

shall be applied to the auxiliary radio-apparatus when the sealing of the silence cabinet is being effected. An entry shall be made in the ship's log of the times at which the silence cabinet was locked and the seals made and broken.

- (d) In cases where radio installations are equipped with "control switches" whereby the master of the ship can, unless the apparatus be tampered with, prevent the sending of messages without his knowledge, the Minister may waive compliance with the foregoing requirements in regard to the locking and sealing of the radio-cabin or silence cabinet.
- (e) Foreign ships shall be subject to the provisions of clauses (b) and (c) hereof. In addition, when a foreign ship arrives in harbour its aerial wires shall be taken down completely, and shall be disconnected from the leading-in insulator. In such circumstances, the aerial wires shall remain down, and disconnected from the leading-in insulator, until the ship is outside of harbour limits.

(2) Notwithstanding anything contained in this regulation or in Regulation 89 hereof, it shall be permissible for any person authorized in that behalf by the Minister to inspect, and to permit repairs to be effected to, the radio-apparatus of ships, from time to time, proper precautions being taken for the locking and sealing of the radio-cabin, of the silence cabinet, and of the auxiliary apparatus.

(3) If at any time while the provisions of this regulation are in force there shall in respect of any ship in harbour be a failure to comply with any of the provisions of this regulation the owner and master thereof shall be guilty of an offence against this regulation, and such owner and master and any person committing a breach of this regulation shall be severally liable on summary conviction to a fine not exceeding £1,000.

(4) Whenever at any time while the provisions of this regulation are in force the Minister has reasonable cause to believe or suspect that any breach of this regulation has been committed on board any ship while in the territorial waters of New Zealand or in harbour, he may give notice in writing to the Collector of Customs at any port in New Zealand to detain the ship under section 205 of the Post and Telegraph Act, 1928, until the sum of £1,000, or such smaller sum as may be specified in the notice, has been deposited with the Collector of Customs by or on behalf of the owner of the ship.

(5) If on the receipt of that notice, or at any time within three months thereafter, the ship is found within such port, the Collector of Customs shall withhold the certificate of clearance of the ship, under section 35 of the Customs Act, 1913, until and unless the aforesaid sum is deposited with him or the aforesaid notice of detention is withdrawn.

(6) If within six months after the date of the offence in respect of which the ship has been detained a conviction for that offence is obtained against any person, the sum so deposited shall be available for the satisfaction of any fine and costs imposed and awarded by the conviction, and the residue, if any, shall be returned to the person by whom or on whose behalf the deposit was made.

(7) If within the period of six months aforesaid no such conviction is obtained, the sum so deposited shall be returned to the person by whom or on whose behalf it was deposited.

(8) The countermanding of a notice that the provisions of this regulation are in force shall not affect the liability of any person for an offence committed before the publication of such countermanding notice.

93. If on inspection by a Radio Inspector or other authorized person in accordance with Regulation 68 hereof a ship station is found to be not so equipped or provided as prescribed in these regulations, the inspecting officer shall give to the master or owner of the station notice in writing pointing out the deficiency. A copy of such notice shall be given to the Customs officer at any port at which the ship may seek to obtain a clearance or transire, and the ship shall, as provided by the Shipping and Seamen Act Wireless Regulations, be detained until a certificate under the hand of any such inspecting officer is produced to the effect that the ship is properly equipped or provided with an installation and operators, radio signallers, and/or watchers in conformity with the regulations.