



Government Gazette

OF

WESTERN AUSTRALIA

(Published by Authority at 3.30 p.m.)

(REGISTERED AT THE GENERAL POST OFFICE, PERTH, FOR TRANSMISSION BY POST AS A NEWSPAPER)

No. 28]

PERTH: TUESDAY, 24th MARCH

[1964

WESTERN AUSTRALIAN MARINE ACT, 1948-1962.

Harbour and Light Department,
Fremantle, 12th February, 1964.

HIS Excellency the Governor in Executive Council, acting pursuant to the powers conferred by the Western Australian Marine Act, 1948-1962, has been pleased to make the regulations set out in the schedule hereunder.

(Sgd.) K. G. FORSYTH,
Manager.

Schedule. Regulations.

1. In these regulations the Western Australian Marine Act, 1948, Regulations as to Scale of Crew and Scale of Provisions, reprinted pursuant to the Reprinting of Regulations Act, 1954, and published in the *Government Gazette* on the 22nd October, 1958, are referred to as the principal regulations.

2. The principal regulations are amended by adding after regulation 3 the following regulations:—

4. The agreement to be entered into by a master with any seaman engaged by him shall be in the form of Form No. 1 in Appendix 2 to these regulations.

5. A discharge, when delivered to the shipping master under the provisions of section 117 of the Act, shall be duly completed and in the form of Form No. 2 in Appendix 2 to these regulations.

3. The principal regulations are amended by adding after Appendix 1 the following Appendix—

Appendix 2.

No.....

GOVERNMENT OF WESTERN AUSTRALIA
Harbour and Light Department
Western Australian Marine Act, 1948-1962

Form No. 1
 OFFICE COPY
 Executed in.....pages

AGREEMENT
 AND
 ACCOUNT OF CREW

PART I—DESCRIPTION OF SHIP

TRADE.....

| NAME OF SHIP | PARTICULARS OF REGISTRATION | | | | |
|--------------|-----------------------------|------|------|---------|-----|
| | Official No. | Port | Date | TONNAGE | |
| | | | | Gross | Net |
| M.V. S.S. | | | | | |

REGISTERED OWNER OR OTHER PERSON FOR WHOM MASTER IS ACTING

| NAME | ADDRESS IN FULL | RELATIONSHIP TO REGISTERED OWNER |
|------|-----------------|----------------------------------|
| | | |

POSITIONS OF THE DECK-LINE AND LOAD LINES

| | FREEBOARD FROM DECKLINE | LOAD LINE |
|--|-------------------------|--|
| 1. Tropical |feet.....inches |inches above S. |
| 2. Summer |feet.....inches | Upper edge of line through centre of disc(S) |
| 3. Winter |feet.....inches |inches below S. |
| 4. Winter North Atlantic (if assigned) |feet.....inches |inches below S. |

Allowance for fresh water for all freeboards.....inches.

The upper edge of the deck-line from which these freeboards are measured is.....inches above the top of the.....deck at side.

PART II—TERMS OF AGREEMENT

THIS AGREEMENT between the Master of the Ship described above and each seaman who signs this Agreement WITNESSES :

1. Each seaman shall serve on board the ship on a voyage from voyages

5. The Master may, if a seaman has specified a capacity for which he is incompetent, disrate the seaman.

6. If a seaman considers himself aggrieved by a breach of this Agreement or otherwise, he may bring the matter to the attention of the Master or officer-in-charge of the ship in a quiet and orderly manner and the Master or officer will there-upon take such action as the case requires.

7. If a seaman commits a breach of discipline specified in the table in this paragraph, that breach is a breach of this Agreement and the Master shall impose a fine of the amount specified in that table opposite to that breach of discipline.

2. Each seaman will conduct himself in an orderly, faithful, honest and sober manner, and will be at all times diligent in his duties and obedient to the lawful commands of his superior officers and the Master, or person who lawfully succeeds the Master, in everything relating to the ship, her stores and cargo whether on board, in boats or on shore.

3. Each seaman will assist each other seaman in the general duties of the ship and will perform cargo, coal and ballast duties if required, but while in port will not be required to perform those duties except as provided by law.

4. Subject to any industrial award or agreement that is applicable, the Master will pay to a seaman wages at the rate specified in relation to that seaman.

| Breach of Discipline | Amount of Fine |
|---|--------------------------|
| 1. Striking or assaulting any person on board or belonging to the ship (if not otherwise dealt with according to law) | Five pounds |
| 2. Bringing or having on board intoxicating liquors without the concurrence of the master | Ten shillings |
| 3. Drunkenness— First offence Each subsequent offence | One pound Two pounds |
| 4. Taking on board and keeping possession of any firearm, knuckle-duster, loaded cane, sling-shot, sword-stick, bowie-knife, dagger or any other offensive weapon or offensive instrument, without the concurrence of the master—for every day during which a seaman retains that weapon or instrument | One pound |
| 5. Insolent or contemptuous language or behaviour to the master or an officer or disobedience to lawful commands (if not otherwise dealt with according to law)— First offence Each subsequent offence | One pound Five pounds |
| 6. Failure or refusal without reasonable cause to go to sea in the ship when lawfully ordered to do so by the master (if not otherwise dealt with according to law) | Two day's pay |
| 7. Absence from duty or from the ship without leave and without reasonable cause at the time fixed for the ship's departure (if not otherwise dealt with according to law) | Five pounds |
| 8. Absence from duty or from the ship without leave and without reasonable cause at a time other than that fixed for the ship's departure (if not otherwise dealt with according to law)—for each day on which that absence occurs | Two day's pay |

PART II—TERMS OF AGREEMENT—*continued*

8. If a seaman commits any embezzlement or wilful or negligent destruction of any part of the ship's cargo or stores, the loss may be made good to the owner out of the seaman's wages.

9. This Agreement does not derogate from the provisions of the Western Australian Marine Act, 1948, or the Regulations in force from time to time under that Act and is subject to those provisions.

(Here include any lawful provisions agreed upon by the Master and seaman and approved by a Shipping Master.)

IN WITNESS WHEREOF the Master has subscribed his name this.....day of....., 19.....

.....
(Signature of Master)

Signed by the Master in my presence.

.....
(Signature of Shipping Master)

PART III—DISCHARGES AND RELEASES

Page.....

board the ship described in Part I of this Agreement.

| Capacity in which Engaged | Nos. of Certificates (if any) | Date and Hour to be on Board | Wages | | Allotment | | Attestation | Particulars of Discharge Death, Disappearance, or Desertion | | | Balance of Wages Paid on Discharge | Release Each of the seamen whose signature appears below hereby releases the ship, the Master and the owner, the Master's employer from all claims for wages and otherwise in respect of this Agreement except to the extent indicated below. | Seaman's Reference No. in the Agreement | |
|---------------------------|-------------------------------|------------------------------|-------|----|-----------|---|-------------|--|----|------|------------------------------------|--|---|-------|
| | | | £ | s. | d. | £ | | s. | d. | Date | | | | Place |
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I, the Master, hereby release each of the seamen whose signature appears above from all claims under this Agreement.

Dated this.....day of....., 19.....

(Signature of Master)

Signed by the Master, and each seaman who has signed a release, in my presence.

(Signature of Proper Authority)

PART III—DISCHARGES AND RELEASES OFFICE COPY Page.....

board the ship described in Part I of this Agreement.

| Capacity in which Engaged | Nos. of Certifi- cates (if any) | Date and Hour to be on Board | Wages | | Allot- ment | | Attest- ation | Particulars of Discharge Death, Disappearance, or Desertion | | | Bal- ance of Wages Paid on Dis- charge | Release Each of the seamen whose signature appears below hereby releases the ship. the Master and the owner the Master's employer from all claims for wages and otherwise in respect of this Agreement except to the extent indicated below. | Seaman's Refer- ence No. in the Agreement | |
|------------------------------|--|---------------------------------------|-------|----|----------------|---|------------------|---|----|------|--|---|---|-------|
| | | | £ | s. | d. | £ | | s. | d. | Date | | | | Place |
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I, the Master, hereby release each of the seamen whose signature appears above from all claims under this Agreement.

Dated this..... day of....., 19.....

(Signature of Master)
Signed by the Master, and each seaman who has signed a release,
in my presence.

.....
(Signature of Proper Authority)

PART III—DISCHARGES AND RELEASES Page.....

board the ship described in Part I of this Agreement.

| Capacity in which Engaged | Nos. of Certificates (if any) | Date and Hour to be on Board | Wages | | | Allotment | | Attestation | Particulars of Discharge Death, Disappearance, or Desertion | | | Balance of Wages Paid on Discharge | Release Each of the seamen whose signature appears below hereby releases the ship the Master and the Master's employer from all claims for wages and otherwise in respect of this Agreement except to the extent indicated below. | Seaman's Reference No. in the Agreement | | | |
|---------------------------|-------------------------------|------------------------------|-------|----|----|-----------|----|-------------|--|------|-------|------------------------------------|--|---|-----------------------|---|----|
| | | | £ | s. | d. | £ | s. | | d. | Date | Place | | | | Cause of Leaving Ship | £ | s. |
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I, the Master, hereby release each of the seamen whose signature appears above from all claims under this Agreement.

Dated this.....day of....., 19.....

.....
(Signature of Master)

Signed by the Master, and each seaman who has signed a release, in my presence.

.....
(Signature of Proper Authority)

Page.....

PART IV—ACCOUNT OF YOUNG PERSONS UNDER 18 YEARS OF AGE, OTHER THAN APPRENTICES, EMPLOYED ON BOARD

| Name in Full | Date of Birth | Capacity | Date of Joining for the Voyage |
|--------------|---------------|----------|--------------------------------|
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PART V—ACCOUNT OF APPRENTICES

| Name in Full | Date and Place of Birth | Nationality (State whether natural-born or naturalized) | Date and Place of Execution of Indentures | Date of Joining Ship for the Voyage | Particulars of Leaving Ship | | |
|--------------|-------------------------|---|---|-------------------------------------|-----------------------------|-------|-------|
| | | | | | Date | Place | Cause |
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PART VI—CERTIFICATES

PART VI—CERTIFICATES—*continued*

Page.....

GOVERNMENT OF WESTERN AUSTRALIA
 Form No. 2.
 WESTERN AUSTRALIAN MARINE ACT, 1948-1962

NO.

CERTIFICATE OF DISCHARGE

| | | | | |
|--------------------|---------------------|-------------------|---|--------------|
| Name of Ship | Official No. | Port of Registry | Tonnage Gross | Trade Net |
| Name of Seaman | Year of Birth | Place of Birth | Capacity and Nos. of Certificates (if any) | |
| Date of Engagement | Place of Engagement | Date of Discharge | Place of Discharge | |

I CERTIFY that the entries in this certificate are correct.

Signed this..... day of....., 19.....
 Signed in my presence

(Signature of Master) (Signature of Shipping Master) OFFICIAL STAMP

COPY OF MASTER'S REPORT
 (To be completed if the seaman so desires)

| | |
|----------------|--------------------------------|
| QUALIFICATIONS | |
| CHARACTER | EFFICIENCY |
| GENERAL | |
| CONDUCT | As BOATHAND (where applicable) |

NOTE 1. Section 131 of the Marine Act provides that a person shall not forge, fraudulently alter, use or produce to a proper authority at a port a Report of Character, or allow another person to use fraudulently a Report of Character that does not relate to that lastmentioned person.
 Penalty—£100.
 2. Should this Certificate come into the possession of any person to whom it does not belong, it should be forwarded to the Superintendent of the Mercantile Marine Office, at the nearest Capital City Port or handed in at the nearest Police Station.

Name of Ship.....
 Official No.....
 Port of Registry.....
 Surname of Seaman.....
 Christian Names.....
 Year of Birth.....
 Place of Birth.....
 Previous Ship.....
 Date and Place of Engagement.....
 Capacity.....
 Date Discharged.....
 Reason for Discharge.....
 Character and Conduct.....
 Qualifications :
 General.....
 E.B.H.....
 Date of Issue.....

Signature of Seaman.....
 Date...../...../19.....
 (Signature to be obtained and date filled in when seaman is handed the discharge)

Signature of Seaman.....