

At the Court at *Buckingham Palace*, the 11th day of *August*, 1931.

PRESENT,

The KING's Most Excellent Majesty in Council.

WHEREAS by Section 102 of the Merchant Shipping Act 1894 (57-8 V. c. 60) (hereinafter referred to as the principal Act) it is 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 ships, and the Board of Trade report to His Majesty that they are satisfied that the examinations are so conducted as to be equally efficient with the examinations for the same purpose in the United Kingdom under that Act, and that the certificates are granted on such principles as to show the like qualifications and competency as those granted under that Act, and are liable to be forfeited for the like reasons and in the like manner, His Majesty may by Order in Council—

(i) declare that the said certificates shall be of the same force as if they had been granted under that Act; and

(ii) declare that all or any of the provisions of that Act which relate to certificates of competency granted under that Act, shall apply to the certificates referred to in the Order; and

(iii) impose such conditions and make such regulations with respect to the certificates and to the use, issue, delivery, cancellation and suspension thereof, as His Majesty may think fit, and impose fines not exceeding fifty pounds for the breach of those conditions and regulations:

And whereas by the Merchant Shipping (Certificates) Act 1914 (4-5 G. 5. c. 42) the law relating to the examinations in the United Kingdom for certificates of competency was amended, and it was enacted that the provisions of that Act should be construed as if they were contained in Part II of the principal Act:

And whereas by Section 738 of the principal Act it is provided that where His Majesty has power under that Act to make an Order in Council, His Majesty may from time to time by Order in Council revoke, alter or add to any Order so made:

And whereas by the Navigation Act 1912-1926 (hereinafter referred to as the Navigation Act) the Legislature of the Commonwealth of Australia provided for the examination of, and grant of certificates of competency to persons intending to act as Masters, Mates or Engineers on board ship:

And whereas the Board of Trade have reported to His Majesty that they are satisfied that the examinations held under the Navigation Act are so conducted as to be equally efficient with the examinations for the same purpose in the United Kingdom under the principal Act, and that the certificates granted under the Navigation Act are granted on such principles as to show the like qualifications and competency as those granted under the principal Act and are liable to be forfeited for the like reasons and in the like manner:

And whereas there is in force an Order in Council namely the Merchant Shipping

(Australian Certificates of Competency) Order 1923 (S.R. & O. 1923, No. 1288) relating in part to certificates of competency granted under the Navigation Act 1912-1926, and it is expedient that so much of the said Order as relates to such certificates should be revoked:

And whereas the provisions of Section 1 of the Rules Publication Act 1893 have been complied with:

Now, therefore, His Majesty, in exercise of the powers vested in Him by the principal Act, and by and with the advice of His Privy Council, is pleased to declare as follows, that is to say:—

1. Certificates of competency as master, first mate or second mate of a foreign-going ship, as first-class or second-class engineer, or as first-class or second-class motor engineer, granted on and after the first day of October 1923 under the Navigation Act by the proper authority, shall be of the same force as if they had been granted in the United Kingdom under the principal Act.

2. The provisions of the principal Act which relate to certificates of competency granted under that Act, except those relating to certificates for a home-trade passenger ship, and also except so much of Section 470 as requires a Court cancelling or suspending a certificate to send the certificate cancelled or suspended to the Board of Trade shall apply to such certificates of competency as are referred to in Article 1 of this Order; provided that in the application of Section 101 of the principal Act to such certificates, references in that Section to the Board of Trade, or to the Registrar-General of Shipping and Seamen, shall be construed as references to the proper authority.

3. The Regulations set out in the Schedule hereto shall have effect with respect to such certificates of competency as are referred to in Article 1 of this Order and to the use, issue or delivery, cancellation and suspension thereof.

4. In this Order the expression the "proper authority" shall mean the authority for the time being empowered by the Legislature of the Commonwealth of Australia to grant certificates of competency under the Navigation Act.

5. Articles 3, 4 and 5 of the Merchant Shipping (Australian Certificates of Competency) Order 1923, and the Schedule thereto are hereby revoked.

6. This Order may be cited as the Merchant Shipping (Australian Certificates of Competency) Order 1931.

M. P. A. Hankey.

SCHEDULE.

REGULATIONS WITH RESPECT TO THE USE, ISSUE, DELIVERY, CANCELLATION AND SUSPENSION OF AUSTRALIAN CERTIFICATES OF COMPETENCY.

1. In these Regulations the following expressions shall have the meanings hereby assigned to them, that is to say:—

"Certificate of Imperial validity" means a certificate of competency (other than a certificate for a home-trade passenger ship) granted under the principal Act, or one of such certificates, granted under provisions made by the legislature of a British possession, as are declared by Order in Council to