

18290

1932

18290

KENYA

✓CO533/426

ADDITIONAL REGULATIONS UNDER THE LAKES VICTORIA AND KIoga.

NAVIGATION ORDER-IN-COUNCIL 1921.

498/29	297	
	297	9/12
	Major General Dept	
	of the Bank	11x
	the Bank	
out	Mr. M. M. M.	15/12
See 595/53	the Count	14/12
31/1/33	R 297	
23082/34		
297	26/12	
Provision	28/12	
Provision	28/12	
297	29/12	
297	29/12	
Provision	29/12	
Provision	29/12	
297	28/11	
Provision	29/12	
Provision	29/12	
297	29/12	
297	29/12	

18290

1. A/H.Cr. Transport 125. 24th Aug. 32.

Encls. copy of draft additional regulations making provision for vessels plying on Lake Victoria, other than steam vessels, yachts, vessels used solely for pleasure or private purposes, and native canoes, to carry life saving apparatus, which have been agreed to by the Govts. of Kenya T.F. and Uganda.

? Copy B/T LF obvious reference
3 n 15798/30

H.S. Ponsler
28/9/32

2 Lo-Bis (w/c) - ems
H.S. Ponsler
28/9/32

Jno
of Customs

The B/T have not yet replied to No 2.

J.P.
1.11.32
Kyaari.

? Remind B/T LF

Wait another month

J.P.
28/9/32

H.S. Ponsler
2/10/32

N.B.
Proceeds to note later

J.P.

N.B.

3. Board of Trade _____ 25 Nov. 32.

Furnish their views on the introduction of regulations governing the life saving appliances for shows etc. or submit suggestions regarding provision of buoyant apparatus.

? send a copy of 3 to H.C. for shows, copy to the Govt. mentioned in para 5/1.

H.S. P. Rossman
28/11/32

(H. Rossman)

H To H.C.T. 167 (w/c 3)
(1 answer)

3 DEC 1932

5 To Govt. 884 (w/c 3+4)

6 " " 597 (---)

T.T. 978 (---)

A/1 6 DEC 1932

Notes of 7

G.C.T.
Legal Adviser

Records.

to see [Signature]

See [Signature] 15.12.32

Note E.V.

"Marine" Regulus

Life Saving Apparatus

Reques. re vessels on R. V. [Signature]

3. Board of Trade _____ 25 Nov. 32.

Furnish their views on the introduction of regulations governing the life saving apparatus for shows etc. & submit suggestions regarding provision of buoyant apparatus.

? Send a copy of 3 to H.C. for albums, copy to the Govt's mentioned in para 591.

H.S. P. Crossman
28/11/32

(P. H. H. H. H.)

H To H.C.T. 167 (w/c.s)
(1 answer)

3 DEC 1932

5 To Govt House 884 (w/ci 3+4)
6 - - - - - 597 (- - -)
7 - - - - - T.T. 978 (- - -)

6 DEC 1932

Note of 7

G.C.
Legal Adviser
Precedents.

Seen
L. J. M. H. H. H. 15.12.32

to see W

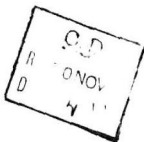
Note E.V.
"Mammie" Higgins
- Life Saving Apparatus -
Reques. re vessels on
R. V. A. H. H.

C. O.

3
H

Mr. Friedman 29/11
 Mr. ~~Joseph~~ ^{Alle} 30/11
 Mr. ~~Seel~~ 30 x 1
 Mr. Parkinson
 Mr. Tomlinson
 Mr. C. Buttomey
 Mr. J. Shuckburgh
 Mr. J. S. J. S.
 Mr. J. S. J. S.
 Secretary of State

16293/32.



30 December
~~November~~, 1961.

DRAFT.

Sir,

I have etc. to acknowledge

(1)

the receipt of your despatch No. 120 of the 24th August suggesting the enactment of additional regulations to provide that vessels plying on Lake Victoria should carry life saving apparatus.

The Board of Trade, whom I

2. I ~~transmit to you, for your~~ *have consulted on the subject of your observations, a copy of a letter from proposals, have suggested the modification* the Board of Trade suggesting certain ~~set out in them being a copy of certain~~ *modifications in the draft enclosed, on which I shall be glad* regulations enclosed with your despatch ~~has been an expression of your views, under reply.~~

I have, etc.

3. A copy of this letter with the Enclosure, is being sent to the Governor of T.S.

~~_____~~
~~_____~~
 167

~~_____~~
 167

Copy to the Governor Kenya Uganda T.S. ref. (5) (6) (7)

S. D. Keenan
thosce.

C. O.

*h/2/23
H*

18290/32.

- Mr. Priestman 29/11
- Mr. *Joseph Allen* 30/11
- Mr. *Seel* 30. x 1.
- Mr. Parkinson.
- Mr. Tomlinson.
- Sir C. Bottomley.
- Sir J. Shuchburgh.
- Permt. U.S. of S.
- Parly. U.S. of S.
- Secretary of State.

C. O.
 R - ONOV
 D 4 11

30 December
November, 1932.

DRAFT.

Sir,

TRANSPORT.
KENYA-UGANDA.

NO. 167

H.C.R.

I have etc. to acknowledge the receipt of your despatch No.125 of the 24th August suggesting the enactment of additional regulations to provide that vessels plying on Lake Victoria should carry life saving apparatus.

(1)

2/2

 (No. 3)

2. ~~I transmit to you, for your observations, a copy of a letter from the Board of Trade suggesting certain modifications in the draft enclosed, on which I shall place regulations enclosed with your despatch under copy~~

The Board of Trade, whom I have consulted on the subject of your observations, a copy of a letter from the Board of Trade suggesting certain modifications in the draft enclosed, on which I shall place regulations enclosed with your despatch under copy

Copy 1 to the Governor Kenya Uganda. T.T. ref. (1)

(5) (6) (7)

I have, etc.

S. D. Macaloni
clerk

3. A copy of this letter with the Enclosure, is being sent to the Secretary of T. F. &

Warrant also to you
in your capacity as Sav-
V. H. H. H.

I have

(Sgd.) P. CUNLIFFE-LISTER.

Wanted to do to you
in your capacity as Sav.
Please.

I have

(Sgd.) P. CUNLIFFE-LISTER.

Any further communication on this subject should be addressed to:—

The Assistant Secretary,
Mercantile Marine Department
address as opposite)

the following number quoted:—

M. 13453/32



MERCANTILE MARINE DEPARTMENT,
BOARD OF TRADE,
GREAT GEORGE STREET,
WESTMINSTER, S.W.1.

102
RECEIVED
26 NOV 1932
OFFICE

25th November, 1932.

34

Sir,

No 2

With reference to your letter 18290/32 of the 29th September, respecting the introduction of additional regulations under the Lakes Victoria and Kioga Navigation Orders in Council, 1921, I am directed by the Board of Trade to state, for the information of Secretary Sir Philip Cunliffe-Lister, that as a general principle they are of the opinion that life saving appliances should be carried on all ships where the carriage of such appliances is practicable. The Board are therefore in agreement with the introduction of regulations governing the life saving appliances to be carried on dhows and similar craft on Lake Victoria, but in the absence of knowledge of the local conditions it is not possible for them to express other than a general opinion as to the adequacy of the equipment proposed.

The Board have no doubt that the question of requiring the craft concerned to be provided with boats for life saving/

copy to H.I. (4)
T. T.

The Under Secretary of State,
Colonial Office,
S. W. 1.

Any further communication on this subject should be addressed to:—

The Assistant Secretary,
Mercantile Marine Department
(address as opposite)

the following number quoted:—

M. 13453/32

34

MERCANTILE MARINE DEPARTMENT,
BOARD OF TRADE,
GREAT GEORGE STREET,
WESTMINSTER, S.W.1.
25th November, 1932.



102
RECEIVED
26 NOV 1932
OFFICE

Sir,

No 2

With reference to your letter 18290/32 of the 29th September, respecting the introduction of additional regulations under the Lakes Victoria and Kioga Navigation Orders in Council, 1921, I am directed by the Board of Trade to state, for the information of Secretary Sir Philip Cunliffe-Lister, that as a general principle they are of the opinion that life saving appliances should be carried on all ships where the carriage of such appliances is practicable. The Board are therefore in agreement with the introduction of regulations governing the life saving appliances to be carried on dhows and similar craft on Lake Victoria, but in the absence of knowledge of the local conditions it is not possible for them to express other than a general opinion as to the adequacy of the equipment proposed.

*Copy to H.M.I. (4)
S. W. L. (6)
S. W. L. (6)
S. W. L. (6)
S. W. L. (6)
S. W. L. (6)*

The Board have no doubt that the question of requiring the craft concerned to be provided with boats for life saving/

The Under Secretary of State,
Colonial Office,
S. W. 1.

saving appliances has been fully considered and that such provision is considered impracticable even in the case of the vessels over 100 feet in length covered by the proposed regulation.

The regulation as drafted provides that sufficient buoyant apparatus or lifejackets shall be carried for the total number of persons on board. This would allow the provision of an equipment consisting, apart from lifebuoys, solely of lifejackets and the Board could not regard this as a satisfactory equipment for a vessel coming under their regulations. The Board regard the lifejacket as a supplementary appliance which constitutes a valuable means of affording assistance to the individual, but on small vessels their utility is limited and proper provision for their stowage cannot as a rule be made. In the event of a casualty to a small vessel, sufficient time would probably not be available to enable the passengers and crew to obtain and put on the lifejackets; and the safety of the persons on board is more efficiently secured by the provision of buoyant apparatus. In this connection it is observed that the accident which is quoted in the High Commissioner's despatch of 24th August was the capsizing of a dhow during a squall,

No 1

could/

could have been effectively utilised.

For the reasons explained above, the Board's regulations require vessels to carry boats or buoyant apparatus for the whole or as large a percentage as possible of the total number of persons on board. They generally require in addition a lifejacket for each person carried except in cases such as those referred to above where lifejackets are considered of little value when the Board are prepared to waive the requirement to carry a lifejacket for every person carried on condition that the boats or buoyant apparatus carried are sufficient for all on board.

The Board suggest that, as a basis consistent with that adopted in the regulations applicable to steam vessels plying on Lake Victoria, consideration might be given to the following provisions respecting buoyant apparatus and lifejackets, in addition to the two or four lifebuoys required by the regulation as drafted:-

Approved buoyant apparatus sufficient for a good percentage (say up to 60) of the total number of persons on board, should be provided together with a lifejacket for each person on board.

Where lifejackets cannot be so stowed as to be readily accessible to all persons on board in emergency, permission may be granted to dispense with these appliances, but in such a case approved buoyant apparatus sufficient for all persons on board should

be/

HIGH COMMISSIONER
FOR TRANSPORT.

OFFICE OF THE HIGH COMMISSIONER FOR TRANSPORT,
GOVERNMENT HOUSE,
NAIROBI,
KENYA.

RECEIVED
26 SEP 1932
COL. O.

24th August 1932.

No. 125

*Notes on
15-19/24*

Sir,

I have the honour to refer to Lord Passfield's despatch KENYA No.97 dated 20th January, 1930, which forwarded copies of Additional Regulations dated 13th January, 1930, made by him under the Lakes Victoria and Kioga Navigation Order in Council, 1921, and to invite attention to Section 6, Part II, of the Regulations contained in the Schedule to the Order in Council, wherein provision is made for the equipment of steam vessels plying on Lake Victoria with adequate life saving appliances, but no corresponding provision is made for craft other than steam vessels.

26 SEP 1932

*Copy to
Amund (H)*

2. An accident recently occurred to a dhow during a squall off Kendu, when it capsized and a native woman was drowned. The dhow, which carried no life saving appliances, was overhauled and repaired in November last and was then granted a Certificate of Seaworthiness for a period of six months.

3. In order to prevent, or in any case to minimise the chances of loss of life in similar accidents in future, it appears to me essential that dhows and similar craft should be called upon to carry life saving appliances in proportion to the number of persons likely to be on board; I have consulted the Governments of Kenya, Tanganyika Territory and Uganda on this matter and those Governments have expressed their concurrence in my views.

4. I enclose a copy of draft additional regulations making provision for vessels plying on Lake Victoria, other than.....

THE RIGHT HONOURABLE
MAJOR SIR PHILIP CUNLIFFE-LISTER, G.B.E., M.C., M.P.,
SECRETARY OF STATE FOR THE COLONIES,
DOWNING STREET, S.W.1.

2.

than steam vessels, yachts, vessels or boats used solely for pleasure or private purposes, and native canoes, to carry life saving apparatus, which have been prepared by the Legal Adviser to this Administration and have been agreed to by the Governments of Kenya, Tanganyika Territory and Uganda, and trust that you will be prepared to enact them.

5. A copy of this despatch has been forwarded to the Governments of Kenya, Tanganyika Territory and Uganda.

I have the honour to be..

Sir,

Your most obedient, humble servant,

C. G. Walker
 for _____
 HIGH COMMISSIONER.

8
End

LAKES VICTORIA AND KIOGA NAVIGATION ORDER
IN COUNCIL, 1921.

DRAFT OF
ADDITIONAL REGULATIONS.

In exercise of the powers conferred by the Lakes Victoria and Kioga Navigation Order in Council, 1921, the Secretary of State for the Colonies hereby makes the following additional Regulations, namely :-

Short
title.

(1) These Regulations may be cited as the Lakes Victoria and Kioga Navigation (Amendment) Regulations, 1932, and shall be read as one with and part of the Lakes Victoria and Kioga Navigation Regulations, 1921, (hereinafter called the "Principal Regulations").

(2) The following Regulation, to be numbered 11, shall be deemed to be added to Part II of the Principal Regulations :-

11. All vessels plying on Lake Victoria other than steam vessels, yachts, vessels or boats used solely for pleasure or private purposes and native canoes shall carry in the case of vessels under 100 feet in length two life-buoys and sufficient approved buoyant apparatus or life jackets to provide for the total number of persons on board and in the case of vessels over 100 feet in length four lifebuoys and sufficient approved buoyant apparatus or life jackets to provide for the total number of persons on board."

Date of
coming into
operation.

(3) The respective Governors of the Colony of Kenya, the Uganda Protectorate and the Tanganyika Territory, shall cause these Regulations to be published in the respective Gazettes of the said territories on the same day, and these Regulations shall come into operation on that date.