

THE INLAND STEAM VESSELS (AMENDMENT) ACT, 1953.

[Act No. LI OF 1953.]

It is hereby enacted as follows :--

1. (1) This Act may be called the Inland Steam Vessels (Amendment) Act, 1953.
- (2) It shall come into force on such date as the President may, by notification, direct.
2. In section 2 of the Inland Steam Vessels Act hereinafter referred to as the said Act—
 - (i) the following shall be inserted as clause (2A), namely :—

“(2A) ‘inspector’ means an inspector appointed under this Act ;”
 - (ii) in clause (5) for the words “the agency of steam” the word “machinery” shall be substituted.
3. In section 3 of the said Act, for the period “.” at the end of sub-section (2) a semi-colon “;” shall be substituted, and thereafter the following proviso shall be inserted, namely :—

“provided that such interval shall not exceed sixty days.”
4. In section 4 of the said Act—
 - (i) the word “and” at the end of clause (a) of sub-section (1) shall be deleted ;
 - (ii) for the period “.” at the end of clause (b) of sub-section (1) a comma “,” shall be substituted ;
 - (iii) the following shall be inserted as clauses (c) and (d) of sub-section (1), namely :—

“(c) appoint so many persons to be inspectors as he thinks fit, for the purposes of this Act, and

“(d) declare, for any district, a maximum number of steam-vessels of various classes in respect of which certificates of survey will be granted.”
 - (iv) in sub-section (2) after the word “Surveyor” the words “or inspector” shall be inserted, and after the word “survey” the words “or inspection” shall be inserted.
5. In section 5 of the said Act the following shall be inserted as sub-section (3), namely :—

“(3) For the purposes of an inspection an inspector may, at any time, go on board an inland steam-vessel and may inspect the certificate of survey, the certificates of competency of the master and the engineer, the equipments of the steam-vessel and its cargo.”
6. The following shall be inserted as section 13A of the said Act, namely :—

“13A. If the owner of an inland steam-vessel is found wilfully to have contravened any provision of this Act, the President may, in addition to any other penalty imposed upon him under this Act, suspend or cancel, for

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any period as he may think fit, the certificate of survey of the steam-vessel in respect of which the contravention took place."

7. The following *shall be inserted* as section 19A of the said Act, namely :—

" 19A. (1) The President may make rules to regulate the inspection of inland steam vessels by duly appointed inspectors.
Power of President to make rules as to inspectors. (2) In particular and without prejudice to the generality of the foregoing power, such rules may prescribe—
(a) the times and places at which, and the manner in which, an inspection may be made ; and
(b) the duties of an inspector making the inspection."

8. In section 32 of the said Act, the period "." at the end *shall be deleted*, and thereafter the following *shall be inserted*, namely :—

" who shall take such action as may be prescribed."

9. In section 45 of the said Act—

(i) for the colon ":" at the end of clause (c) a semi-colon ";" *shall be substituted*, and thereafter the word "or" *shall be inserted* ;
(ii) the following *shall be inserted* as clause (d), namely :—
" (d) if the holder of such certificate is found wilfully to have contravened any provision of this Act : "

10. In section 52 of the said Act—

(i) in clause (i) of sub-section (2) the word "and" *shall be deleted* ;
(ii) in clause (j) of sub-section (2) for the period "." at the end a semi-colon ";" *shall be substituted* ;
(iii) the following *shall be inserted* as clauses (k) and (l) of sub-section (2), namely :—
" (k) prescribe the form and scale of life-saving appliances to be carried ; and
(l) prescribe the parts of the inland steam-vessel on which the carriage of passengers and cargo is prohibited."

11. In section 55 of the said Act—

(i) for the expression "one thousand rupees" in sub-section (1) the expression "two thousand kyats or with imprisonment which may extend to three months or with both." *shall be substituted* ;
(ii) the following *shall be inserted* as sub-section (3), namely :—
" (3) If the master or any other officer on board an inland steam-vessel which proceeds on a voyage in contravention of section 3 holds a certificate of competency as master, serang, engineer or engine-driver he shall be liable to have his certificate suspended or cancelled by the President, for any period, as he thinks fit."

12. The following *shall be inserted* as sections 63A, 63B and 63C of the said Act, namely :—

“ 63A. If any person—

- (a) knowingly and wilfully makes, or assists in making, or procures to be made, a false or fraudulent declaration of survey or certificate of survey; or
- Penalty for forging of surveyor's declaration or certificate of survey.
- (b) forges, assists in forging, procures to be forged, fraudulently alters, assists in fraudulently altering or procures to be fraudulently altered, any such declaration or certificate, or anything contained in, or any signature to, any such declaration or certificate, he shall, in respect of each offence, be punishable with fine which may extend to one thousand kyats and the declaration or certificate shall be cancelled.

63B If any person—

- (a) forges or fraudulently alters or assists in forging or fraudulently altering, or procures to be forged or fraudulently altered, any certificate of competency or an official copy of such certificate; or
- Penalty for forging or altering a certificate of competency.
- (b) makes, assists in making, or procures to be made any false representation for the purpose of procuring either for himself or any other person a certificate of competency; or
- (c) fraudulently uses a certificate of competency or a copy of a certificate of competency which has been forged, altered, cancelled or suspended, or to which he is not entitled; or
- (d) fraudulently lends his certificate of competency or allows it to be used by any other person, he shall be punishable for each offence with fine which may extend to five hundred kyats and shall, if he is the holder of a certificate of competency, be liable to have his certificate cancelled, if the President so directs.

- 63c. (1) If an inland steam-vessel carries passengers on a permanent or removeable awning or on any other part of the steam-vessel not authorized for the carriage of passengers, the owner and the master shall each be punishable with fine which may extend to one thousand kyats or with imprisonment which may extend to three months or with both
- Penalty for carriage of passengers or cargo on awnings.
- (2) If an inland steam-vessel carries cargo on a permanent or removeable awning, the owner and the master shall each be punishable with fine which may extend to one thousand kyats or with imprisonment which may extend to three months or with both.”