



Merchant Shipping Act 1979

1979 CHAPTER 39

Supplemental

47 Power to extend Act to certain countries etc.

- (1) Her Majesty may by Order in Council provide that any provision of this Act which is mentioned in the following subsection and specified in the Order and any instrument so specified which is in force under that provision shall, with such modifications (if any) as are so specified—
 - (a) extend to a relevant country so specified as part of the law of the country ; or
 - (b) apply to ships registered in a relevant country so specified and to masters and seamen employed in the ships as they apply to ships registered in the United Kingdom and to masters and seamen employed in them ; or
 - (c) extend and apply as aforesaid.
- (2) The provisions of this Act referred to in the preceding subsection are sections 21 to 52 (except sections 33, 34, 36, 38, 42 to 44 and this section) and Schedule 7 (except so far as it relates to the Pilotage Act 1913); and in that subsection " a relevant country " means a country mentioned in section 15(1) of this Act.
- (3) Any statutory instrument made by virtue of subsection (1) of this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.

48 Application to hovercraft

The enactments and instruments with respect to which provision may be made by Order in Council in pursuance of section 1(1)(h) of the Hovercraft Act 1968 shall include this Act and any instrument made under it.

49 Orders and regulations

- (1) Any power to make an order or regulations conferred on the Secretary of State by this Act shall be exercisable by statutory instrument

- (2) Section 738 of the Merchant Shipping Act 1894 (which among other things provides for the publication in the London Gazette, the laying before Parliament and the alteration and revocation of Orders in Council made under that Act or any Act amending that Act) shall not apply to an Order in Council made under this Act.
- (3) No order shall be made in pursuance of section 3(1), 4(2), 8(5), 10(3) or 34(3) of this Act and no regulations relating to an international agreement which has not been laid before Parliament before the passing of this Act shall be made in pursuance of section 21(1) (b) of this Act unless a draft of the order or regulations has been approved by resolution of each House of Parliament.
- (4) Any statutory instrument containing an order made by virtue of section 2(3), 41(1) or 43(4) of this Act or paragraph 11 of Part II of Schedule 3 or paragraph 3 or 5 of Part II of Schedule 4 to this Act or containing regulations made by virtue of section 11(2) (a), 21(1), 22(3), 23(1), 25(4) or 30(2) of this Act (except regulations made by virtue of section 21(1) of which a draft has been approved as mentioned in the preceding subsection) shall be subject to annulment in pursuance of a resolution by either House of Parliament.
- (5) Any statutory instrument containing an order made by virtue of paragraph 8(1) of Part II of Schedule 4 to this Act shall be laid before Parliament after being made.

50 Interpretation and repeals

- (1) This Act shall be construed as one with the Merchant Shipping Acts.
- (2) In this Act—
 - " the Commission " means the Pilotage Commission;
 - " contravention " includes failure to comply ;
 - " functions " includes powers and duties ;
 - " the Merchant Shipping Acts " means the Merchant Shipping Acts 1894 to 1977 and, except in sections 22(3)(a) and 37(5) of this Act and the preceding subsection, this Act; and
 - " modifications" includes additions, omissions and alterations, and related expressions shall be construed accordingly.
- (3) Section 4 of the Aliens Restriction (Amendment) Act 1919 (which prohibits an alien from holding a pilotage certificate for a pilotage district in the United Kingdom except in certain cases) shall cease to have effect.
- (4) The enactments mentioned in the first and second columns of Schedule 7 to this Act are hereby repealed to the extent specified in the third column of that Schedule; but nothing in Part I of that Schedule shall affect the operation of any enactment in relation to such an occurrence as mentioned in section 19(4) of this Act.

51 Expenses etc.

- (1) There shall be paid out of money provided by Parliament—
 - (a) any administrative expenses incurred by a Minister of the Crown or a government department under this Act; and
 - (b) any increase attributable to this Act in the sums which, under any other Act, are payable out of money so provided.

- (2) The Treasury shall be entitled to charge a reasonable fee for any certificate given by or on behalf of the Treasury in pursuance of any provision contained in subsection (2) or (4)(c) of section 38 of this Act or paragraph 4 of Part III of Schedule 3 or paragraph 7 of Part II of Schedule 4 to this Act.
- (3) Any fees received by a Minister of the Crown by virtue of this Act shall be paid into the Consolidated Fund.

52 Citation and commencement

- (1) This Act may be cited as the Merchant Shipping Act 1979 and this Act and the Merchant Shipping Acts 1894 to 1977 may be cited together as the Merchant Shipping Acts 1894 to 1979.
- (2) This Act shall come into force on such day as the Secretary of State may appoint by order, and different days may be appointed in pursuance of this subsection for different provisions of this Act or for different purposes of the same provision.