

105. *Distressed Seamen*.—It is recommended that reciprocal arrangements be made between all parts of the Commonwealth to provide for and facilitate, in proper cases, the return to each part of the Commonwealth of distressed seamen of that part, and also, so far as is practicable, to enable the authorities of each part to recover the reasonable cost of repatriation from the owner of the vessel in which the seamen served.

106. *Mutual Enforcement of Law*.—(a) We have examined very carefully the question as to how far, if at all, it would be practically possible to make provision for the enforcement in one part of the Commonwealth of the law of another part with regard to offences occurring on ships registered in that other part of the Commonwealth. At first sight it would appear that some such provision could be made to work satisfactorily, but upon consideration it seems clear that the practical and other difficulties in the way of such mutual enforcement of laws are so great as to make it impossible to recommend any general arrangement of this kind. The position which obtains at present is only possible because the system of law which is applied is a unitary system, and when that system comes to an end a solution of the difficulties which arise will have to be sought in other directions.

(b) Thus with regard to ordinary crimes committed on ships it is thought that the remedy will be to provide some workable scheme based upon reciprocal agreement and legislation enacted by each part of the Commonwealth, whereby the system which operates at present under the Fugitive Offenders Act, 1881, may be continued.

(c) Again, with regard to offences against merchant shipping legislation, it is suggested that the difficulties will to a great extent disappear if uniformity is agreed upon by all parts of the Commonwealth in matters relating to safety of the ships and persons on board. If there is such uniformity the result will, in most cases, be that if an offence is committed with regard to a ship when she leaves one part of the Commonwealth it will be found on her arrival in another part of the Commonwealth that she has therein contravened the local law, with the result that proceedings in respect of that offence may be taken there.

(d) With regard to offences against discipline committed on the high seas, it will probably be found that the law of that part in which the vessel is registered makes provision for disciplinary action by the master of the ship. If, however, the offence is such as to necessitate legal proceedings, those proceedings will be available when the offender returns to that part of the Commonwealth in which the ship is registered.

107. *Forfeiture*.—(a) Proceedings for forfeiture for contravening the common qualifications for ownership will be taken in the Courts in that part of the Commonwealth in which the ship is registered. Proceedings of this kind, however, may be taken with regard to ships registered in one part of the Commonwealth in the Courts of another part if the authorities of the part where the ship is registered so request. The forfeiture will be for the benefit of the Exchequer of the part in which the ship is registered.

(b) With regard to an unregistered ship wrongly assuming the character of a registered ship, proceedings may be taken in any part of the Commonwealth into which the ship is taken.

108. *Carriage of Goods by Sea*.—This is a subject on which in our opinion uniformity of legislation is highly desirable throughout the British Commonwealth, and in this connection attention is drawn to the resolution passed by the Imperial Conference of 1926 in the following terms:—

“The Imperial Conference, having considered the steps taken to bring into force the Rules relating to Bills of Lading which were embodied in the International Bills of Lading Convention signed at Brussels in October, 1923, and were recommended by the Imperial Economic Conference of 1923 for adoption by the Governments and Parliaments of the Empire, notes with satisfaction that there is good prospect of the general adoption of these Rules throughout the Empire, and also welcomes the progress which had been made towards the achievement of international uniformity upon the basis of these Rules.”

109. *General Statement*.—(a) We have, after describing the present position with regard to merchant shipping legislation, and outlining the general nature of the new