

(No. 34.)



1876.

T A S M A N I A.

H O U S E O F A S S E M B L Y.

**“THE MERCHANT SHIPS OFFICERS
EXAMINATION ACT, 1874.”**

DESPATCHES AND ORDER IN COUNCIL.

Laid upon the Table by the Colonial Secretary, and ordered by the House to be printed, September 12, 1876.



Customs, Hobart Town, 30th November, 1874.

SIR,

I HAVE the honor of forwarding copies of three Certificates of Service, being the first issued at this Port under provisions of "Merchants Ships Officers Examination Act," with rules thereon; copies herewith enclosed.

I have, &c.,

(Signed) T. T. WATT, *Registrar of Shipping.*

*To the Registrar-General of Shipping and Seamen,
Adelaide Place, London Bridge.*

Custom House, 8th April, 1875.

SIR,

I HAVE the honor to forward herewith a letter from the Board of Trade, with three Certificates of Service attached,* the first granted under 38 Vict. No. 3, and forwarded by me to the Registrar-General of Shipping and Seamen, now returned.

I have, &c.,

(Signed) THOS. T. WATT.

The Hon. the Colonial Secretary.

(M. 1499.)

Board of Trade, Whitehall Gardens, 6th February, 1875.

SIR,

I AM directed by the Board of Trade to acknowledge the receipt of your letter of the 30th November, addressed to the Registrar-General of Seamen, enclosing a copy of an Act passed by the Legislature of Tasmania to provide for the Examination of, and grant of Certificates of Competency to, persons intending to act as Masters, Mates, or Engineers on board British Ships; together with an Order issued by the Governor in Council instituting Rules for holding Examinations in Tasmania; also three Certificates of Service, with documents relating to them, issued under the Act referred to.

In the absence of any information beyond that contained in these documents, the Board of Trade are in doubt whether it be the desire of the Government of Tasmania that the provisions contained in Sec. 8 of "The Merchant Shipping (Colonial) Act, 1869," should be extended to the Certificates of Competency granted under the local Act in Tasmania.

Assuming such to be their desire, I am to point out that before such an extension can take place it will be necessary for the Government of Tasmania to make formal application to this Board, accompanying that application with full particulars of the steps which have been taken for providing for these Examinations; of the class of men who have been chosen as Examiners, and the Department under whose immediate authority they are placed; also, as to the steps to be taken for verifying the service of Candidates and for testing their good conduct.

In addition to this copies of the Certificates which it is proposed to issue should be forwarded. The qualifications required of Candidates appear to be set forth in the Regulations already forwarded,—but they contain no provisions in case of failure on the part of Candidates; and I am

* NOTE.—The Certificates of Service and documents relating to them are omitted, it being considered unnecessary to print them.

to point out that, under the heading "Qualifications of Candidates for First Class Engineers' Certificates," it would be well to insert after the words "one year" in the paragraph commencing "He must either possess, &c." the words "in the capacity of at least second class Engineer."

I am further to point out that, if the Board of Trade are then satisfied that the Examinations are so conducted as to be equally efficient as the Examinations for the same purpose in the United Kingdom under the Acts relating to Merchant Shipping, and that the Certificates are granted on such principles as to show the like qualifications and competency as those granted under the said Acts, it will rest with them to advise Her Majesty to issue an Order in Council extending the provisions of Sec. 8 of the Imperial Act before referred to, to Tasmania.

Until, however, this is effected, Certificates of Competency issued in Tasmania cannot be recognised in the United Kingdom, and then only such Certificates as have been issued subsequent to a date to be afterwards determined upon, and in strict accordance with the provisions of "The Merchant Shipping (Colonial) Act, 1869."

In conclusion, I am to state that Certificates of Service issued in British Possessions are under no circumstances recognisable in the United Kingdom, the Act of '69 having reference solely to Certificates of Competency; and I am therefore to return you the three Certificates of Service, with their accompanying documents, which you have forwarded, retaining however the Act and Regulations,—and to add that this Board will give careful and immediate attention to any further communication which may be addressed to them on the subject by the Government of Tasmania.

I have, &c.,
(Signed) R. G. C. HAMILTON.

The Registrar of Shipping, Hobart Town, Tasmania.

Tasmania,
Colonial Secretary's Office, Hobart Town, 17th April, 1875.

SIR,

I HAVE the honor to acknowledge the receipt of a letter from the Board of Trade of the 6th February last (M. 1499) addressed to the Registrar of Shipping, Hobart Town, referring to an Act passed by the Legislature of Tasmania to provide for the examination of, and grant of Certificates of Competency to, persons intending to act as Masters, Mates, or Engineers on board British Ships, and beg to communicate the following information on the subject for the Board of Trade.

It is much regretted that delay occurred in the transmission of the Rules and Regulations sanctioned by the Governor in Council on the 10th November, 1874. A Memorandum was forwarded by me to His Excellency the Governor on the 18th March, for transmission to the Right Honorable the Secretary of State, together with the *Gazettes* notifying the Examiners under the Act, and other particulars connected with the examinations, for the information of the Board of Trade. A copy of this Memorandum, together with copies of blank Forms of the Certificate, Examination Papers, and other Reports to be made in carrying out the provisions of the Act, are enclosed herewith.

The Government of this Colony desire that the provisions contained in Section 8 of "The Merchant Shipping (Colonial) Act, 1869," should be extended to the Certificates of Competency granted under their local Act.

It was notified by *Gazette* that Captain Edward King Barnard, Royal Navy, had been appointed Chairman of the Examination Board; and with him are associated Mr. Edward Lucas, a Master Ordinary in the Merchant Service, for Seamanship; Mr. Philip Canaway, who holds a Certificate of a high class from the Board of Education, and who has been for many years a Teacher of Navigation, and is Head Master of one of the Hobart Town Public Schools, Examiner in Navigation; and Mr. Alexander Leys, formerly a First Class Engineer in the Royal Navy, for Steam. All work is performed in the presence of the Chairman, and examinations in seamanship conducted by himself and Mr. Lucas.

For verifying the service of Candidates, a careful examination is made of all Certificates and Testimonials submitted on application, which, when practicable, are compared with entries and discharges from ships as recorded in the Shipping Master's Office; and the Chairman satisfies himself, as far as in his power, of the good character and conduct of the Candidates.

The Board is placed under the immediate control of the Colonial Secretary.

An omission was made in the Regulations in not including the "provisions in case of failure" on the part of Candidates. The rule in force is:—"In case of complete failure, the Candidates must be examined *de novo*; and in the case of failure in seamanship, a Candidate will not be re-examined until after a lapse of six months, to give him time to gain experience."

The words suggested for insertion in the qualification of a First Class Engineer are noted, and will be acted on.

The Rules and Regulations for conducting Examinations for Certificates of Competency have been drawn up as nearly as possible in accordance with those established in pursuance of the Mercantile Shipping Acts in force in other Colonies; and I trust the Board of Trade will now be in a position to advise Her Majesty to issue an Order in Council extending the provisions of Section 8 of the Imperial Act already referred to to Tasmania.

By the 12th Section of "The Merchant Ships Officers Examination Act," 38 Victoria, No. 3, Tasmania, 18th September, 1874, the provisions contained in the 136th and 161st Sections of "The Merchant Shipping Act, 1854," came into force in Tasmania after the 1st day of January, 1875. It is therefore submitted for the consideration of the Board of Trade, that Certificates of Competency granted in Tasmania subsequently to the 1st day of January, 1875, be recognised in the United Kingdom.

It is hoped that the further information now supplied by this Government will prove satisfactory to the Board of Trade; and that Tasmania will be put on the same footing as regards Certificates of Competency granted to Merchant Ships Officers under Act 1874 as is the case in other Colonies.

I have, &c.,

(Signed) THOS. D. CHAPMAN, *Colonial Secretary.*

*The Assistant Secretary Marine Department,
Board of Trade, Whitehall Gardens, S.W.*

TASMANIA.

No. 19.

Downing-street, 5th June, 1875.

SIR,

I HAVE the honor to transmit to you a copy of a letter from the Board of Trade, to which Department I communicated your Despatch, No. 11, of the 20th of March, with the papers which accompanied it, relating to the Act of the Legislature of Tasmania, "To provide for the Examination of, and grant of Certificates of Competency to, persons intending to act as Masters, Mates, or Engineers on board British Ships."

I request that you will bring this letter under the consideration of your Government, with a view to effect being given to the wishes of the Board of Trade on the several points referred to therein.

I have, &c.,

Governor WELD.

(Signed) CARNARVON.

(Copy.)
M. 7979.

Board of Trade, Whitehall Gardens, 1st June, 1875.

COLONIAL CERTIFICATES.

SIR,

I AM directed by the Board of Trade to acknowledge the receipt of your letter of the 25th ultimo, transmitting a copy of a Despatch from the Governor of Tasmania enclosing a Memorandum by the Colonial Secretary forwarding with other documents copies of the local Act of 1874, "To provide for the Examination of, and grant of Certificates of Competency to, persons intending to act as Masters, Mates, and Engineers on board British Ships," and of the Regulations issued by the Governor in Council in pursuance thereof.

The Board of Trade desire me to state that they approve generally of these regulations, but that before they can advise Her Majesty to make an Order in Council under Section 8 of "The Merchant Shipping (Colonial) Act, 1869," to give effect to them, they wish to call attention to a few points in which they think alteration desirable.

1. In cases of failure on the part of a Candidate for an Engineer's Certificate, provision is made in the Regulations that he shall not be re-examined for three months, but no similar provision is made for cases of failure on the part of a Candidate for a Master's or Mate's Certificate.

Such a Regulation is absolutely necessary, and should be not less stringent than the regulation made by this Board, which may be found in paragraph 21 of the accompanying Regulations.

2. As regards the form of the proposed Certificate, I am to state that the grade should be printed upon it. There should also be printed on the back the provisions contained in Section 140 of "The Merchant Shipping Act, 1854;" and this Board think it desirable that they should more nearly resemble in appearance the Certificates issued by this Board, copies of which are enclosed.

3. It is important that the Board should understand clearly what steps are taken by the Tasmanian Government for verifying the services of Candidates.

4. Under Regulation 8 it is provided that the Collector of Customs shall furnish the Registrar-General of Seamen in London with lists of Certificates of Competency or Service granted under the provisions of the Colonial Act; but this Board would point out that whilst this is most necessary as regards Certificates of Competency which may be issued under Section 8 of "The Merchant Shipping (Colonial) Act, 1869," it is quite unnecessary as regards Certificates of Service, as such Certificates are not referred to in the said section of the Imperial Act, and consequently cannot be rendered valid in the United Kingdom.

In conclusion, I am to request you to be so good as to move the Earl of Carnarvon to cause these points to be brought to the notice of the Tasmanian Government with a view to the amending of their Regulations and form of Certificates, and at the same time to cause them to be informed that should any Certificates of Competency be issued in Tasmania on examinations taking place before Her Majesty has issued an Order in Council extending to that Possession the provisions of Section 8 of "The Merchant Shipping (Colonial) Act, 1869," such Certificates cannot be recognised as valid in the United Kingdom.

I am to return the enclosures accompanying your letter (with the exception of the Examination Papers) in the event of their being required for reference, but this Board would be glad on the receipt of amended Regulations from the Government of Tasmania to have these documents returned to them.

I have, &c.,

(Signed) THOMAS GRAY.

The Under Secretary of State, Colonial Office.

MEMO.

THE Colonial Secretary has the honor to return herewith Earl Carnarvon's Despatch No. 19, of the 5th June last, transmitting copy of a letter from the Board of Trade with reference to the Rules and Regulations issued by the Governor in Council under "The Merchant Ships Officers Examination Act, 1874," (38 Vict. No. 3), and forwarded with His Excellency's Despatch of the 20th March last.

It is very satisfactory to the Government to find that these Regulations are approved of generally; but to meet those few points on which the Board of Trade think some alteration desirable it is proposed to issue fresh Regulations embodying the amendments suggested.

The proposed amended Rules and Regulations are herewith transmitted for the information of the Board of Trade, and if they receive the sanction of the Board they should be returned to the Colony in order that they may be laid before the Governor in Council for approval and publication in the *Gazette*; those now existing being then rescinded.

1. In these amended Regulations provision is made in cases of failure on the part of a Candidate for a Master's or Mate's Certificate, namely:—If he fail in Seamanship he will not be re-examined until after a lapse of six months, to give him time to gain experience. If he fail in Navigation three times, he will not be re-examined until after a lapse of three months.

2. As regards the form of the proposed Tasmanian Certificate, the grade will in future be printed on it, and the provisions contained in Section 140 of "The Merchant Shipping Act, 1854," endorsed on the back. When arrangements can be made for reprinting the Forms, they will be made, as far as possible, to resemble in appearance the Certificates issued by the Board of Trade. It is found impossible to submit a specimen of the new Form by this mail, but the Government trust that this will not necessitate delay in the recognition by the Board of Trade of the Rules and Regulations now submitted.

3. The step taken by the Chairman of the Board of Examiners, Rear-Admiral E. K. Barnard, to verify the services of Candidates, is to require from them, when applying for examination, a Certificate from the Shipping Masters of the Tasmanian Ports from which they have sailed, containing extracts from their books showing the date of entry, date of discharge, and grade they served in, which are carefully compared with their discharge tickets; and as most of the Candidates are men who have sailed from Tasmanian Ports, there has been no difficulty.

4. The remarks in paragraph 4 of the Board of Trade's letter are noted, and will be attended to.

5. In conclusion the Government trust that, as in the Rules and Regulations now submitted for approval the few points in which alteration is considered advisable have been attended to, the Board of Trade will see fit to advise Her Majesty to make an Order in Council under Section 8 of "The Merchant Shipping (Colonial) Act, 1869," to give effect to them in this Colony; being the more important, as Section 12 of "The Merchant Ships Officers Examination Act, 1874," of this Colony,

38 Vict. No. 3, provides that Sections 136 and 161 of 17 and 18 Vict. cap. 104, ("The Merchant Shipping Act, 1854.") shall after the 1st day of January, 1875, be applied, so far as the same are applicable, to all Foreign-going ships, Australian trade ships, and Home trade ships, registered at, trading with, or being at any port or place in Tasmania.

His Excellency the Governor.

(Signed) THOS. D. CHAPMAN.
Colonial Secretary's Office,
3rd August, 1875.

TASMANIA.
No. 3.

Downing-street, 25th January, 1876.

SIR,

WITH reference to your Despatch No. 29, of the 4th of August last, I have the honor to transmit to you a copy of a letter (19th January, 1876,) from the Board of Trade stating that in the circumstances mentioned the Board have reported to Her Majesty, with a view to the issue of an Order in Council for the purpose of extending the privileges contained in the 8th Section of "The Merchant Shipping (Colonial) Act, 1869," to the Colony of Tasmania, such Order in Council to take effect from the 1st of April next.

You will observe that in consequence of this decision it will be necessary that the 7th Section of the Colonial Act, No. 3, of 1874, should be amended in accordance with the proposal which has been accepted by the Board of Trade as regards the other Colonies entitled to grant certificates, that cumulative residence of three years in the Australasian Colonies concerned is a sufficient qualification for the examination of candidates instead of the former arrangement requiring the residence to be confined to the particular Colony.

I have, &c.,
(Signed) CARNARVON.

Governor WELD, C.M.G.

(Copy.)
No. 14,771.

Board of Trade, Whitehall Gardens, 19th January, 1876.

SIR,

WITH reference to your letter of the 7th October last, forwarding a Despatch with its enclosures from the Governor of Tasmania, asking that the provisions of Section 8 of "The Merchant Shipping (Colonial) Act, 1869," may be extended to that possession, I am directed by the Board of Trade to state for the information of the Earl of Carnarvon, that as the regulations made by the Government of Tasmania for holding examinations in that possession are in accordance with the provisions of the Section referred to, the Board have reported to Her Majesty accordingly with a view to an Order in Council being issued for the purpose of extending the privileges referred to in the said Section to the possession of Tasmania.

I am to add that the Draft Order which has been prepared by this Board embodies Lord Carnarvon's suggestion, whereby cumulative residence in one or more of the Australasian Colonies is to be allowed as a qualification for the examination of candidates in lieu of the residence being confined to the particular Colony.

I am further to add that, as it is proposed that the new arrangement in regard to domicile in the other Australasian Colonies shall come into force on the 1st April, the Board have advised Her Majesty that the Tasmanian Order should come into force also from that date.

I have, &c.,
(Signed) THOMAS GRAY.

The Under Secretary of State, Colonial Office.

TASMANIA.
No. 5.

Downing-street, 29th February, 1876.

SIR,

WITH reference to my Despatch, No. 3, of the 25th ultimo, I have the honor to transmit to you the accompanying copy of a letter from the Board of Trade, with copies of an Order of Her Majesty in Council of the 12th instant, relating to Certificates of Competency to be granted to Masters, Mates, &c. of vessels by the Government of Tasmania, under the provisions of "The Merchant Shipping (Colonial) Act, 1869."

You will observe that the Board of Trade request that your Government will furnish them at the earliest possible date with copies of the Certificates and Examination Papers which they propose to use.

Governor WELD, C.M.G.

I have, &c.,
(Signed) CARNARVON.

(Copy.)
M. 2770, (1876.)

Board of Trade, Whitehall Gardens, 24th February, 1876.

SIR,
WITH reference to their letter of the 19th ultimo, I am directed by the Board of Trade to transmit, for the information of the Earl of Carnarvon, the accompanying Orders in Council which have been issued by Her Majesty for the Colonies of Victoria, New Zealand, New South Wales, and South Australia, substituting a cumulative domicile of three years in any of the Australasian Colonies for a domicile of three years in the particular Colony in which the Certificate is issued, as required by the Orders in Council of the 30th March, 1871, 9th August, 1872, 30th August, 1873, and 12th May, 1874, respectively.

In transmitting the amended Orders I am to point out that the former Orders are revoked.

I am also to enclose copies of an Order in Council extending the provisions of Section 8 of "The Merchant Shipping (Colonial) Act, 1869," to the British possession of Tasmania.

Both the amended Orders and the Order relating to Tasmania will come into force on the 1st April; and I am to suggest for Lord Carnarvon's consideration that the Governments of the Australian possessions referred to may be informed of the issue of the Orders and be supplied with copies thereof.

The Board of Trade trust that the Tasmanian Government will furnish them with copies of the Certificates of Competency and Examination Papers which they propose to use at the earliest possible date.

I have, &c.
(Signed) G. J. SWANSTON.

The Under Secretary of State, Colonial Office.

TASMANIA.
No. 8.

Downing-street, 4th April, 1876.

SIR,
I AM directed by the Secretary of State to inform you that on this day he sent a Telegraphic Despatch to you in the following words:—*4th April*—Return Merchant Shipping Order in Council sent February twenty-ninth, which has clerical error. Amended Order shortly.

I have, &c.,
(Signed) ROBERT G. W. HERBERT.

*The Officer Administering the Government
of Tasmania.*

TASMANIA.
No. 9.

Downing-street, 6th April, 1876.

SIR,
WITH reference to my Telegram of the 4th instant, I transmit to you, for your information, a copy of a letter, (1st April, 1876,) from the Board of Trade, which explains the circumstances in which it became necessary to desire the immediate return of the Order in Council which accompanied my Despatch, No. 5, of the 29th of February.

I have, &c.,
(Signed) ROBERT G. W. HERBERT,
for the Earl of CARNARVON.

Governor WELD, C.M.G.

(Copy.)
M. 2770.

Board of Trade, Whitehall Gardens, 1st April, 1876.

SIR,
CERTIFICATES.

WITH reference to this Board's letter of the 24th February transmitting, with other Orders in Council, an Order in Council extending the provisions of Section 8 of "The Merchant Shipping (Colonial) Act, 1869," to the British possession of Tasmania, I am directed by the Board of Trade to state that they regret to find that through an oversight Clause 10 of the Order in question is incorrect, the power to reissue cancelled or suspended Certificates which had been granted by that Colony being granted to the Marine Board of South Australia instead of to the Board of Examiners under the Government of Tasmania.

In consequence of the error in question the Board of Trade will take immediate steps for obtaining at as early a date as possible the revocation of the Order in Council of the 12th of February, and the issue of an amended Order.

I am to suggest meanwhile, for the consideration of the Earl of Carnarvon, that the Governor of Tasmania should be at once informed of the error and requested to return the incorrect Order.

The extension of Section 8 of "The Merchant Shipping (Colonial) Act, 1869," to Tasmania from the 1st instant will of course not be postponed.

I have, &c.,
(Signed) G. J. SWANSTON.

The Under Secretary of State, Colonial Office.

TASMANIA.
No. 11.

Downing-street, 31st May, 1876.

SIR,

WITH reference to my Despatch, No. 9, of the 6th of April last, I have the honor to transmit to you a copy of a letter dated 25th May, 1876, from the Board of Trade forwarding copies of an Amended Order in Council dated the 17th of May, in substitution of the Order in Council of the 12th of February last, extending the provisions of Section 8 of "The Merchant Shipping (Colonial) Act, 1869," to the Colony of Tasmania.

I have, &c.
(Signed) CARNARVON.

Governor WELD, C.M.G.

(Copy.)
M. 7607.

Board of Trade, Whitehall Gardens, 25th May, 1876

CERTIFICATES.

SIR,

WITH reference to this Board's letter of the 1st ultimo, stating that on account of a clerical error in framing the Order in Council dated 12th of February last, extending the provisions of Section 8 of "The Merchant Shipping (Colonial) Act, 1869," to the British Possession of Tasmania, it would be necessary to revoke the said Order and to issue an amended Order, I am directed by the Board of Trade to state that Her Majesty has now been pleased to issue an amended Order in Council; and in forwarding the accompanying copies I am to request that you will be good enough to move Lord Carnarvon to cause them to be forwarded to the Government of the Colony in question.

I have, &c.,
(Signed) THOMAS GRAY.

The Under Secretary of State, Colonial Office.

At the Court at Windsor, the 17th day of May, 1876.

PRESENT:

THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by "The Merchant Shipping (Colonial) Act, 1869," it is (among other things) enacted, that where the Legislature of any British Possession provides for the examination of and grant of certificates of competency to persons intending to act as masters, mates, or engineers on board British ships, and the Board of Trade reports to Her Majesty that they are satisfied that the examinations are so conducted as to be equally efficient as the examinations for the same purpose in the United Kingdom under the Acts relating to Merchant Shipping, and that the Certificates are granted on such principles as to show the like qualifications and competency as those granted under the said Acts, and are liable to be forfeited for the like reasons, and in the like manner, it shall be lawful for Her Majesty, by Order in Council,—

1. To declare that the said certificates shall be of the same force as if they had been granted under the said Acts.
2. To declare that all or any of the provisions of the said Acts which relate to certificates of competency granted under those Acts shall apply to the certificates referred to in the said Order.
3. To impose such conditions and to make such regulations with respect to the said Certificates and to the use, issue, delivery, cancellation, and suspension thereof as to Her Majesty may seem fit, and to impose penalties not exceeding fifty pounds for the breach of such conditions and regulations.

And that upon the publication in the *London Gazette* of any such Order in Council as last aforesaid, the provisions therein contained shall, from a date to be mentioned for the purpose in such Order, take effect as if they had been contained in the Act, and that it shall be lawful for Her Majesty in Council to revoke any order made as aforesaid.

And whereas the legislature of the British possession of Tasmania has, by "The Merchant Ships Officers Examination Act, 1874," provided for the examination of and grant of certificates of competency for foreign ships to persons intending to act as masters, mates, or engineers on board British ships, which certificates are hereinafter denominated Colonial Certificates of Competency, and the Board of Trade have reported to Her Majesty that they are satisfied that the said examinations are so conducted as to be equally efficient as the examinations for the same purpose in the United Kingdom under the Acts relating to Merchant Shipping, and that the certificates are granted on such principles as to show the like qualifications and competency as those granted under the said Acts, and are liable to be forfeited for the like reasons and in the like manner:

And whereas Her Majesty, by Order in Council dated the 12th day of February 1876, has been pleased to declare that (subject to certain conditions and regulations therein contained) the said Colonial Certificates of Competency granted by the Governor of the said possession of Tasmania shall be of the same force as if they had been granted under the said Acts relating to Merchant Shipping:

And whereas it has been represented to Her Majesty in Council that the said recited Order in Council of the 12th day of February 1876 should be revoked, and a new Order in Council substituted in lieu thereof:

NOW, THEREFORE, Her Majesty, by and with the advice and consent of Her Privy Council, doth hereby direct that from and after the date hereof the said recited Order in Council of the 12th day of February 1876 shall be and the same is hereby revoked.

And Her Majesty is further pleased,

1. To declare that the said colonial certificates of competency granted by the Governor of the said possession of Tasmania shall be of the same force as if they had been granted under the said Acts.

2. To declare that all the provisions of the said Acts which relate to certificates of competency for the foreign trade granted under those Acts, except so much of the 139th Section of the Merchant Shipping Act, 1854, and the 10th Section of the Merchant Shipping Amendment Act, 1862, as requires the delivery by the Board of Trade to any master, mate, or engineer of a copy of any certificate to which he appears to be entitled as therein mentioned, so much of the third paragraph of the 23d Section of the said last-mentioned Act as requires at the conclusion of a case relating to the cancelling or suspending of a certificate such certificate, if cancelled or suspended, to be forwarded to the Board of Trade, and the whole of the provisions of the fourth paragraph of the same Section shall apply to such colonial certificates of competency.

3. To impose and make the conditions and regulations following, numbered 1 to 10 respectively, with respect to the said Colonial Certificates of Competency, and to the use, issue, delivery, cancellation, and suspension thereof, and to impose for the breach of such conditions and regulations the penalties therein mentioned.

Form of Certificate.

1. Every such Colonial Certificate of Competency shall be on parchment, and as nearly as possible similar in shape and form to the corresponding Certificate of Competency for the Foreign Trade granted by the Board of Trade under the Acts relating to Merchant Shipping.

Name of Possession to be inserted.

2. Every such Colonial Certificate of Competency shall have the name of the said possession of Tasmania inserted prominently on its face and back.

Certificates to be numbered consecutively.

3. Such Colonial Certificates of Competency shall be numbered in consecutive order.

Lists of Certificates granted, cancelled, &c. to be sent to Registrar-General of Seamen.

4. The government of the said possession shall furnish the Registrar-General of Seamen in London, from time to time, with accurate lists of all such Colonial Certificates of Competency as may be granted by the Governor of the said possession as aforesaid, or as may for any cause whatsoever be cancelled, suspended, renewed, or reissued, and shall also furnish him with duplicates of the applications for examination made by the persons to whom such Certificates are granted.

Three Years Domicile or Service necessary.

5. Such Colonial Certificates of Competency shall be granted only to any person who, for a period of three years immediately preceding his application for such Colonial Certificate, or for several periods amounting together to three years, the earliest of which shall have commenced within five years prior to such application, has been domiciled in, or has served in a ship or ships registered in one or more of the following Australasian Colonies, namely, the colonies on the continent of Australia and New Zealand, and Tasmania.

Certificates of Competency granted contrary to this regulation shall be regarded as improperly granted.

Certificates not to be granted when former are cancelled.

6. Such Colonial Certificates of Competency shall not be granted to any person who may have had a certificate, whether granted by the Board of Trade or by the Government of a British possession, cancelled or suspended under the provisions of the said Acts or of any Act for the time being in force in any part of Her Majesty's dominions, unless the period of suspension has expired, or unless intimation has been received from the Board of Trade, or the government by whom the cancelled or suspended certificate was originally granted, to the effect that no objection to the grant of such Colonial Certificate is known to exist, or unless a new certificate has been granted to him by such board or government; and in the last-named event no such Colonial Certificate of Competency shall be for a higher grade than the certificate so last granted as aforesaid.

Colonial Certificates of Competency granted contrary to this regulation shall be regarded as improperly granted.

Certificates improperly granted may be cancelled without formal investigation.

7. Any such Colonial Certificate of Competency which appears from information subsequently acquired, or otherwise, to have been improperly granted, whether in the above or in any other respect, may be cancelled by the Governor of the said possession, or by the Board of Trade in the United Kingdom, without any formal investigation, under "The Merchant Shipping Act, 1854," and the holder of such certificate shall thereupon deliver it to the Board of Trade or the Governor of the said possession, or as they or either of them may direct, and in default thereof shall incur a penalty not exceeding Fifty Pounds, which shall be recoverable in the same manner as penalties imposed by the Acts relating to Merchant Shipping are thereby made recoverable.

Cancellation, &c. of a Certificate shall involve cancellation of all the other Certificates possessed by its Owner.

8. Every decision with respect to the cancellation or suspension of a certificate pronounced by any board, court, or tribunal under the provisions of the said Acts, shall extend equally to all the Colonial Certificates at the time possessed by the person in respect of whom the decision is made, as well as to all certificates granted to him under any of the Acts relating to Merchant Shipping, and whether such certificates be specified in such decision or not.

Certificates believed to be fraudulent may be demanded.

9. Any officer of the Board of Trade, or the Registrar-General of Seamen, or any of his officers, or a superintendent of a mercantile marine office, or a consular officer, or duly appointed shipping officer in a British possession, may demand the delivery to him of any such Colonial Certificate of Competency which he has reason to believe has been improperly issued, or is forged, altered, cancelled, or suspended, or to which the person using it is not justly entitled, and may detain such certificate for a reasonable period for the purpose of making inquiries respecting such issue, forgery, alteration, cancellation, suspension, or possession, and any person who, without reasonable cause, neglects or refuses to comply with such demand shall incur a penalty not exceeding Twenty Pounds, which shall be recoverable in the same manner as penalties imposed by the Acts relating to Merchant Shipping are thereby made recoverable.

Suspended Certificates to be re-issued only by Colony by which originally granted.

10. Any such Colonial Certificate of Competency which has from any cause been cancelled or suspended, whether by a tribunal in Tasmania, or elsewhere, shall be renewed or re-issued only by the Governor of the said possession of Tasmania.

This Order shall take effect in the said Possession of Tasmania from and after the date hereof, and shall be deemed to apply to and take effect with respect to all such Colonial Certificates of Competency as shall have been granted as aforesaid since the first day of April one thousand eight hundred and seventy-six.

C. L. PEEL.