
Straits Settlements

ORDER IN COUNCIL UNDER SECTION 80 OF THE MERCHANT SHIPPING ACT, 1906 (6 EDW. 7. C. 48), MAKING REGULATIONS AS TO THE REGISTRATION OF VESSELS IN THE SERVICE OF THE GOVERNMENT OF THE COLONY OF THE STRAITS SETTLEMENTS.

1926 No. 1036

At the Court at Buckingham Palace, the 10th day of August, 1926.

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 with respect to the manner in which Government ships may be registered as British ships for the purpose of the Merchant Shipping Acts :

And whereas by the said section it is provided that those Acts shall, subject to any exceptions and modifications which may be made by Order in Council, either generally or as respects any special class of Government ships, apply to Government ships registered in accordance with such regulations as if they were registered in manner provided by those Acts :

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 Government of the Colony of the Straits Settlements (hereinafter referred to as the Colonial Government) :—

1. An application for registry of a Government ship in the service of the Colonial Government shall be made in writing under the hand of the Colonial Secretary of the Straits Settlements or other officer of the Colonial Government nominated by the Governor, or by one of the Crown Agents for the Colonies. Such application shall contain the following particulars :—

- (i) A statement of the name and description of the ship ;
- (ii) 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 ;

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- (iii) A statement of the nature of the title to the said ship, whether by original construction by or for the Colonial Government, 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 Colonial Government ;
- (iv) 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 Colonial Government, shall:—

- (i) enter the ship in the Register Book as belonging to “ His Majesty, represented by the Government of the Colony of the Straits Settlements ” and shall also enter therein :
- (ii) the name of the port to which she belongs ;
- (iii) the particulars stated in the application for registration ;
- (iv) the details comprised in the Surveyor’s Certificate.

3. On the registry of a Government ship in the service of the Colonial Government 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 Colonial Government by Bill of Sale, the Colonial Government shall be the transferors, and the Bill of Sale shall be in Form A in the proper form prescribed under the Merchant Shipping Act, 1894, hereinafter called the Principal Act, omitting the covenant therein contained. Any such Bill of Sale shall be signed by the Colonial Secretary or other officer or Crown Agent as aforesaid on behalf of the Colonial Government.

57 & 58 Vict.
c. 60.

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 Colonial Government by the Colonial Secretary or other officer or Crown Agent as aforesaid on behalf of the Colonial Government.

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

7. Where any provision 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 Colonial Government 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 in Council be carried out, borne, or exercised by the Colonial Government on behalf of His Majesty.

8. 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.

9. The following sections and provisions of the Merchant Shipping Acts shall not apply to Government ships in the service of the Colonial Government registered in pursuance of this Order, namely :—

Registration of Ships (Ships' Names)

- (i) The Merchant Shipping Act, 1894.—Sections 1, 8 to 12, 427 to 431.

The provisions of Part II of the Act relating to the requirement of officers to hold certificates of competency and the production of these certificates.

- (ii) The Merchant Shipping (Mercantile Marine Fund) Act, 1898.— 61 & 62 Vict.
Sections 3 and 5. c. 44.

- (iii) The Merchant Shipping Act, 1906.—Sections 25 and 27.

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 Colonial Government, shall be deemed to apply to such ships by reason only that its application is not hereby expressly excluded.

10. Anything required or authorised by this Order in Council to be done by the Colonial Government may be done by the Colonial Secretary or other officer or Crown Agent as aforesaid.

Colin Smith.
