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Second Session First Parliament Republic of Trinidad  
and Tobago

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REPUBLIC OF TRINIDAD AND TOBAGO

**Act No. 48 of 1977**

[L.S.]

AN ACT to provide for the registration, survey and control of pleasure boats and for matters connected therewith.

*[Assented to 30th December, 1977]*

ENACTED by the Parliament of Trinidad and Tobago as Enactment follows:—

1. This Act may be cited as the Pleasure Boats Act, short title 1977.

## Interpretation

## 2. In this Act—

“authorised officer” means a police officer in uniform, the Harbour Master or a member of the Coast Guard of the Defence Force of Trinidad and Tobago or a member of the Customs and Excise Department;

“Board” means the Board of Examiners appointed under section 13;

“the Competent Authority” means the Officer to whom responsibility for the general administration of the Act has been delegated by notice pursuant to subsection (1) of section 4;

“holder of a licence” means a person who holds a licence granted under this Act or a licence issued under the laws of a foreign country and accepted by the Minister under section 25(1) in lieu of a licence granted under this Act;

“Minister” means the member of the Cabinet to whom responsibility for the administration of the Harbour Master’s Department is assigned;

“operator” includes any person actually operating a pleasure boat or any person in charge of a pleasure boat for the purpose of operating the pleasure boat;

“owner”—

(a) in the case of a pleasure boat that is not registered includes the person in actual charge or possession of the pleasure boat;

(b) in the case of a pleasure boat that is registered means the person in whose name the pleasure boat is registered;

“passenger” means any person carried on a pleasure boat who is—

(a) a guest of the owner of the pleasure boat and is carried on the pleasure

boat without remuneration or any object of profit;

- (b) a person employed or engaged in any capacity on board the pleasure boat on the business of that pleasure boat;
- (c) the owner of the pleasure boat, a member of his family or a servant connected with his household;

“pleasure boat” means any vessel whether propelled by oars, wind, or any other means whatever that is used exclusively for pleasure and carries passengers only within the definition of that expression in this section but does not include—

- (a) motor launches to which the Motor Ch. 18. No. 6 Launches Ordinance applies;
- (b) fishing boats required to be registered under the Fisheries Ch. 25. No. 9 Ordinance;
- (c) vessels required by law to be licensed for commercial purposes; or
- (d) vessels under sixteen feet in length that are not mechanically propelled;
- (e) vessels under ten feet in length mechanically propelled by a unit of not more than 5 horse power.

“police officer” has the meaning assigned to it by section 2 of the Police Service Act, Act No. 30 of 1965 1965;

“surveyor” means a person appointed as a surveyor of pleasure boats under section 7;

“Trinidad and Tobago Defence Force” means the Trinidad and Tobago Defence Force established under section 5 of the Defence No. 7 of 1962 Force Act, 1962;

“vessel” includes any ship or boat or any other description of vessel used or designed to be used in navigation.

## Application

3. (1) This Act shall apply to all pleasure boats except those exempted from its operation by the Minister under subsection (3).

(2) The owner of a pleasure boat may apply to the Minister in the prescribed form for exemption of the pleasure boat from the operation of all or any of the provisions of this Act.

(3) The Minister may if he thinks fit, and upon such conditions, if any, as he thinks proper to impose by order published in the *Gazette* exempt from the operation of all or any of the provisions of this Act any pleasure boat in respect of which an application is made under subsection (2), or any class of pleasure boats, if he is satisfied that compliance with all or any of the provisions of this Act in respect of the pleasure boat or the class of pleasure boats is unnecessary in the circumstances of the case.

## Administration

4. (1) The Minister may by notice published in the *Gazette* delegate to an officer in his Ministry responsibility for the general administration of this Act.

(2) In the exercise of his powers and the performance of his duties the Competent Authority shall conform with any general or special directions given to him by the Minister.

(3) The Competent Authority may authorize any person to perform any of its functions under this Act by notice published in the *Gazette*.

Pleasure boat  
to be  
registered

5. (1) Subject to this Act, the owner or operator of a pleasure boat shall not use or cause or permit the pleasure boat to be used unless there is in force in relation to the user a certificate of registration issued in accordance with this Act.

(2) A person who contravenes subsection (1) is guilty of an offence and liable on summary conviction to a fine of five hundred dollars or to imprisonment for three months.

Application  
for survey

6. (1) An application for the survey of a pleasure boat shall be made to the Competent Authority in the prescribed form and shall be accompanied by the prescribed fee.

(2) On receipt of an application and the prescribed fee referred to in paragraph (1), the Competent Authority shall appoint a date, time and place at which the survey shall be carried out.

7. (1) The Minister may, on the recommendation of the Competent Authority, appoint such persons as he may think fit to be Surveyors of pleasure boats.

Appointment  
of Surveyors

(2) Surveyors appointed under subsection (1) shall receive such fees for surveys as may be prescribed.

8. (1) At the date, time and place appointed for a survey, the Surveyor appointed for the purpose shall examine the pleasure boat produced for survey and shall submit a report of the survey to the Competent Authority in the prescribed form.

Report of  
Surveyor and  
issue of  
certificate of  
registration

(2) The Competent Authority, if satisfied from the report of a Surveyor that the hull, machinery and prescribed equipment of a pleasure boat are in good condition and that the pleasure boat is in all respects seaworthy, may, on payment of the prescribed fee, issue a certificate of registration in the prescribed form and the certificate shall remain valid unless suspended or cancelled under this Act.

(3) If the competent Authority is not so satisfied he shall inform the owner of the pleasure boat of the defects mentioned in the report of the Surveyor and may, if he thinks fit, grant the owner a conditional certificate of registration in the prescribed form for the purpose of testing the working of any equipment or machinery which on the survey of the pleasure boat, was found to be faulty or defective.

9. (1) The Competent Authority may suspend or cancel a certificate of registration in any case in which he is satisfied—

Suspension or  
cancellation of  
certificate of  
registration

- (a) that the certificate of registration has been issued upon false or erroneous information;
- (b) that since the issue of the certificate of registration the hull or equipment has been altered or has sustained any damage or is otherwise insufficient or the name of the pleasure boat has been changed;
- (c) that the pleasure boat has been destroyed or abandoned.

(2) In the cases described in paragraphs (a) and (b) of subsection (1), the Competent Authority may, if

he thinks fit, before issuing a new certificate of registration, require the owner to submit his pleasure boat for survey and report under section 8(1).

Inspection,  
boarding of  
pleasure  
boats, etc.

10. (1) The Competent Authority or a Surveyor, may—

- (a) go on board any pleasure boat at a time and place agreed upon with the owner or operator of the pleasure boat for the purpose of inspecting the pleasure boat or any part thereof;
- (b) stop any pleasure boat which he has reasonable grounds for suspecting is unseaworthy or is operating contrary to this Act or the regulations and shall, if he is of the opinion that the condition of the pleasure boat is such as to endanger the lives of the passengers thereof remove or cause the passengers to be removed from the pleasure boat and order the owner or operator thereof to proceed to, or if he thinks fit, assume control of the pleasure boat and bring or cause it to be brought to the nearest convenient anchorage for the purpose of determining whether an offence or an attempt to commit an offence has been or is being committed;
- (c) in any case where he has reason to suspect that the hull of a pleasure boat has been damaged to such an extent that it might not be seaworthy, require the owner or operator of the pleasure boat to proceed to, or if he thinks fit, assume control of the pleasure boat and bring or cause it to be brought to the nearest convenient anchorage for the purpose of a closer and more thorough inspection.

(2) A person who refuses or fails to obey any order given by the Competent Authority or a Surveyor under subsection (1) or who obstructs or prevents any such person from going on board a pleasure boat or otherwise impedes him in the execution of his duty under the said subsection is guilty of an offence and liable on summary conviction to a fine of five hundred dollars or to imprisonment for six months or to both such fine and imprisonment.

11. (1) No person shall operate a pleasure boat unless he is the holder of a licence.

Operating  
pleasure  
boat without a  
licence

(2) A person who contravenes subsection (1) is guilty of an offence and liable on summary conviction to a fine of one thousand dollars or to imprisonment for six months and in addition to such penalty may in the discretion of the Court be disqualified for obtaining a licence for a period not exceeding six months.

12. (1) No person shall permit any person not being the holder of a licence to operate a pleasure boat.

Permitting  
unqualified  
person to  
operate  
pleasure boat

(2) A person who contravenes subsection (1) is guilty of an offence and liable on summary conviction to a fine of one thousand dollars or to imprisonment for six months.

13. (1) There is hereby established a Board of Examiners which shall consist of a Chairman and such number of other members as may be appointed by the Minister.

Establishment  
of Board of  
Examiners

(2) The appointment of a member shall be for such period not exceeding three years as the Minister shall specify at the time of appointment, but any member shall be eligible for re-appointment.

(3) A member may at any time resign his office by instrument in writing addressed to the Chairman who shall forthwith cause it to be forwarded to the Minister.

(4) The Minister may at any time revoke the appointment of a member if he thinks it expedient so to do.

(5) The appointment of any person as a member of the Board and the termination of office of any such member whether by death, resignation, revocation, effluxion of time or otherwise, shall be notified in the *Gazette*.

14. The Chairman and the other members of the Board shall be paid such remuneration and allowances as may be determined by the President.

Remuneration

15. (1) The Chairman shall preside at meetings of the Board and where the Chairman is for any reason unable to preside over a meeting, the members present may appoint a member to preside over that meeting.

Meetings of  
the Board

(2) The decisions of the Board shall be by a majority of votes of members present and in addition to an original vote, in any case in which the voting is equal, the Chairman or the person appointed under subsection (1) to preside over a meeting shall have a casting vote.

(3) The Chairman, or in his absence the member appointed to preside over a meeting and two other members shall form a quorum.

(4) The Board may regulate its own procedures.

**Functions of  
the Board**

**16.** (1) Subject to this Act, the Board shall—

(a) conduct examinations for the certificate of competency as operators of pleasure boats (hereinafter referred to as a “certificate of competency”); and

(b) grant to every person who has satisfactorily passed the examination or has otherwise satisfied the Board of his competency to operate a pleasure boat or a particular description of pleasure boat, a certificate of competency in the prescribed form to the effect that he is competent to operate a pleasure boat or a particular description of pleasure boat, as the case may be.

(2) The Board shall not grant a certificate of competency to any person unless it is satisfied that the vision, hearing and bodily and mental fitness of the person are such as to warrant the grant of the certificate of competency.

(3) The nature of the examination for the certificate of competency shall be at the discretion of the Board but shall include a test of the applicant’s knowledge of the Steering and Sailing Rules set out in Part D of Annex B of the International Rules and Safety of Life at Sea, 1974.

(4) The Board may authorise any member of the Board to conduct examinations for the certificate of competency at such places in Trinidad and Tobago and under such conditions as may be determined by the Board.

(5) The Board shall keep a record of certificates of competency granted under this Act.

17. (1) The Competent Authority may, upon such conditions as he may think fit, grant to any person, a learner's licence for the purpose of learning to operate a pleasure boat or a particular description of pleasure boat.

Grant of  
learner's  
licence

(2) A learner who infringes or fails to comply with any condition specified in his learner's licence is guilty of an offence and liable on summary conviction to a fine of five hundred dollars or to imprisonment for three months.

(3) A learner and the person accompanying him for the purpose of instruction, shall each be liable for any offence committed under this Act or the regulations during the course of such instruction.

18. The Minister may make provision for affording facilities for the training of persons desirous of taking the examination for the certificate of competency.

Facilities for  
training for  
examination

19. An application to take the examination for the certificate of competency shall be made to the Board in the prescribed form and shall be accompanied by the prescribed fee.

Application  
to take  
examination  
for the  
certificate  
of competency

20. (1) Subject to subsection (2), the Competent Authority shall, on payment of the prescribed fee and on production of a certificate of competency, grant a licence to operate a pleasure boat, or a particular description of pleasure boat, as the case may be, to any person applying for such licence.

Grant of  
licence

(2) A licence granted under subsection (1) shall be in the prescribed form and shall commence on the date on which it is granted and unless previously suspended or cancelled shall expire on the 31st December next following, but may be renewed annually on payment of the prescribed fee.

21. The Competent Authority shall keep a Register of Licences in which he shall enter the name and address of every holder of a licence, the date it was granted, whether it is a licence to operate a pleasure boat or a

Register of  
Licences

particular description of pleasure boat and any conviction ordered by a court to be endorsed on such licence.

Re-issue of  
lost or  
defaced licence

22. Where a licence is lost, defaced, mutilated or rendered illegible the Competent Authority shall issue a new licence on payment of the prescribed fee and shall, subject to section 39, enter thereon any endorsement recorded in the Register of Licences in respect of such licence.

Production  
of licence

23. (1) The Competent Authority or an authorised officer may require the operator of a pleasure boat to produce the licence granted to him under this Act or a licence referred to in section 25, for examination, so as to enable the Competent Authority or the authorised officer to ascertain the name and address of the holder of the licence, and the date of issue, and may examine the certificate of registration of the pleasure boat to ascertain whether there is on board a larger number of passengers than is specified in the certificate of registration.

(2) An operator of a pleasure boat who refuses or fails to produce his licence for examination after being required so to do under subsection (1), or on board of whose pleasure boat there is a larger number of passengers than is allowed by the certificate of registration of the pleasure boat or there are persons other than passengers, is guilty of an offence and liable on summary conviction to a fine of five hundred dollars or to imprisonment for two months.

(3) The provisions of subsection (2) relating to the refusal or failure to produce a licence shall not apply, if within forty-eight hours after the production of the licence was so required, the holder of the licence produces it in person at the office or place specified by the Competent Authority or the authorised officer at the time its production was required.

Using pleasure  
boat without  
consent of  
owner

24. (1) Subject to subsection (2), a person who uses a pleasure boat without the consent of the owner or other lawful authority is guilty of an offence and liable on summary conviction to a fine of one thousand dollars or to imprisonment for six months or to both such fine and imprisonment.

(2) A person shall not be convicted under subsection (1) if he proves either—

- (a) that he had good reason to believe, and did in fact believe, that the owner of the pleasure boat would, had he been present, have consented to the pleasure boat being used in the manner in which it was used; or
- (b) that he had reasonable cause to believe and did in fact believe, that he had lawful authority to use the pleasure boat.

25. (1) Where the Minister is satisfied that the standard of the examination for obtaining a licence to operate a pleasure boat in a foreign country is at least equivalent to the standard of the examination for the certificate of competency under this Act, he may, subject to such conditions as he may impose, direct that the licence, shall, so long as it remains valid, be accepted in lieu of a licence granted under this Act.

Reciprocal  
arrangements  
concerning  
licences

(2) Any such licence may, in so far only as concerns its validity in Trinidad and Tobago, be endorsed, suspended or cancelled under like conditions to those which attach to a licence granted under this Act; any licence so suspended or cancelled shall be delivered by the court to the Minister, who shall thereupon return it to the authority by which it was granted and notify the Competent Authority accordingly.

(3) This section applies only to a licence granted by the appropriate authority in a foreign country, the Government of which has entered into a reciprocal arrangement with the Government of Trinidad and Tobago to accept in lieu of a licence granted in that country a licence granted under this Act.

26. Every person who—

- (a) makes or procures to be made any false representation for the purpose of obtaining for himself or for any other person, a certificate of competency or a licence;
- (b) forges, procures to be forged, or fraudulently alters, a certificate of competency or a licence or an official copy thereof;

Other offences  
relating to  
certificates  
of competency  
and licences

(c) knowingly makes use of a certificate of competency or a licence which is forged, altered, cancelled or suspended, or to which he is not justly entitled; or

(d) lends a certificate of competency or a licence to any other person or allows it to be used by any other person,

for the purpose of deception is guilty of an offence and liable on summary conviction to a fine of one thousand dollars or to imprisonment for six months or to both such fine and imprisonment.

Operating  
pleasure boat  
under influence  
of liquor or  
drugs

27. A person who, when operating or attempting to operate, or when in charge of a pleasure boat in the sea, is under the influence of drink or a drug to such an extent as to be incapable of having proper control of the pleasure boat, is guilty of an offence and liable on summary conviction to a fine of one thousand dollars or to imprisonment for six months or to both such fine and imprisonment, and in the case of a second or subsequent conviction either to a fine of two thousand dollars or to imprisonment for two years or to both such fine and imprisonment.

(2) Where a pleasure boat is being operated by or is in the charge of a person under the influence of drink or a drug to such an extent as to be incapable of having proper control of the pleasure boat the Competent Authority or an authorised officer may, if he thinks fit, assume control of the pleasure boat and bring or cause it to be brought to the nearest convenient anchorage.

(3) A person convicted of an offence under subsection (1) shall, without prejudice to the power of the court to order a longer period of disqualification, be disqualified for a period of six months from the date of the conviction for holding or obtaining a licence and on the third conviction for a like offence he shall be permanently disqualified for holding or obtaining a licence.

(4) An authorised officer may arrest without a warrant any person committing an offence under this section.

Reckless  
operation  
of pleasure  
boat

28. (1) A person who operates a pleasure boat recklessly or at a speed or in a manner which is dangerous to other persons using the sea having regard to all the

circumstances of the case including the nature, condition and use of the sea and the amount of traffic which is actually at the time, or which might reasonably be expected to be thereon, is guilty of an offence and liable on summary conviction to a fine of one thousand dollars or to imprisonment for six months, or to both such fine and imprisonment and in the case of a second or subsequent conviction either to a fine of two thousand dollars or to imprisonment for one year or to both such fine and imprisonment.

(2) A person convicted of an offence under subsection (1) shall, without prejudice to the power of the court to order a longer period of disqualification, be disqualified for a period of six months from the date of the conviction for holding or obtaining a licence and on the third conviction for a like offence he shall be permanently disqualified for holding or obtaining a licence.

29. Any person who operates a pleasure boat without due care and attention or without reasonable consideration for other persons using the sea, is guilty of an offence and liable on summary conviction to a fine of five hundred dollars or to imprisonment for three months and in addition to such penalty may in the discretion of the court be disqualified for holding or obtaining a licence for a period not exceeding three months.

Careless operation  
of pleasure boat

30. (1) No pleasure boat shall be used for the purpose of towing a water skier unless at such time there is present on board at least one person other than the operator for the purpose of keeping the skier under close observation.

Towing for  
the purposes  
of water  
skiing

(2) A person who contravenes subsection (1) is guilty of an offence and liable on summary conviction to a fine of five hundred dollars or to imprisonment for three months and in addition to such penalty may in the discretion of the court be disqualified for holding or obtaining a licence for a period not exceeding three months.

(3) An operator of a pleasure boat which is towing a water skier or is travelling at a speed exceeding five knots shall not approach to within 200 yards of a bathing place or a landing place and shall not in any case approach any area of the sea in which there are bathers.

(4) A person who contravenes subsection (3) is guilty of an offence and liable on summary conviction to a fine of one thousand dollars, or to imprisonment for one year or to both such fine and imprisonment.

Direction as  
to anchorage

**31.** (1) The Competent Authority or an authorised officer may, if he thinks it necessary for the safety of other vessels and the convenience of the public, order the operator of any pleasure boat arriving at an anchorage or mooring, to come to anchor or to moor at any particular place indicated by the Competent Authority or authorised officer, and may order the operator of any pleasure boat which has already come to anchor or to moor to remove such pleasure boat from the place where it is anchored or moored to some other place indicated by the Competent Authority or authorised officer.

(2) The operator of a pleasure boat who refuses or fails to obey any order under subsection (1) is guilty of an offence and liable on summary conviction to a fine of one thousand dollars or to imprisonment for six months.

Refusing to  
give name or  
address or  
giving false  
name or  
address

**32.** (1) An operator of a pleasure boat who commits an offence under this Act or the regulations and refuses to give his name and address or gives a false name or address to the competent authority or an authorised officer is guilty of an offence and liable on summary conviction to a fine of five hundred dollars or to imprisonment for two months.

(2) The owner of a pleasure boat in respect of which an offence is committed under this Act shall, if required so to do, give any information which it is within his power to give which may lead to the identification and apprehension of the operator of the pleasure boat, and if he fails to do so within four days of his being notified of such request, he is guilty of an offence and liable on summary conviction to a fine of five hundred dollars or to imprisonment for two months.

33. (1) A court before which a person is convicted of an offence under this Act or the regulations shall, if the person convicted holds a licence, cause particulars of the conviction and of any order of the court disqualifying the person for holding or obtaining a licence to be endorsed upon the licence, and also cause a copy of the particulars to be sent to the Competent Authority.

Production  
and endorsement  
of licence

(2) A person who is convicted before any court of an offence under this Act or the regulations, or who is disqualified for holding or obtaining a licence shall if he holds a licence, produce the licence within such time as the court may direct for the purpose of endorsement thereon of particulars of the conviction, or the order of disqualification and if he is not then the holder of a licence, but subsequently within six months of the conviction obtains a licence, shall within five days after so obtaining the licence produce it to the court for the purpose of endorsement.

(3) A person who refuses or fails to comply with subsection (2) is guilty of an offence and liable on summary conviction to a fine of five hundred dollars or to imprisonment for three months.

34. Subject to section 25(2) a court which suspends a licence or declares a person disqualified for holding a licence shall forthwith send the suspended licence to the Competent Authority and the Competent Authority shall at the expiration of the period of suspension return the licence to the owner on demand.

Custody of  
licence while  
suspended

35. A person who by virtue of an order of a court under this Act is disqualified for holding or obtaining a licence may appeal against the order, in the same manner as against a conviction, and the court may, if it thinks fit, pending the appeal, suspend the operation of the order.

Right of  
appeal

36. A licence suspended by the court shall during the period of suspension be of no effect, and a person whose licence is suspended or who is declared by the court to be disqualified for obtaining a licence, shall during the period of such suspension or disqualification, be disqualified for obtaining a licence.

Suspended  
licence to  
be of no  
effect

Obtaining  
licence while  
disqualified

37. A person who while disqualified for obtaining a licence under this Act, applies for or obtains a licence is guilty of an offence and liable on summary conviction to a fine of five hundred dollars or to imprisonment for three months, and the licence so obtained shall be of no effect.

Non-disclosure  
of endorsement

38. (1) A person whose licence has been endorsed, who applies for or obtains a licence without giving particulars of the endorsement is guilty of an offence and liable on summary conviction to a fine of five hundred dollars or to imprisonment for three months, and the licence so obtained shall be of no effect.

(2) Subsection (1) does not apply to a person who previously became entitled under section 39 to have a licence issued to him free from endorsements.

Issue of new  
licence free  
from endorsement

39. (1) Subject to subsection (2) where a person against whom an order has been made under this Act requiring the endorsement of his licence, has during a continuous period of three years or more since the order was made had no such order made against him, he shall be entitled, on application and subject to payment of the prescribed fee and to the surrender of his licence, to have issued to him a new licence free from endorsement.

(2) For the purposes of subsection (1) in reckoning the period of three years, any period during which the person was by virtue of the order disqualified for obtaining a licence shall be excluded.

Certificates as  
evidence

40. (1) A document purporting to be a certificate of registration, or a licence granted under this Act and signed by the Competent Authority, shall be received in evidence, and shall be deemed to be a valid certificate of registration or licence without further proof, unless the contrary is shown.

(2) A document purporting to be a certificate of competency granted under this Act and signed by the Board shall be received in evidence, and shall be deemed to be a valid certificate of competency without further proof, unless the contrary is shown.

Certified copies

(3) A copy of a certificate of registration, or a licence purporting to be certified by the Competent

Authority, shall be *prima facie* evidence of that certificate of registration or certificate of competency or licence as the case may be and a copy of any entry made in respect of the cancellation or suspension of a certificate of registration or a certificate of competency or a licence purporting to be certified by the Competent Authority shall be *prima facie* evidence of that entry, and the truth of the matter stated therein.

41. Any fees received by the Comptroller of Accounts under or by virtue of this Act shall be paid into the Exchequer Account and shall form part of the Consolidated Fund. <sup>Application of fees</sup>

42. (1) The Minister may make regulations for carrying into effect the purposes of this Act and in particular may make regulations— <sup>Regulations</sup>

- (a) providing for the survey and registration of pleasure boats;
- (b) prescribing the equipment to be carried by pleasure boats;
- (c) prescribing the lights to be carried by pleasure boats;
- (d) providing for the survey, measuring and inspection of pleasure boats, and the reports to be made with regard thereto, and the notice to be given to the Surveyor when special surveys are required and for the payment of travelling or other expenses incurred by the Surveyor in the execution of his duties;
- (e) prescribing the maximum number of persons to be carried by pleasure boats;
- (f) prescribing the maximum amount of load to be carried by pleasure boats;
- (g) respecting the control of pleasure boats and the conduct of persons operating pleasure boats;
- (h) providing for the grant of certificates of registration by the Competent Authority;

- (i) regarding the conducting of examinations for the certificate of competency, the qualifications of applicants, the fees to be paid by applicants and any other matter connected with the examination;
- (j) prescribing the fees to be paid for surveys and certificates of registration;
- (k) prescribing all such matters as are authorised by this Act to be prescribed.

(2) Regulations made under subsection (1) may provide for imposing on any person contravening the regulations a fine of five hundred dollars or imprisonment for two months in respect of each offence and in the case of a continuing offence a further fine of ten dollars for each day on which the offence continues after conviction therefor.

(3) Regulations made under this section shall be subject to negative resolution of Parliament.

**Commencement**

**43.** (1) This Act, except sections 5, 11, 12 and 23, shall come into operation on a date appointed by the President by proclamation published in the *Gazette*.

(2) Sections 5, 11, 12 and 23 shall come into operation on the expiration of six months from the coming into operation of this Act.

Passed in the House of Representatives this 25th day of November, 1977.

**R. GRIFFITH**  
*Acting Clerk of the House*

Passed in the Senate this 22nd day of November, 1977.

**E. WILLIAMS**  
*Acting Clerk of the Senate*