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SECUNDO

# VICTORIÆ REGINÆ.

A.D. 1878.

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## No. 130.

*An Act to amend the Marine Board Act of 1860.*

[Reserved, 30th November, 1878.]

**W**HEREAS it is expedient to amend the Marine Board Act of 1860, with reference to the engagement and discharge of seamen of home trade ships—Be it therefore Enacted by the Governor of the Province of South Australia, with the advice and consent of the Legislative Council and House of Assembly in this present Parliament assembled, as follows:—

1. This Act may be cited as Marine Board Amendment Act, Short title.  
1878.

2. In the construction of this Act the expression “Home trade ship” shall include every ship employed in trading or going between any places within the limits of the Province of South Australia, excepting the Northern Territory. Home trade ship.

3. In the case of any home trade ship it shall not be necessary, unless the master shall so require, that any seaman shall be engaged or discharged or receive his wages in the presence of any officer of any mercantile marine office, nor shall any fees be payable upon any such engagement or discharge unless effected in the presence of such officer. Assistance of officer of mercantile marine not required.

4. In the case of any home trade ship, in which the engagement of any seaman shall not be made in the presence of an officer of a mercantile marine office, the master shall, before the ship puts to sea if practicable, and if not, so soon afterwards as possible, cause the Agreement to be read over to seamen.  
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*Marine Board Act Amendment Act.—1878.*

the agreement to be read over and explained to the seaman, and the seaman shall thereupon sign the same in the presence of some person who shall sign as attesting witness, and, in any default in the premises, the master or owner shall for each offence incur a penalty not exceeding Five Pounds.

Special agreement for several ships belonging to same owner.

5. In cases where several home trade ships belong to the same owner the agreement with the seaman may be made by the owner instead of by the master, and the seaman may be engaged to serve in any two or more such ships: Provided the names of the ships and the nature of such services are specified in the agreement; but, except as aforesaid, all provisions which relate to ordinary agreements shall be applicable to agreements made in pursuance of this section.

Application of clauses in Marine Board Act of 1860.

6. The provisions of sections 68, 69, 70, and 71 of the Marine Board Act of 1860, shall apply to any discharge although not effected before an officer of a mercantile marine office, except that the mutual release mentioned in section 68 may be attested by any person, and shall be executed in duplicate and one copy shall be retained by each party, and one copy of the report mentioned in section 69 shall be delivered to the seaman, and the account mentioned in section 70 shall be delivered to the seaman.

Suspending clause under 32 Vic., c.11.

7. This Act shall come into operation from and after a day to be fixed by the Governor, by Proclamation in the *Government Gazette*, and such day shall be not more than three months from the day upon which Her Majesty's pleasure upon the said Act shall be signified in the said *Gazette*.

Incorporation.

8. This Act shall be incorporated with the Marine Board Act of 1860, and the Acts amending the same.

I reserve this Bill for the signification of Her Majesty's pleasure thereon.

WM. F. DRUMMOND JERVOIS, Governor.