

Serial Number 1946/3



**THE GENERAL HARBOUR REGULATIONS 1935,
AMENDMENT NO. 4**

C. L. N. NEWALL, Governor-General
ORDER IN COUNCIL

At the Government Buildings at Wellington, this 23rd day of
January, 1946

Present :

THE RIGHT HON. W. NASH PRESIDING IN COUNCIL

PURSUANT to the Harbours Act, 1923, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby make the following regulations.

REGULATIONS

1. These regulations may be cited as the General Harbour Regulations 1935, Amendment No. 4.

2. These regulations shall be read together with and form part of the General Harbour Regulations 1935 (hereinafter referred to as the principal Regulations).

3. These regulations shall come into force on the seventh day following notification in the *Gazette* of the making thereof.

4. The principal regulations are amended by inserting, next after Regulation Number 110 thereof, the following additional Regulation.

“ 110A. (1) The master, owner, and agent of any ship on board of which or on the hull of which it is proposed to carry out welding or flame-cutting operations in or from any position, whether on board the ship or not, whence flame or sparks or heat arising from the operations may reach any inflammable cargo or any insulation of the ship, or may reach any neighbouring oil-tanks or refuse or other combustible material, shall severally be liable that notice is given at a reasonable time before the commencement of the operations to the Harbourmaster of the intended operations and of the proposed time of commencement.

“(2) Every master, owner, or agent giving orally a notice as described in the last preceding clause hereof shall forthwith confirm the same by written notice to the Harbourmaster.

“(3) The master, agent, and owner of the ship shall severally be liable for the taking before any such operations are commenced of all reasonable precautions for the detection, prevention, and extinction of fire arising on the ship or elsewhere during such operations, and for the continuance of such precautions until the operations have come to an end.

“(4) The Harbourmaster shall satisfy himself that the master, owner, or agent of the ship takes all reasonable precautions as aforesaid, and continues such precautions until the operations have come to an end.

“(5) Notwithstanding the provisions of the preceding clauses of this regulation, the Harbourmaster may in his discretion exempt from compliance with the provisions of the preceding clauses hereof the master, agent, and owner of a ship lying at any ship-repairing establishment.

“(6) If in any case the Harbourmaster is not satisfied that all reasonable precautions have been taken as provided by clause (3) of this regulation, he may, by notice to the person in charge of the ship, forbid such operations as aforesaid to be commenced until he is so satisfied or may cause to be taken all such reasonable precautions as he thinks necessary, and the master, agent, and owner of the ship shall, without prejudice to any other liability incurred by breach of this regulation, be jointly and severally liable for the expense incurred by the Harbourmaster in so doing”.

T. J. SHERRARD,
Acting Clerk of the Executive Council.

Issued under the authority of the Regulations Act, 1936.

Date of notification in *Gazette* : 31st day of January, 1946.

These regulations are administered in the Marine Department.