

CONDOMINIUM DES NOUVELLES-HEBRIDES

NEW HEBRIDES CONDOMINIUM

ARRETE CONJOINT 9 de 1955

JOINT REGULATION 9 of 1955

JOINT REGULATION

No. 9 of
1955.**A Regulation to govern the navigation of vessels within the New Hebrides.***Published: Condominium Gazette No. 188.*

MADE by the Resident Commissioners under the provisions of Article 7 and 28 of the Anglo-French Protocol of 1914.

1. (a) Except as provided by paragraph (c) of this Section the provisions of this Regulation shall apply to any vessel from time to time within the Group in so far as such vessel is not whilst within the Group, subject to laws enacted by either Her Majesty's Government in the United Kingdom or by the Government of the French Republic.

Definition.

(b) In this Regulation the word "Group" shall have the meaning assigned to it by Article 1 of the Anglo-French Protocol of the 6th August, 1914, together with the Territorial waters thereof.

(c) The word "vessel" shall be deemed to include any ship or boat and every description of craft used in navigation designed or intended for the conveyance or transportation of passengers or goods other than a sailing canoe or vessel designed or intended normally to be propelled by oars or paddles and other than a vessel used only within a harbour.

(d) A "hand pump" shall mean any pump capable of clearing water from the bilges of the vessel.

(e) "Life Saving Equipment" shall mean life belts, life jackets, life boats and life rafts.

(f) A "Competent Officer" shall mean a District Agent or any other person appointed by the Resident Commissioners.

2. Every vessel shall have its name and island of origin painted distinctly on its stern in letters not less than four inches in depth.

Name of
Vessel.

3. (a) No vessel shall put to sea unless it is in possession of a valid Certificate of Seaworthiness, issued by the Resident Commissioners after a survey by officers appointed by them for that purpose; Provided that vessels operating within the Group at the date of coming into force of this Regulation shall be required to comply with its provisions within a period of three calendar months from the date of such commencement.

Certificate
of Seaworthi-
ness.

(b) The owner of a vessel shall apply for a certificate to a District Agent and shall produce such vessel at the time and place appointed by the District Agent concerned for the survey.

(c) The Certificate of Seaworthiness shall be in the form prescribed in the Schedule to this Regulation, and, except as provided for in section 7, shall be valid for one year.

4. The Certificate of Seaworthiness prescribed in section 3 shall be issued after a survey by examiners appointed for that purpose and the payment of a fee of one pound by the owner. This fee shall be paid to Condominium funds. Whenever the examiner is not an officer of the Condominium Administration the Condominium Treasurer shall pay this fee to the persons carrying out the survey.

Survey.

5. No vessel shall be provided with a certificate of Seaworthiness if it is not of sound design and construction, in sufficiently good condition to safely put to sea, and fitted with—

Conditions governing issue of validity of certificate.

- (a) In the case of a sailing vessel a green light on the starboard side and a red light on the port side, In the case of a mechanically propelled vessel, a green light on the starboard side, a red light on the port side, and a white light at the head of the main mast visible over an arc of 20 points, that is about 100° to forward on each side of the vessel's centre line.

Between sunset and sunrise, the lights prescribed in this article shall be illuminated:

- (1) When the vessel is ready to get under way;
- (2) When the vessel is under way;
- (3) Until the vessel is anchored or berthed alongside a quay or wharf.

Every vessel moored or anchored, but not berthed alongside a quay or wharf, or in dry dock, shall, between sunset and sunrise, display a white light, visible all round the horizon at the forward part of the vessel.

- (b) Auxiliary sails if the vessel has only one engine and is of less than 30 tons net;
- (c) In the case of a mechanically propelled vessel, a fire extinguisher kept close to the engine;
- (d) A hand pump in good working order;
- (e) Life saving equipment for every member of the crew, apart from any life-saving equipment required, under any other enactment.

6. The Certificate of Seaworthiness shall bear name of the Master of the vessel and no other person shall be substituted for him without the prior approval of the Resident Commissioners, provided that the Resident Commissioners may give retrospective approval to a change of Master if they are satisfied that there was no reasonable possibility of prior approval being obtained.

Each vessel to have one Master only.

7. The Resident Commissioners may, at any time suspend a vessel's Certificate of Seaworthiness should they consider—

Power of Resident Commissioners to prevent vessel putting to sea.

- (a) that the vessel is no longer seaworthy or that it is no longer equipped as in Section 5 of this Regulation, or
- (b) that the Master is not competent to take the vessel to sea.

Should the Owner or Master appeal against the suspension, the Resident Commissioners may appoint such competent officers to conduct such enquiries as may be necessary.

8. A Resident Commissioner may in writing delegate any or all of the powers conferred upon him by the provisions of this Regulation.

9. The owners and masters of vessels shall be, jointly and severally responsible for the observance of the provisions of this Regulation, infractions of which shall be punishable by imprisonment of up to one month by a fine of 20 Pounds, or both of these penalties.

Penalties.

10. Joint Regulation No. 9 of 1954 is hereby repealed.

Repeal.

11. This Joint Regulation shall be known as "The Control of Local Vessels Joint Regulation No. of 1955," and shall come into force from the date of signature.

Short Title and Commencement.

Dated at Vila, this Sixteenth day of August, 1955.

A. TRAMIER

J. S. RENNIE

The Resident Commissioner
for the French Republic.

Her Britannic Majesty's
Resident Commissioner.

Schedule to Joint Regulation No. 9 of 1955

CERTIFICATE OF SEAWORTHINESS

Name of Vessel:

Home Island and Port:

Name of Owner:

Name of Master:

The above named vessel has been surveyed in accordance with Joint Regulation No. of 1955. It fulfils the requirements of this Joint Regulation and may put to sea.

This permit is valid for one year from the date of issue.

Issued at

Date

The Resident Commissioner
for the French Republic.

Her Britannic Majesty's
Resident Commissioner.