



## THE LAKE STEAM NAVIGATION ORDINANCE, 1863.

IN THE TWENTY-SEVENTH YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA.

SESS. XVII., No. 130.

### ANALYSIS.

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| <p>Title.<br/>Preamble.<br/>1. Short Title.<br/>2. Inspectors, &amp;c., to be appointed.<br/>3. Surveys to be made and Certificates to be obtained.<br/>4. Examination of Masters and Engineers.<br/>5. Certificates may be cancelled.<br/>6. Copies of Certificates to be sent to Superintendent, and to be kept posted in vessel.<br/>7. Penalty for plying without Certificates.<br/>8. Number of Passengers limited.<br/>9. Persons going or remaining on board when full and refusal to pay fares.</p> | <p>10. Persons to give name and address when asked.<br/>11. Steamers to have compartments and safety valves.<br/>12. Life Buoys and Boats.<br/>13. Accidents and damages sustained to be reported.<br/>14. Power of Inspector.<br/>15. Resident Magistrate may investigate causes of accidents.<br/>16. Impeding Inspector, &amp;c.<br/>17. Marine Board Regulations as to lights to be adopted, and other Regulations may be adopted.<br/>18. Penalties recoverable in a summary way.</p> |
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AN ORDINANCE *to Regulate Steam Vessels plying upon Lakes in the Province of Otago.* Title.

**W**HEREAS it is expedient to provide for the Regulation of Preamble.  
Steam Vessels plying upon the Lakes in the Province of  
Otago ;

BE IT THEREFORE ENACTED by the Superintendent of the Province of Otago with the advice and consent of the Provincial Council thereof as follows :

1. The short title of this Ordinance shall be "The Lake Steam Short Title.  
Navigation Ordinance 1863."

2. It shall be lawful for the Superintendent of the Province of Inspectors, &c., to be appointed.  
Otago with the advice and consent of his Executive Council to appoint Inspectors and Engineer-Surveyors of Steam Vessels plying on any Lake or Lakes in the Province of Otago and at any time to remove the same from office.

Surveys to be made and certificates obtained.

3. The owner of every Steam Vessel plying on any Lake in the said Province shall cause the hull of such vessel to be surveyed twice a year and the machinery thereof four times a year by an Inspector and an Engineer-Surveyor and shall obtain a certificate under the hand of such Inspector of the sufficiency and good condition of the hull of such Steamer and of the Boats and other equipments thereof required by this Ordinance and of the number of passengers which such Steamer shall be allowed to carry and shall also obtain a certificate under the hand of an Engineer-Surveyor of the sufficiency and good condition of the machinery of such Steamer which certificates shall respectively remain in force for the respective period of six months and three months from the respective dates thereof unless cancelled in manner hereinafter provided.

Examination of Masters and Engineers.

4. The owner of every such Steam Vessel shall on the appointment of any Engineer to the management of the machinery or of any master to the charge of such Steamer cause such Master or Engineer to be examined by competent Examiners to be appointed for the purposes of this Act by the Superintendent and shall obtain from such Examiners a certificate of the competency of such Master and Engineer respectively for the discharge of their respective duties.

Certificates may be cancelled.

5. The Superintendent with the advice and consent of his Executive Council may at any time by notice under his hand published in the *Provincial Government Gazette* revoke and cancel any certificate granted as aforesaid in respect of the hull equipments machinery number of passengers master or engineer of any such Steamer and may require a fresh survey examination and certificates to be made and obtained.

Copies of Certificates to be sent to Superintendent and to be kept posted in vessel.

6. The owner or master of any such Steam Vessel shall forthwith on obtaining any such certificate or certificates as aforesaid transmit a true copy thereof to the Superintendent and shall cause such certificates or a true copy thereof in distinct and legible characters to be put up in some conspicuous part of the vessel and there to be maintained so long as such certificate or certificates shall remain in force and in default such owner or if he can prove such default to have been caused by the master such master shall for every such offence be liable to a penalty not exceeding five pounds and each trip made by such steamer during the continuance of such default shall be deemed a separate offence.

Penalty for plying without certificates.

7. If any Steam Vessel shall ply upon any Lake within the Province of Otago without the aforesaid certificates having respectively been first obtained and then being in full force the owner or master of such Steam Vessel shall be liable to a penalty not exceeding twenty pounds for every trip made by such Steam Vessel without the said certificates.

Number of Passengers limited.

8. It shall not be lawful to carry on board of any such Steam Vessel a greater number of passengers than the numbers stated in such certificate as aforesaid and the master of any such vessel offending against this provision shall for every such offence be liable to a penalty not exceeding twenty pounds together with the further

sum of twenty shillings for every passenger over and above the number specified in the said certificate.

9. If any person after having been refused admission into any such Steam Vessel on account of such Steam Vessel being full shall nevertheless persist in attempting to go on board the same or if any person having got on board shall refuse to leave such Steam Vessel upon being requested on the like account so to leave before such vessel has quitted the place where such person got on board or if any passenger on board any such vessel shall refuse or be unable to pay his fare every such person shall for every such offence be liable to a penalty not exceeding five pounds.

Persons going or remaining on board vessel when full and refusal to pay fares.

10. Every person who having committed any of the offences mentioned in the preceding section refuses on application of the Master of such Vessel or other person in the employ of the owner thereof to give his name and address or who shall give a false name or address shall be liable to a penalty not exceeding five pounds.

Persons to give name and address when asked.

11. Every such Steam Vessel built of iron shall have her engine room separated from the other portions of the vessel by transverse watertight partitions and every such Steam Vessel whether built of wood or iron shall have a safety valve upon each boiler free from the care and out of the control or interference of the Engineer and the Master and Owner of any such Steam Vessel which shall not be fitted according to the provisions of this clause shall severally be liable to a penalty not exceeding twenty pounds in respect of every trip made without being so fitted.

Steamers to have compartments and safety valves.

12. The Owner or Master of any such Steam Vessel which shall proceed on any trip or voyage without having on board such Steam Vessel in a conspicuous place ready for immediate use at least two Life Buoys or without being provided with a Boat or Boats in good serviceable condition of such size as shall be prescribed by any Inspector as aforesaid or who shall during any trip or voyage by his carelessness or negligence permit any such Buoys Boat or Boats to be lost or rendered useless shall be liable for every such offence to a penalty not exceeding fifty pounds.

Life Buoys and Boats.

13. Whenever any such Steam Vessel has sustained or caused any accident occasioning any loss of life or serious injury to any person or has received any damage affecting her seaworthiness or efficiency either in hull or machinery the Owner or Master shall within twenty-four hours after the happening of such accident or damage or as soon thereafter as possible transmit by post to the Superintendent or to the nearest Inspector a report of such accident or damage signed by such Owner or Master and in default of so doing shall be liable to any penalty not exceeding five pounds.

Accidents and damages sustained to be reported.

14. It shall be lawful for any Inspector and also for any Engineer-Surveyor as aforesaid at all reasonable times to go on board any such Steam Vessel and examine the same or any part thereof and in all cases of accident or damage such Inspector may make such investi-

Power of Inspector.

gation into the cause of such accident or damages as he shall think proper and for that purpose may by summons under his hand require any person or persons to appear before him to give evidence relating thereto and administer oaths and examine such persons upon oath and such Inspector shall upon completing such investigation forthwith forward a report of the same together with the evidence taken by him to the Superintendent.

Resident Magistrate may investigate causes of accidents.

15. In all cases of accident caused or sustained by any such Steam Vessel occasioning loss of life or serious injury to any person any Resident Magistrate may in the absence of an Inspector make an investigation and report as aforesaid and shall have the powers given to Inspectors for that purpose.

Impeding Inspector, &c.

16. If any person shall wilfully impede any such Inspector or Engineer-Surveyor in the performance of any part of his duty or shall neglect or refuse to attend to give evidence on being summoned as aforesaid or shall refuse to be sworn or to answer any relevant question put in the course of any investigation as aforesaid every such person shall for every such offence be liable to a penalty not exceeding five pounds.

Marine Board Regulations as to lights to be adopted, and other Regulations may be adopted.

17. Any provisions rules or regulations from time to time made by the Marine Board of New Zealand in reference to the carrying of Lights by Steam Vessels shall be held to be applicable to Lake Steamers as if such provisions had been embodied in this Ordinance and it shall be lawful for the Superintendent with the advice and consent of his Executive Council by Proclamation in the *Provincial Government Gazette* to bring into force in regard to Lake Steamers any rules or regulations which the Marine Board of New Zealand or the Marine Board of the Port of Otago shall think fit to make in regard to other Steam Vessels and such Proclamation from time to time to alter and repeal and such rules or regulations so proclaimed shall be taken and interpreted as if they were embodied in this Ordinance and every person offending against the same shall for each offence be liable to a penalty not exceeding five pounds.

Penalties recoverable in a summary way.

18. All penalties imposed by or under the provisions of this Ordinance shall be recoverable by summary proceedings before a Resident Magistrate or two Justices of the Peace.

Passed the Provincial Council, September 8, 1863.

J. L. C. RICHARDSON,  
*Speaker.*

CHARLES SMITH,  
*Clerk of Council.*

Assented to on behalf of the Governor, at Dunedin, this seventh day of October, one thousand eight hundred and sixty-three.

JOHN HYDE HARRIS,  
*Superintendent of the Province of Otago.*