

NAVIGATION (WIRELESS TELE-
GRAPHY) AMENDMENT ACT.

Act No. 44, 1935.

An Act to make provision relating to wireless installations on ships; to amend the Navigation Act, 1901, as amended by subsequent Acts; and for purposes connected therewith. [Assented to, 31st October, 1935.]

George V.
No. 44, 1935.

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

1. (1) This Act may be cited as the "Navigation (Wireless Telegraphy) Amendment Act, 1935." Short title.

(2) The Navigation Act, 1901, as amended by subsequent Acts, is in this Act referred to as the Principal Act.

(3) The Principal Act as amended by this Act may be cited as the Navigation Act, 1901-1935.

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

2. The Principal Act is amended—

(a) by inserting in Part VII next after section one hundred and nine the following new Division:—

Amendment of
Act, 1901, No.
60, Part VII—
new Division
2A.

DIVISION 2A.—*Wireless telegraphy.*

109A. In this Division—

"Prescribed" means prescribed by this Division or the regulations.

"Regulations"

Interpreta-
tion.

No. 44, 1935.

“Regulations” means regulations made in relation to any of the matters referred to in this Division.

“Telegraphy” includes any method of transmitting telegraphic or telephonic messages by means of electricity.

Application of Division.

109b. This Division shall apply to all sea-going ships except—

- (a) ships, not carrying passengers, when going to sea on a voyage not exceeding twenty-six nautical miles;
- (b) ships when being towed by a ship provided with a wireless telegraphy installation;
- (c) ships, not carrying passengers, on a voyage to a port for the purpose of undergoing at that port necessary repairs or periodical overhaul, and on the return voyage from that port; or
- (d) sailing ships.

Special exemptions.

109c. (1) The Minister may, on the recommendation in writing of a committee of advice, exempt from compliance with the requirements of this Division and the regulations any ship or class of ships where, having regard to the nature of the voyage on which the ship or class is engaged, or other circumstances of the case, he is of opinion that it would be unnecessary or unreasonable to require such compliance.

(2) A committee of advice shall be constituted as prescribed, and different committees of advice may be constituted for different ships or different classes of ships.

Wireless apparatus.

109d. Every sea-going ship to which this Division applies shall, unless exempted from compliance with the requirements of this Division and the regulations—

- (a) be provided with the prescribed wireless telegraphy installation;

(b)

- (b) maintain the prescribed wireless tele- No. 44, 1935.
graphy service; and
- (c) carry a wireless signaller:

Provided that—

- (i) where a certificated operator possessing the prescribed qualifications is carried, it shall not be necessary to carry also a wireless signaller;
- (ii) where such a certificated operator is not carried the prescribed wireless telegraphy installation shall include an automatic distress sender.

109E. (1) The master of a sea-going ship to which this Division applies and which is not exempted pursuant to section 109c of this Act shall not take her to sea and the owner of any such ship shall not permit her to go to sea unless the requirements of this Division and the regulations are complied with. Master taking un-equipped ship to sea,

(2) Any master or owner who contravenes the provisions of subsection one of this section shall be liable to a penalty not exceeding one hundred pounds.

109F. The Governor may make regulations not inconsistent with this Act prescribing all matters which by this Division are required or permitted to be prescribed or which are necessary or convenient to be prescribed for carrying out or giving effect to the provisions of this Division, and in particular and without prejudice to the generality of the foregoing power may make regulations relating to— Regulations.

- (a) the nature of the wireless telegraphy installation to be provided on ships;
- (b) the wireless telegraphy service to be maintained by ships;
- (c) the qualifications of wireless signallers;
- (d) hours of watch of wireless signallers;
- (e) automatic distress senders.

(b)

Special Income and Wages Tax Act.

No. 44, 1935.

Sec. 1.
(Division
into Parts.)

(b) by inserting in section one next after the matter relating to Division 2 of Part VII the following matter:—

DIVISION 2A.—*Wireless telegraphy*—ss. 109A-109F.
