

## THE



# Bombay Government Gazette.

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*Separate paging is given to this Part, in order that it may be filed as a separate compilation.*

## PART VI.

### BILLS OF THE GOVERNMENT OF INDIA.

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 17th March 1871, and was referred to a Select Committee with instructions to make their report thereon in a week:—

#### Bill No. 13 of 1871.

*A Bill for the survey of Steam Vessels in the Port of Rangoon.*

WHEREAS it is expedient to provide for the survey of Steam Vessels in the Port of Rangoon; It is hereby enacted as follows:—

#### *I.—Preliminary.*

1. This Act may be called "The Rangoon Steamer Survey Act."

It extends only to the territories under the administration of the Chief Commissioner of British Burma;

Local extent.

It shall come into force at the expiration of one month from the passing thereof.

Commencement.

Interpretation-clause.

2. In this Act—

"Chief Commissioner" means the Chief Commissioner of British Burma:

"Surveyors" includes any surveyor acting alone when authorised by the Chief Commissioner under the provisions of this Act.

VI.—20

#### *II.—Survey of Steamers.*

3. Every Steam Vessel plying in the Rangoon river, or on any of the rivers or waters of British Burma, and every British Steam Vessel plying between Rangoon and any Port or Ports, shall be liable to be surveyed twice in every year, in the manner hereinafter prescribed.

4. The Chief Commissioner may appoint fit and proper persons to be Surveyors for the purposes of this Act.

The said Surveyors, in the execution of their duties, may go on board any Steam Vessel liable to be surveyed under this Act, as soon as reasonably may be after the arrival of such Steam Vessel in the Port of Rangoon, and not so as unnecessarily to hinder the loading or unloading of such Steam Vessel, or to detain or delay her from proceeding on any voyage or service, and may inspect such Steam Vessel or any part thereof, and any of the machinery, equipments, or articles on board thereof.

The Owner, Master and Officers serving on board such vessels shall be bound to afford to the Surveyors all reasonable facilities for such inspection or survey, and to afford them all such information respecting such vessel and her machinery and equipments, or any part thereof respectively, as they may reasonably require.



6. When any survey is made under this Act the Surveyors making such survey shall forthwith, if satisfied that they can with propriety do so, and on payment by the Owner or Master of the ship surveyed of the fees hereinafter mentioned, give him a Certificate and Declaration signed by them and framed as nearly as the circumstances of each case will admit in the Form set forth in schedule A hereto annexed.

Surveyors to grant Certificate and Declaration when they can with propriety do so.

Surveyors to grant Certificate and Declaration when they can with propriety do so.

7. No Officer of Customs shall grant a clearance nor shall any Pilot be assigned to any Steam Vessel, liable to be surveyed under this Act, which has not been duly furnished with a Certificate and Declaration under the provisions of this Act applicable to the voyage on which she is about to proceed, or the service on which she is about to be employed.

No clearance to be given to a Steamer for a voyage for which she has not got a Certificate from the Surveyors.

8. The Chief Commissioner may give special direction to the Surveyors under this Act for the survey by them of any British Steamer lying in the Port of Rangoon and plying between Rangoon and any other Port or Ports, and the provisions of this Act shall apply (so far as the same are applicable) to every vessel so specially directed to be surveyed, and the Owner, Master and Officers thereof.

9. The Chief Commissioner may frame Rules consistent with this Act as to—

- Special survey may be ordered by Government on any British Steamer in the Port of Rangoon.
- (a) the manner in which the surveys shall be made,
- (b) the times and places of such surveys, and
- (c) the duties of the Surveyors.

10. For every survey made under this Act the Owner or Master of the Steam Vessel surveyed shall pay to each of the Surveyors making the same a fee, calculated on the tonnage of the vessel according to the rates in schedule B hereto annexed.

11. Each Certificate and Declaration granted by Surveyors under this Act shall be hung up and remain at all times suspended in some conspicuous part of the vessel for which the same is granted, where the same may be easily read.

12. No Certificate or Declaration shall be in force for the purpose of this Act after the expiration of six months from the date thereof; pro-

vided that, if any Steam Vessel is absent from the Port of Rangoon when her Certificate and Declaration expire, no penalty shall be incurred for the want of a Certificate and Declaration, until she first begins to ply, or is about to ply after her next subsequent return to the Port of Rangoon.

The Chief Commissioner or any Officer appointed by him for that purpose, may require any Certificate and Declaration which has expired or has been revoked or cancelled to be delivered up as may be directed.

13. The Chief Commissioner or any Officer appointed or authorized by him for that purpose, may revoke and cancel any certificate and Declaration granted under this Act in any case in which he has reason to believe—

- Certificate and Declaration may be cancelled by Government.
- (1) that the Certificate and Declaration of the sufficiency and good condition of the hull, equipments, and machinery of any Steam Vessel, or either of them have been fraudulently or erroneously given or made, or,
  - (2) that such Certificate and Declaration have otherwise been issued upon false or erroneous information, or,
  - (3) that since the giving and making of such Certificate and Declaration the hull, equipments, or machinery of such ship have sustained any injury or are otherwise insufficient.

And in every such case the Chief Commissioner or such Officer as last aforesaid may, if he thinks fit, require the Owner or Master to have such Steam Vessel again surveyed as herein provided.

14. If any Steam Vessel is surveyed under the provisions of this Act, and if the Surveyors decline to give any Certificate or Declaration or give a Certificate or Declaration with which the Owner or Master of the Steam Vessel is dissatisfied, the Chief Commissioner may, on the application of such Owner or Master, appoint two other competent Surveyors to survey the said Steam Vessel.

Power to order a second survey.

The Surveyors so appointed shall forthwith survey the said Steam Vessel, and shall either decline to give any Certificate and Declaration, or shall give such Certificate and Declaration as under the circumstances may seem to them proper.

Every survey made under this section shall be made subject to all the provisions and rules both as to the payment of fees and otherwise which are applicable to surveys made in ordinary cases under this Act.

If the Surveyors appointed under this section unanimously refuse to give any Certificate and Declaration, or agree as to the terms of their Certificate and Declaration, such refusal or such Certificate and Declaration shall be final and conclusive; but if they do not agree, the refusal originally made, or the Certificate and Declaration originally granted by the Surveyors who surveyed the said Steam Vessel in the first instance, shall remain in force.



### III.—Penalties.

15. Any person refusing access to any Surveyors under this Act, or otherwise hindering them in the performance of their duty, or refusing or neglecting to give any information which may reasonably be required of him, and which he has in his power to give, shall be liable for each offence to fine not exceeding five hundred rupees, or to imprisonment for a term not exceeding one month.

16. If any Steam Vessel liable to be surveyed under this Act leaves or attempts to leave the Port of Rangoon without such Certificate and Declaration as is mentioned in section seven, the Owner or Master of such Vessel shall, for each offence, be punished with fine not exceeding one thousand rupees.

17. If the Commander or any other officer of a Tug Steamer or of any other Steam Vessel, liable to be surveyed under this Act, is a licensed Pilot and leaves or attempts to leave the Port of Rangoon in such Tug Steamer or Steam Vessel without such Tug Steamer or Steam Vessel being duly furnished with a Certificate and Declaration under the provisions of this Act, applicable to the voyage on which she is about to proceed, or the service on which she is about to be employed, such Commander or other Officer shall be liable to have his license as a Pilot taken away from him entirely, or suspended for any period by the Chief Commissioner, as the Chief Commissioner may see fit to order.

18. Any Surveyor demanding or receiving directly or indirectly from the Owner, Master, or Officer of any ship surveyed by him under the provisions of this Act, any fee or remuneration otherwise than as provided by this Act, shall be liable to dismissal, in addition to any other penalty to which he may by law be liable.

19. The Owner or Master of every Steam Vessel in which the Certificate and Declaration granted under this Act is not hung up and does not remain in manner provided by section eleven, shall, for each offence, be punished with fine not exceeding one hundred rupee.

20. Any Owner or Master or other person who without reasonable cause neglects or refuses to comply with any requirement made under section twelve shall be punished with fine not exceeding one hundred rupees for each offence.

21. Any case arising out of this Act may be tried by any Officer having the full powers of a Magistrate within whose jurisdiction the offence may have been committed, or by any Police Magistrate of the town of Rangoon.

The provisions of section fifty-five of Act No. XXII. of 1855 (*for the regulation of Ports and Port dues*) are hereby extended to all fines imposed under this Act, and all fees due under section ten shall be recoverable as if they were fines.

### SCHEDULE A.

#### Form of Surveyor's Certificate and Declaration.

Name of Steam Vessel.	Tonnage.	When and where built and material.	Power.	Description of Engines and age.	Description of Boilers and age.	Ground tackle.	Condition of Hull.	General Equipment.	Name of Master and Number of Officers and deck crew and of Engineers and Engine-room crew.	When and where last coppered, repaired or cleaned.	Limits (if any) beyond which the vessel is not fit to reply.	Time, if less than six months, for which the Hull, Boilers, Engines, or any of the Equipments will be authentic.

We the undersigned declare that we have examined the above-named Steamer, and to the best of our judgment she and her engines, as shown in the above Statement, are fully sufficient for the service on which it is intended to employ the said Steamer, that is to say (*as the case may be*)

A. B.  
C. D.



## SCHEDULE B.

*Rates of Fees to be charged (referred to in section 10).*

For Steamers of less than	200 Tons	Rs.	20	0	0
" " 200 tons and up to	350 "	"	25	0	0
" " 350 " " "	700 "	"	30	0	0
" " 700 " " "	1,000 "	"	40	0	0
" " 1,000 " " "	1,500 "	"	50	0	0
" " 1,500 " and upwards		"	60	0	0

*Master Attendant.*

## STATEMENT OF OBJECTS AND REASONS.

The object of this Bill, which has been framed at the desire of the Chief Commissioner of British Burma, is to provide for the survey of Steamers in the Port of Rangoon. The Bill substantially agrees with the Bengal Act, V. of 1862, under which surveys are made in the Port of Calcutta..

(Signed) F. S. CHAPMAN.

*The 12th March 1871.*

WHITLEY STOKES,  
*Secretary to the Government of India.*