

ACT No. I OF 1909.

PASSED BY GOVERNOR GENERAL OF INDIA IN COUNCIL.

(Received the assent of the Governor General on the 15th January 1909.)

An Act further to amend the Inland Steam-vessels Act, 1884, and the Indian Steamships Act, 1884.

VI of 1884. VII of 1884. WHEREAS it is expedient further to amend the Inland Steam-vessels Act, 1884, and the Indian Steamships Act, 1884; It is hereby enacted as follows:

1. This Act may be called the Indian Steamships Law Amendment Act, 1909. Short title.

The Inland Steam-vessels Act, 1884.

VI of 1884. 2. After section 68 of the Inland Steam-vessels Act, 1884, the following shall be inserted, namely:— Insertion of new section 68A in Act VI, 1884.

“68A. The provisions of this Act shall apply to vessels which ordinarily ply on inland waters and are propelled by electricity or other mechanical power, with such modifications as the Governor General in Council may prescribe for the purpose of adaptation.” Application of Act to vessels propelled by electricity or mechanical power.

The Indian Steamships Act, 1884.

II of 1884. 3. For section 4 of the Indian Steamships Act, 1884, the following shall be substituted, namely:— Substitution of new section 4 Act VII, 1884.

“4. No steamship shall carry more than twelve passengers between places in British India or to or from any place in British India from or to any place out of British India, unless she has a certificate of survey under this Act in force and applicable to the voyage on which she is about to proceed, or the service on which she is about to be employed.” No steamship to carry passengers without a certificate of survey.

4. For

B

Substitution
of new
section 23,
Act VII,
1884.

Steamships
with foreign
certificates
of survey or
certificates
of partial
survey.

4. For section 23 of the said Act the following shall be substituted, namely :—

“23. (1) When a steamship requires to be furnished with a certificate of survey under this Act and the Local Government is satisfied, by the production of a certificate of survey attested by a British Consular Officer at the port where the survey was made, that the ship has been officially surveyed at a foreign port, and that the requirements of this Act are proved by that survey to have been substantially complied with, the Local Government may, if it thinks fit, dispense with any further survey of the ship in respect of the requirements so complied with, and give a certificate which shall have the same effect as a certificate given after survey under this Act:

Provided that this sub-section shall not apply in the case of a foreign steamship to an official survey at any foreign port with respect to which His Majesty has by Order in Council directed that section 363 of the Merchant Shipping Act, 1894, shall not apply.

57 & 58
Vict., c. 1

(2) When the Local Government has, by notification in the local official Gazette, declared that it is satisfied that an official survey at any foreign port specified in the declaration is such as to prove that the requirements of this Act have been substantially complied with, any person appointed by the Local Government, by name or as holding any office, may exercise the power to dispense with a survey and to give a certificate conferred on the Local Government by sub-section (1) in the case of any steamship furnished with a valid certificate of survey granted at such foreign port and duly attested by the British Consular Officer at that port.

(3) The procedure prescribed in sub-section (1) shall be applicable in the case of steamships furnished with valid certificates of partial survey, including docking certificates, granted by the Board of Trade or any British Colonial Government, as if they were steamships

steamships furnished with like certificates of survey granted at foreign ports, subject to the modification that the powers of the Local Government under the said sub-section may be exercised by any person appointed by the Local Government, by name or as holding any office, in this behalf."

5. After section 40 of the said Act the following shall be inserted, namely :—

Insertion
of new
section 40
in same Act.

"41. The provisions of this Act shall apply to ships propelled by electricity or other mechanical power, with such modifications as the Governor General in Council may prescribe for the purpose of adaptation."

Application
of Act to
ships pro-
pelled by
electricity or
mechanical
power.