
Agriculture and Fisheries, Ministry of

ORDER IN COUNCIL UNDER SECTION 80 OF THE MERCHANT SHIPPING ACT, 1906 (6 EDW. 7. C. 48) MAKING REGULATIONS AS TO REGISTRATION AS BRITISH SHIPS OF VESSELS IN THE SERVICE OF THE MINISTRY OF AGRICULTURE AND FISHERIES.

1920 No. 260

At the Court at Buckingham Palace, the 9th day of February, 1920.

PRESENT,

The King's Most Excellent Majesty in Council.

Whereas by Section 80 of the Merchant Shipping Act, 1906, power is given to His Majesty, by Order in Council, to make Regulations as to the manner in which Government Ships may be registered as British Ships under the Merchant Shipping Acts :

And whereas by the said Section it is provided that those Acts shall, subject to any exceptions or modifications which may be made by Order in Council, either generally or as respects any special class of such Ships, apply to such Ships when registered in accordance with such Regulations :

And whereas the provisions of Section 1 of the Rules Publication Act, 1893, have been complied with : 56 & 57 Vict.
c. 66.

Now, therefore, His Majesty, by virtue of the powers in this behalf by the said Act, or otherwise, in Him vested, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered :—

That the following Regulations shall have effect as regards any Government Ships in the service of the Ministry of Agriculture and Fisheries hereinafter sometimes referred to as the Ministry :—

MERCHANT SHIPPING

1. An application for registry of a Government Ship in the service of the Ministry shall be made in writing under the hand of the Fisheries Secretary to the Ministry. Such application shall contain the following particulars :—

- (1) A statement of the name and description of the Ship.
- (2) A statement of the time when, and place where, the Ship was built ; or, if the Ship was foreign built, and the time and place of building are unknown, a statement to that effect, and of her foreign name.
- (3) A statement of the nature of the title to the said Ship, whether by original construction by or for the Ministry, or by purchase, capture, condemnation, or otherwise, and a list of the documents of title, if any, in case she was not originally constructed by or for the Ministry.
- (4) A statement of the name of the Master.

2. The Registrar, on receiving such application in respect of a Government Ship in the service of the Ministry shall :—

- (1) enter the Ship in the Register Book as belonging to His Majesty represented by the Minister of Agriculture and Fisheries, and shall also enter therein :—
- (2) the name of the port to which she belongs :
- (3) the particulars stated in the application for registration :
- (4) the details comprised in the Surveyor's Certificate.

3. On the registry of a Government Ship in the service of the Ministry the Registrar shall retain in his possession the Surveyor's Certificate and the application for registry, and any documents of title mentioned in such application.

4. Upon the transfer of a registered Government Ship in the service of the Ministry by Bill of Sale the Ministry shall be the transferors, and the Bill of Sale shall be in Form A in the proper form prescribed under the Principal Act, omitting the covenant therein contained. Any such Bill of Sale shall be signed by the Fisheries Secretary to the Ministry on behalf of the Ministry.

5. The application for a Certificate of Sale referred to in Sections 39 to 42 and Sections 44 to 46 of the Principal Act, may be made in respect of a Government Ship in the service of the Ministry by the Fisheries Secretary to the Ministry on their behalf.

6. The person to whom the management of any Government Ship in the service of the Ministry is entrusted by the Ministry shall be registered as provided by Section 59 (2) of the Principal Act.

7. Government Ships in the service of the Ministry registered in pursuance of the provisions of this Order in Council are hereby excluded from the category of ships belonging to His Majesty within the meaning of Sections 557 to 564 of the Principal Act.

8. Where any section of the Merchant Shipping Acts which, by virtue of the Merchant Shipping Act, 1906, and this Order in Council, is applicable to Government Ships in the service of the Ministry imposes any duty or liability or confers any right or power upon or contemplates any act being performed by the owner of a Ship such duty, liability, right or power shall, subject always to the other provisions of this Order

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in Council, be carried out, borne, or exercised by the Ministry on behalf of His Majesty.

9. In this Order in Council the term Merchant Shipping Acts shall mean and include any of the Merchant Shipping Acts any provision of which is by virtue of the Merchant Shipping Act, 1906, and this Order, applicable to Government Ships.

10. Section 1 and Sections 8 to 12 of the Merchant Shipping Act, 1894, shall not apply to Government Ships in the service of the Ministry registered in pursuance of the provisions of this Order in Council. Provided always that no provision of the Merchant Shipping Acts which, according to a reasonable construction, would not apply in the case of Government Ships in the service of the Ministry shall be deemed to apply to such Ships by reason only that its application is not hereby expressly excluded.

Almeric FitzRoy.
