of "Man overboard" or in case of "Fire."

3. Any questions relating to the management of a sailing vessel, and, in the case of a master or mate of a steam vessel, of a steam vessel also.

THIRD SCHEDULE.

EQUIPMENT OF VESSELS OF LESS THAN 150 TONS CARRYING PASSENGERS FROM ANY PLACE WITHIN THE COLONY TO ANY PLACE WITHOUT THE COLONY. reg. 10.

1. Quadrant or sextant, chronometer, logarithm book and compass.
2. 2 anchors and 2 cables.
3. 1 kedge anchor, with hemp or manilla rope.
4. Side and anchor lights, as required by these regulations.
5. 2 pumps.
6. 1 storm trysail, in addition to ordinary suit of sails.
7. 2 lifebuoys, with patent lights attached.
8. 1 boat or boats, of a cubic capacity according to the total number of persons allowed to be carried.
9. Leads and lines.

## FOURTH SCHEDULE.

reg. 18.

## TARIFF OF FEES TO BE PAID BY THE OWNERS OF VESSELS TO INSPECTORS AND ADMEASURERS OF SHIPPING FOR SERVICES TO BE PERFORMED IN PURSUANCE OF THE FOREGOING REGULATIONS.

	\$	c.
(a) For each and every survey of a vessel exceeding 50 tons, including certificate as to good order and seaworthiness of vessel surveyed ... ..	5	00
(b) For do do of a vessel not exceeding 50 tons ...	2	40
(a) For every examination as to competency of a master of any vessel employed in coasting voyages, and for granting such person certificate of competency ... ..	2	40
(b) For do do of a mate as above ... ..	1	20
(a) For every annual inspection and survey of any vessel of less than 150 tons about to carry passengers from any place within the Colony to any place without the Colony, and for such certificate as may be required ... ..	10	00
(b) For every occasional inspection and survey of any such vessel, and for such certificate as may be required, such fee, if any, not exceeding \$10 as may be allowed by the Governor.		

To an inspector for ascertaining the number of passengers capable of being carried by a steam vessel, in accordance with regulation 13 (3)—

(a) Vessels under 120 feet in length, deck measurement ...	15	00
(b) Vessels of greater length ... ..	20	00

To an Admeasurer of Shipping for the measurement of ships or vessels—

1. For the measurement for tonnage of a ship or vessel under 100 tons, the hold being clear, according to Rule I of the Merchant Shipping Act, 1894, including certificate of such measurement ... ..	15	00
2. For the measurement of a ship or vessel above 100 tons, the hold being clear, according to Rule I of the Merchant Shipping Act, 1894, including certificate of measurement ... ..	25	00
3. For measurement of a foreign ship or vessel for tonnage, having cargo, stores, ballast or dunnage on board, and fitted with bulkheads, cabins or other fixtures, and which ship or vessel cannot be correctly measured under Rule I of the Merchant Shipping Act, 1894, including certificate of measurement, the measurement of such ship or vessel being made under Rule II of the Merchant Shipping Act, 1894 ... ..	10	00
4. For measurement of each crew space intended for the berthing and sleeping accommodation of crew in a ship or vessel, when not included in the first measurement of such ship or vessel for tonnage, including certificate of measurement ... ..	5	00

	\$	c.
5. For measurement of a poop, or saloon, or cabin, or deck-house, or other enclosed space in a ship or vessel, when not included in the first measurement for tonnage, including certificate of measurement ... ..	2	00
6. For each separate measurement, when practicable, for allowance of engine room space for propelling power in steam vessels, including certificate of measurement ...	5	00
7. For measurement of a decked punt or an open vessel or boat and certificate therefor, if required ... ..	2	00
8. For measurement for tonnage, when necessary, of space occupied by deck cargo, and when such space is not included in the cubical contents forming the ship or vessel's register, including certificate of measurement ...	2	00
9. For each duplicate certificate of measurement of tonnage or crew space, or saloon or cabin or engine room space for propelling power ... ..	1	00
10. For each visit by an Admeasurer of Shipping (other than the first visit for the purpose of the measurement of a ship or vessel), and when such visit is made for the inspection of the ship or vessel, in order that he may give his certificate of survey in respect to the compliance with the requirements of Sections 6 and 7 of the Merchant Shipping Act, 1894 ... ..	2	00

## BUOYING OF PUNTS.

### REGULATION

*made by the Comptroller of Customs under section 25 and approved by the Governor and Court of Policy on the 15th September, 1920.* Reg. 15th  
Sept., 1920.

All punts whether open or decked shall have attached to the hull a rope at least 30 feet long with an approved buoy made fast to the other end of it. The said rope shall at all times be kept clear for running, and free from any obstruction whatever so that should the punt sink the buoy would float clear and remain on the surface to mark the position of the punt.