

1893.  
VICTORIA.

LICENSING OF BOATS AND BOATMEN AND EQUIPMENT  
OF BOATS.

REGULATIONS.

PRESENTED TO BOTH HOUSES OF PARLIAMENT PURSUANT TO LAW.

*Marine Act 1890.*

REGULATIONS FOR THE LICENSING OF BOATS AND BOATMEN AND THE EQUIPMENT OF BOATS PLYING FOR HIRE FOR THE CARRIAGE OF PASSENGERS.

WHEREAS by Section 57 of the *Marine Act* 1890 it is amongst other things enacted that the Marine Board of Victoria may license boats plying for hire in any port, and also license watermen and boatmen plying within any port: And whereas by Section 59 of the said Act the said Board, with the consent of the Governor in Council, may from time to time make, alter, or repeal Regulations for the licensing of all boats plying for hire in any port, and for the licensing of watermen and boatmen plying within any port, and for affixing penalties to any breach of any regulation made by the said Board under the authority of the said Act: And whereas the Marine Board did, on the 16th day of September, 1892, make Regulations whereby every such boatman was required to hold a licence from the Board, and further provided that such boats should be licensed, and also be safe and fit for the carriage of passengers, and restricted as to the number of passengers to be carried therein: And whereas it is expedient to repeal such Regulations as published in the *Government Gazette* of the 7th day of October, 1892, and also to make amended Regulations in lieu thereof: Now therefore the said Board doth hereby, with the consent of the Administrator of the Government in Council, repeal the aforesaid Regulations, and doth make the following amended Regulations in lieu thereof, that is to say:—

These Regulations may be cited as “The Regulations for the Licensing of Boats and Boatmen and the Equipment of Boats,” and shall come into force on the 1st day of October, 1893.

GENERAL.

1. *Licence Fee*.—A fee of Two shillings and sixpence shall be paid to the Board by the licensee with the application for the issue of any licence to be granted under these Regulations.

2. *Refusal of Licence*.—The Board may refuse to issue a licence under these Regulations without assigning any cause for such refusal.

3. *Cancellation of Licence*.—The Board may at any time cancel any licence issued under these Regulations without assigning any cause for such cancellation.

4. *Penalty*.—Any breach of these Regulations shall be punishable by a fine not exceeding Twenty pounds.

5. *Definitions*.—For the purposes of these Regulations the words following shall have the meanings set opposite to each:—

“Boatman” shall mean any person who may be engaged in the navigation or management of any boat which may be used for the conveyance of any passenger or passengers for hire or reward of any kind.

“Boat” shall mean any craft or vessel of any kind whatsoever which may be used for or engaged in the carriage of any passenger or passengers for hire or reward of any kind, and which, apart from these Regulations, would not be subject to the control of the Marine Board or the inspection and supervision of its officers, but shall not include any boat which for the time being is propelled by oars only.

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## BOATS.

6. *Boat to be Licensed.*—No boat shall ply for hire for the carriage of passengers, or shall be let out on hire within any port in Victoria outside the Port of Melbourne as defined in the Second Schedule to the *Melbourne Harbor Trust Act 1890*, unless such boat be duly licensed by the Board in the form prescribed in Schedule III. hereto, and in accordance with these Regulations.

7. *Application for Licence.*—Any person desiring to obtain a licence under these Regulations for any boat shall make application to the Secretary to the Board on the form set out in Schedule I. hereto.

8. *Inspection of Boat before Issue of Licence.*—Before any boat can be licensed the same must be inspected by such officer or person as the Board may appoint for the purpose, and such officer or person shall, if he considers any boat suitable for the purpose of carrying passengers, and properly equipped therefor, give his certificate accordingly in the form provided in Schedule II. to these Regulations.

9. *Inspection of Boat from time to time.*—Any officer or person appointed by the Board for that purpose may, from time to time, inspect any boat licensed under these Regulations, and shall be afforded every facility by the owner or person in charge to make such inspection.

10. *Number of Passengers—How determined.*—Before being licensed, every boat shall be measured by an officer of the Board or person appointed for the purpose, and the number of adults which the said boat may carry shall be in the proportion of one to each 18 inches of sitting room, provided that such sitting room shall be clear of all interference with the proper working of the boat. For the purposes of this Regulation two (2) children under twelve years of age shall be reckoned as equal to one adult.

11. *Particulars to be Painted on Boat.*—Each boat licensed under these Regulations shall be assigned a number by the Secretary, which number the owner of such boat shall cause to be painted upon the bows thereof in figures of not less than 4 inches in height; each boat shall also have the name thereof painted plainly on the outside of the stern, and on the inside thereof there shall be painted in letters or figures of not less than 2 inches in height the maximum number of passengers such boat is licensed to carry.

12. *Particulars—How to be painted.*—All such letters or figures shall be painted in white paint on a dark ground, or in black paint on a light ground.

13. *Certificate of Officer.*—No licence shall be issued until a certificate, as prescribed in Schedule II. hereto, has been forwarded to the Board by the proper officer that the requirements of these Regulations have been fully complied with.

14. *Crew.*—If any owner or person having charge of any boat shall permit such boat to be used in the conveyance of any passengers for hire or reward of any kind, without being in charge of a crew of duly licensed boatmen, of the number specified in the licence granted to such boat, he shall be deemed guilty of a breach of these Regulations, and punishable accordingly, and the licence for such boat may be cancelled.

15. *Exemption.*—The Regulation next preceding (No. 14) shall not apply in cases where a boat is specially engaged by one or more persons who is or are willing to undertake the whole charge and responsibility of the same; provided that no owner or other person in charge shall let any boat out for hire unless he is satisfied that the applicant or applicants is or are capable of navigating the said boat under sail. A book is also to be kept in which is to be recorded the name and address of the hirer.

16. *Complement of Passengers.*—If any person shall, with or without the knowledge or consent of the licensee, go on board any licensed boat having at the time its full complement of passengers, he shall be deemed to have committed a breach of these Regulations.

17. *Buoyancy, Equipments, &c.*—Every licensed boat, while plying for hire in the carriage of passengers, shall be fitted in such a manner that she shall have on board such material as will create an internal buoyancy sufficient to prevent the boat and passengers therein from sinking should any accident occur; and such buoyant material shall be in the proportion of not less than one-half cubic foot for each passenger such boat is licensed to carry; and such boat shall be properly equipped with a full complement of masts, sails, seats, and all other gear necessary to the safe navigation of the boat; and any owner, or person in charge of any boat, who allows her to be used without being provided or equipped as required by these Regulations, shall be deemed guilty of a breach thereof, and punishable accordingly; provided that in any case in which in the opinion of the Board it may not be practicable for any such boat to be fitted with material to create internal buoyancy sufficient to prevent such boat and passengers therein from sinking should any accident occur, then every such boat in lieu thereof shall be equipped with an approved life-belt for every person licensed to be carried.

18. *Boat and Gear to be maintained in Good Order.*—Every licensed boat shall, while she continues to be licensed, be kept in good order and repair, both as regards hull and working gear, by the owner or person in charge thereof; and, if at any time the officer appointed by the Board to make an inspection of such boat shall report to the Board that this Regulation has not been complied with, the licence shall be immediately withdrawn and cancelled.

19. *Boat to be Ballasted.*—Every boat, when employed in the carriage of passengers for hire or reward, shall be ballasted to the satisfaction of the officer or person appointed by the Board for that purpose, and such ballast shall be properly secured to prevent the same from shifting.

20. *Property of Passengers left in Boat.*—All goods and property left in any licensed boat shall be handed over by the person in charge thereof to the nearest officer of police as soon as practicable after such has been found.

21. *Care of Boats let out on Hire.*—The person or persons to whom a sailing boat is let on hire, shall be held responsible for such boat, and also for the observance of these Regulations, until such boat is taken back and returned to the owner or other person from whom hired.

22. *Change of Ownership.*—In all cases change of ownership of any boat licensed under these Regulations shall be immediately reported in writing to the Secretary to the Marine Board.

BOATMEN.

23. Boatman to be Licensed.—No person shall ply for hire as a boatman within the limits of any Victorian port outside of the port of Melbourne as defined in the Second Schedule to the Melbourne Harbor Trust Act 1890 unless he be the holder of a licence issued by the Marine Board in the form prescribed in Schedule VI. hereto, which shall be produced on demand to any officer of Customs, of police, or of the Board, or to any passenger who may desire to see same.

24. Application for Licence.—Application for a licence to ply as a boatman must be made to the Secretary on the form prescribed in Schedule IV. hereto; and the applicant shall forward, with his application, written evidence, showing that he is a person of good character, and that he is competent to have charge of or be engaged on board any boat employed in the carriage of passengers. Should such evidence not be deemed by the Board satisfactory in these points the application will be refused.

25. Competency of Applicant.—Every applicant for a licence as boatman must, prior to the issue of a licence, be required to satisfy the officer of the Board or other person appointed by them for the purpose that he is competent to have charge of and navigate a boat used in the conveyance of passengers; and such officer shall give his certificate to the Board as to the efficiency of such applicant in the form prescribed in Schedule V. hereto; and, should such applicant fail to satisfy such officer, his application will be rejected.

26. Boatman to furnish Regulations on Demand.—Every licensed boatman shall carry a copy of these Regulations, or any additions to or amendments thereof, which will be furnished to such boatman by the Secretary on application, or on being supplied with the address of such boatman; and he shall produce the same when required to do so to any person hiring his boat.

The foregoing Regulations were made and passed at a meeting of the Marine Board of Victoria, held this tenth day of March, in the year of our Lord One thousand eight hundred and ninety-three.

(SEAL)

ROBERT FULLARTON, President.  
ARCHD. CURRIE, Vice-President.  
J. GEO. MCKIE, Secretary.

SCHEDULES.

SCHEDULE I.

APPLICATION FOR A PASSENGER-BOAT LICENCE.

To the Secretary, Marine Board of Victoria.

I hereby apply for a licence for a sailing boat named the \_\_\_\_\_ to ply for hire for the carriage of passengers within the limits of the Port of \_\_\_\_\_ such licence to be held subject to the provisions of the Marine Act 1890 and the Regulations in force thereunder during the currency of such licence.

Licence Number.



PARTICULARS OF BOAT.

Length— feet inches.  
Breadth— feet inches.  
Depth (midships)— feet inches.

Now available for inspection at—  
Dated this \_\_\_\_\_ day of \_\_\_\_\_ 189

Signature of owner in full—  
Address in full—

NOTE.—This form is to be carefully filled up by the applicant and forwarded to the Secretary to the Marine Board, Melbourne, together with the amount of licence-fee,\* viz., 2s. 6d.

\* Date paid \_\_\_\_\_ Receipt No. \_\_\_\_\_

SCHEDULE II.—[Back of Application.]  
SURVEYOR'S CERTIFICATE.

REGULATIONS 8 & 13.

I hereby certify that I have surveyed the sailing boat in respect of which application is made on the other side hereof, and the dimensions of which are—

Length— feet inches.  
Breadth— feet inches.  
Depth— feet inches.

And I further certify that such boat is properly equipped and in good repair, and fit in all respects, according to the Regulations for the Licensing of Boats and Boatmen and the Equipment of Boats, to carry \_\_\_\_\_ passengers in the Port of \_\_\_\_\_ when in charge of a duly licensed boatman and a crew

of \_\_\_\_\_ { man } in addition (subject to clauses 14 and 15 of the said Regulations).  
of \_\_\_\_\_ { men }

Dated at Melbourne this \_\_\_\_\_ day of \_\_\_\_\_ 189  
Signature of Surveyor.

Strike out the word which does not apply.

Number assigned to boat (vide Regulation No. 11)—

## FINAL CERTIFICATE.

REGULATION 13. I hereby certify that in respect of the marking on the boat of all particulars as to the name of boat, the licence number of the boat, and the number of passengers that may be carried, the Regulations for the Licensing of Boats and Boatmen and the Equipment of Boats have been duly complied with, and that in so far as concerns such matters the licence may now be issued for the boat above described.

Dated at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 189

Signature of Surveyor or other Officer.

REGULATION 6.

## SCHEDULE III.

No.

MARINE BOARD OF VICTORIA.

## PASSENGER-BOAT LICENCE.

The Marine Board of Victoria, in pursuance of the powers vested in them by the *Marine Act* 1890, do hereby license the sailing boat number \_\_\_\_\_ and owned by \_\_\_\_\_ of \_\_\_\_\_ to ply for hire and to carry \_\_\_\_\_ passengers within the Port of \_\_\_\_\_ subject to the provisions of the Act last mentioned, and to any rules or regulations made or to be made thereunder, or to any amendment thereof.

Crew to be carried by this boat when plying under this licence \_\_\_\_\_ duly licensed boat { man.  
men.

Dated at Melbourne this \_\_\_\_\_ day of \_\_\_\_\_ 189

For the Marine Board of Victoria,

Secretary.

REGULATION 24.

## SCHEDULE IV.



ISSUED BY  
THE MARINE BOARD  
OF VICTORIA.

APPLICATION FOR A LICENCE AS A BOATMAN TO TAKE CHARGE OF A BOAT LICENSED TO CARRY PASSENGERS.

Licence Number.

To the Secretary, Marine Board of Victoria.

I hereby apply for a licence as a boatman authorized to take charge of a boat licensed to carry passengers within the limits of the Port of \_\_\_\_\_ such licence to be held by me subject to the provisions of the *Marine Act* 1890 and the Regulations in force thereunder during the currency of such licence.

Herewith I forward written evidence as to good character, sobriety, and ability to take charge of or be engaged on board any boat employed in the carriage of passengers.

Date of birth—

Where—

Dated this \_\_\_\_\_

day of \_\_\_\_\_

189

Signature of Applicant in full—

Address in full—

NOTE.—This form is to be carefully filled up by the applicant and forwarded to the Secretary to the Marine Board, Melbourne, together with the amount of licence-fee,\* viz., 2s. 6d.

\* Date paid

Receipt No.

REGULATION 25.

## SCHEDULE V.—[Back of Application.]

## CERTIFICATE OF EXAMINING OFFICER.

I hereby certify that I have examined \_\_\_\_\_, and find him competent to have charge of and navigate a boat licensed to carry passengers; the evidence of good character, sobriety, and ability submitted by him is, in my opinion, satisfactory, and I now recommend that a licence be issued to him.

## PERSONAL DESCRIPTION OF APPLICANT.

Height \_\_\_\_\_ feet \_\_\_\_\_ inches.

Complexion \_\_\_\_\_

Personal marks or peculiarities (if any) \_\_\_\_\_

Colour of hair \_\_\_\_\_; eyes \_\_\_\_\_

Dated at Melbourne this \_\_\_\_\_

day of \_\_\_\_\_

, 189

Signature of Officer.

SCHEDULE VI.

REGULATION 23.

MARINE BOARD OF VICTORIA.

No.

LICENCE AS A BOATMAN TO TAKE CHARGE OF A BOAT LICENSED TO CARRY PASSENGERS.

The Marine Board of Victoria, in pursuance of the powers vested in them by the Marine Act 1890, do hereby license of \_\_\_\_\_, as a boatman competent to take charge of a boat licensed to carry passengers within the limits of the Port of \_\_\_\_\_ subject to the provisions of the Act last mentioned, and to any rules or regulations made or to be made thereunder, or to any amendment thereof.

Dated at Melbourne this \_\_\_\_\_ day of \_\_\_\_\_, 189

For the Marine Board of Victoria,

Secretary.

Approved by the Administrator of the Government in Council the 20th March, 1893.

G. WILSON BROWN,  
Clerk of the Executive Council.