SCHEDULES

SCHEDULE 13

Section 314.

CONSEQUENTIAL AMENDMENTS

General Pier and Harbour Act 1861 Amendment Act 1862 (c. 19)

1 In section 21 of the General Pier and Harbour Act 1861 Amendment Act 1862, for "Merchant Shipping Act 1854" substitute "Merchant Shipping Act 1995".

Sea Fisheries Act 1868 (c. 45)

2 For section 26 of the Sea Fisheries Act 1868 substitute—

"**26 Registered fishing boats and foreign fishing boats within British waters to have official papers**

(1) The master of every sea-fishing boat which is registered under Part II of the Merchant Shipping Act 1995 shall (whether his boat is within British waters or not) have on board the certificate of registration issued in pursuance of registration regulations.

(2) The master of every sea-fishing boat within British waters shall have on board official papers evidencing its nationality.

(3) If any person, without reasonable excuse (the proof of which lies on him), contravenes subsection (1) or (2) of this section, he shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale; and where a fine is imposed under this subsection on the master of a foreign sea-fishing boat the court may order the boat to be detained for a period not exceeding three months from the date of the conviction or until the fine is paid (whichever period is the shorter).

(4) Section 8(4) of the Sea Fisheries Act 1968 (power of British sea-fishery officer to take fishing boat to nearest port and detain it there) shall apply in relation to a contravention of subsection (1) or (2) of this section as it applies in relation to such a contravention as is mentioned in that provision.

(5) In this section—

"British waters" means waters within the seaward limits of the territorial sea adjacent to the United Kingdom, the Channel Islands and the Isle of Man;

"foreign sea-fishing boat" means a sea-fishing boat which—

(a) is not registered in the United Kingdom, the Channel Islands or the Isle of Man, and

(b) is not wholly owned by persons qualified to own British ships for the purposes of Part II of the Merchant Shipping Act 1995; and

"master" includes, in relation to any sea-fishing boat, a person for the time being in command or charge of the boat."

Lloyd's Act 1871 (c. xxi)

3 In section 41 of the Lloyd's Act 1871, for "Merchant Shipping Act 1854", in both places where it occurs, substitute "Merchant Shipping Act 1995".

Slave Trade Act 1873 (c. 88)

4 In section 26 of the Slave Trade Act 1873, for "section two hundred and sixty-eight of the Merchant Shipping Act 1854" substitute "section 283 of the Merchant Shipping Act 1995".

Explosives Act 1875 (c. 17)

5 In the Explosives Act 1875—

(a) in section 58(b), for "Merchant Shipping Act 1854, or the Acts amending the same" substitute "Merchant Shipping Act 1995";

(b) in section 98(2), for "Merchant Shipping Act 1854" substitute "Merchant Shipping Act 1995"; and

(c) in section 101, for "Merchant Shipping Act 1854 and the Acts amending the same, or any order or regulation made under any of those Acts" substitute "Merchant Shipping Act 1995 or any order or regulation made under that Act".

Explosive Substances Act 1883 (c. 3)

6 In section 8(2) of the Explosive Substances Act 1883, for "Merchant Shipping Act 1873" substitute "safety regulations under section 85 of the Merchant Shipping Act 1995"

Submarine Telegraph Act 1885 (c. 49)

7 In the Submarine Telegraph Act 1885—

(a) in section 5(1), for the words from the beginning to "collisions" substitute "Safety regulations under section 85 of the Merchant Shipping Act 1995"; and

(b) in section 7, for "Part X of the Merchant Shipping Act 1854 (which relates to legal procedure), and the enactments amending the same, so far as unrepealed," substitute "Part XII of the Merchant Shipping Act 1995 (legal proceedings)".

Foreign Jurisdiction Act 1890 (c. 37)

8 In Schedule 1 to the Foreign Jurisdiction Act 1890, at the end insert—

"1995 c. 00.	Merchant Shipping Act 1995.	Chapter II of Part VI."

Fisheries Act 1891 (c. 37)

9 In section 2(1) of the Fisheries Act 1891, for "in pursuance of section fourteen of the Merchant Shipping Act 1854" substitute "under section 256 of the Merchant Shipping Act 1995", and for "sections fifteen and sixteen of that Act" substitute "Part X of that Act".

Commissioners for Oaths Act 1891 (c. 50)

10 In section 1 of the Commissioners for Oaths Act 1891, for "Merchant Shipping Acts 1854 to 1889" substitute "Merchant Shipping Act 1995".

Seal Fisheries (North Pacific) Act 1895 (c. 21)

11 In the Seal Fisheries (North Pacific) Act 1895—

(a) in section 1(3) for the words from "a misdemeanor" to "1894" substitute "an offence and shall be liable—

(a) on summary conviction, to a fine not exceeding the statutory maximum or to imprisonment for a term not exceeding six months or to both; or

(b) on conviction on indictment, to a fine or to imprisonment for a period not exceeding two years or to both,";

(b) in section 2(3), for "Merchant Shipping Act 1894" substitute "Merchant Shipping Act 1995"; and

(c) in section 3—

(i) in subsection (1) for "Merchant Shipping Act 1894" substitute "Merchant Shipping Act 1995"; and

(ii) in subsection (2), for "section seventy-six of the Merchant Shipping Act 1894" substitute "section seven of the Merchant Shipping Act 1995".

Seal Fisheries (North Pacific) Act 1912 (c. 10)

12 In section 3 of the Seal Fisheries (North Pacific) Act 1912—

(a) in subsection (1), for the words from "liable" to "1894" substitute "liable—

(a) on summary conviction, to a fine not exceeding the statutory maximum or to imprisonment for a term not exceeding six months or to both; or

(b) on conviction on indictment, to a fine or to imprisonment for a term not exceeding two years or to both"; and

(b) in subsection (2), for "Merchant Shipping Acts 1894 to 1907" substitute "Merchant Shipping Act 1995".

Trustee Act 1925 (c. 19)

13 In section 51(6) of the Trustee Act 1925, for "Acts relating to merchant shipping" substitute "Merchant Shipping Act 1995".

Whaling Industry (Regulations) Act 1934 (c. 49)

14 In section 17(1) of the Whaling Industry (Regulations) Act 1934, in the definition of "ship", for "Merchant Shipping Act 1894" substitute "Merchant Shipping Act 1995".

Public Health Act 1936 (c. 49)

15 In section 343(1) of the Public Health Act 1936, in the definition of "vessel", for "in the Merchant Shipping Act 1894" substitute "ship" in the Merchant Shipping Act 1995.

Public Health (Drainage of Trade Premises) Act 1937 (c. 40)

16 In section 14 of the Public Health (Drainage of Trade Premises) Act 1937, for "section seven hundred and forty-two of the Merchant Shipping Act 1894" substitute "the Merchant Shipping Act 1995".

Superannuation (Various Services) Act 1938 (c. 13)

17 In Part I of the Schedule to the Superannuation (Various Services) Act 1938, for "Merchant Shipping (Mercantile Marine Fund) Act 1898, section 1A, as inserted by section 17 of the Superannuation Act 1972" substitute "Merchant Shipping Act 1995, section 214".

Compensation (Defence) Act 1939 (c. 75)

18 In section 17(1) of the Compensation (Defence) Act 1939, in the definitions of "ship" and "vessel", for "have respectively the same meaning as in the Merchant Shipping Act 1894" substitute "have the same meaning as "ship" in the Merchant Shipping Act 1995".

Pensions (Navy, Army, Air Force and Mercantile Marine) Act 1939 (c. 83)

19 In the Pensions (Navy, Army, Air Force and Mercantile Marine) Act 1939—

(a) in section 4(4), in the definition of "lightship", for "Merchant Shipping Act 1894" substitute "Merchant Shipping Act 1995"; and

(b) in section 10, in the definition of "ship", for "Merchant Shipping Act 1894" substitute "Merchant Shipping Act 1995".

Public Health (Scotland) Act 1945 (c. 15)

20 In section 1(8) of the Public Health (Scotland) Act 1945, in the definition of "vessel", for "in the Merchant Shipping Act 1894" substitute "ship" in the Merchant Shipping Act 1995.

Crown Proceedings Act 1947 (c. 44)

21 In section 38(2) of the Crown Proceedings Act 1947—

(a) in the definition of "His Majesty's ships", for "Merchant Shipping Acts 1894 to 1940" substitute "Merchant Shipping Act 1995"; and

(b) in the definition of "ship", for "meaning assigned to it by section seven hundred and forty-two of the Merchant Shipping Act 1894" substitute "the same meaning as in the Merchant Shipping Act 1995".

British Nationality Act 1948 (c. 56)

22 In section 3(1) of the British Nationality Act 1948, for "Merchant Shipping Acts 1894 to 1948" substitute "Merchant Shipping Act 1995".

Law Reform (Miscellaneous Provisions) Act (Northern Ireland) 1948 (c. 23 (N.I.))

23 In section 4(2) of the Law Reform (Miscellaneous Provisions) Act (Northern Ireland) 1948, for "section one of the Maritime Conventions Act, 1911," substitute "section 187 of the Merchant Shipping Act 1995".

Wireless Telegraphy Act 1949 (c. 54)

24 In section 19(7) of the Wireless Telegraphy Act 1949, for "meanings respectively assigned to them by section seven hundred and forty-two of the Merchant Shipping Act 1894" substitute "same meaning as "ship" in the Merchant Shipping Act 1995".

Coast Protection Act 1949 (c. 74)

25 In section 49(1) of the Coast Protection Act 1949, in the definitions of"conservancy authority" and "harbour authority", for "Merchant Shipping Act 1894" substitute "Merchant Shipping Act 1995".

Registered Designs Act 1949 (c. 88)

26 In section 8(6), at the end insert "and, in the case of the right of the Secretary of State in any design forming part of the British mercantile marine uniform registered under this Act, to that right's subsisting so long as the design remains on the register."

Rivers (Prevention of Pollution) (Scotland) Act 1951 (c. 66)

27 In section 29(4) of the Rivers (Prevention of Pollution) (Scotland) Act 1951 for "Merchant Shipping Act 1894" substitute "Merchant Shipping Act 1995".

Post Office Act 1953 (c. 36)

28 In section 29(1) of the Post Office Act 1953—

(a) for the words from "or which" to "1894" substitute "or within the limited European trading area"; and

(b) at the end insert—

"In this subsection "the limited European trading area" means the same as in regulations under section 47 of the Merchant Shipping Act 1995".

Administration of Justice Act 1956 (c. 46)

29 (1) The Administration of the Justice Act 1956 shall be amended as follows.

(2) In section 47—

(a) in subsection (2)(n), the words from "(including" to "way of wages)" shall cease to have effect; and

(b) in subsection (8)(a) for "section 1 of the Merchant Shipping Salvage and Pollution Act 1994" substitute "section 224 of the Merchant Shipping Act 1995".

(3) In section 48(f)—

(a) in the definition of "collision regulations", for the words from "regulations" to the end substitute "safety regulations under section 85 of the Merchant Shipping Act 1995"; and

(b) in the definition of "master", for "Merchant Shipping Act 1894" substitute "Merchant Shipping Act 1995".

(4) In Part I of Schedule 1—

(a) in paragraph 1—

(i) in sub-paragraph (l)(o), for "Merchant Shipping Acts 1894 to 1954" substitute "Merchant Shipping Act 1995"; and

(ii) in sub-paragraph (4), for "Merchant Shipping Acts 1894 to 1954" substitute "Merchant Shipping Act 1995".

(b) in paragraph 7(1), for "five hundred and fifty-two of the Merchant Shipping Act 1894" substitute " 226 of the Merchant Shipping Act 1995"; and

(c) in paragraph 8(1)—

(i) in the definition of "collision regulations", for the words from "section 21" to the end substitute "section 85 of the Merchant Shipping Act 1995"; and

(ii) in the definition of "master", for "Merchant Shipping Act 1894" substitute "Merchant Shipping Act 1995".

Trustee Act (Northern Ireland) 1958 (c. 23 (N.I.))

30 In section 51(7) of the Trustee Act (Northern Ireland) 1958, for "Acts relating to merchant shipping" substitute "Merchant Shipping Act 1995".

Factories Act 1961 (c. 34)

31 In section 176(1) of the Factories Act 1961, for the definitions of"ship", "vessel" and "harbour" substitute ""ship" and "vessel" have the same meaning as "ship" in the Merchant Shipping Act 1995, and "harbour" has the same meaning as in the Merchant Shipping Act 1995;

Pipe-Lines Act 1962 (c. 58)

32 In section 39(4) of the Pipe-Lines Act 1962, for "section 8 of the Prevention of Oil Pollution Act 1971" substitute "section 151 of the Merchant Shipping Act 1995".

Harbours Act 1964 (c. 40)

33 In section 57(1) of the Harbours Act 1964—

(a) in the definition of "harbour", for "meaning assigned to it by section 742 of the Merchant Shipping Act 1894" substitute "same meaning as in the Merchant Shipping Act 1995"; and

(b) in the definition of "lighthouse", for "meaning assigned to it by section 742 of the Merchant Shipping Act 1894" substitute "same meaning as in the Merchant Shipping Act 1995".

Contracts of Employment and Redundancy Payments Act (Northern Ireland) 1965 (c. 19 (N.I.))

34 In section 6(1)(c) of the Contracts of Employment and Redundancy Payments Act (Northern Ireland) (excluded categories of employees), for "Merchant Shipping (Registration, etc.) Act 1993" substitute "Part II of the Merchant Shipping Act 1995".

Factories Act (Northern Ireland) 1965 (c. 20 (N.I.))

35 In section 176(1) of the Factories Act (Northern Ireland) 1965, for the definitions of "ship", "vessel" and "harbour" substitute "ship" and "vessel" have the same meaning as "ship" in the Merchant Shipping Act 1995, and "harbour" has the same meaning as in the Merchant Shipping Act 1995;

Fisheries Act (Northern Ireland) 1966 (c. 17 (N.I.))

36 In the Fisheries Act (Northern Ireland) 1966—

(a) in section 163(3), for "Merchant Shipping (Registration, etc.) Act 1993" substitute "Part II of the Merchant Shipping Act 1995"; and

(b) in section 174(4), for "Merchant Shipping (Registration, etc.) Act 1993" substitute "Part II of the Merchant Shipping Act 1995".

Finance Act 1966 (c. 18)

37 In section 2(5)(a) of the Finance Act 1966, for "Merchant Shipping Acts 1894 to 1965" substitute "Merchant Shipping Act 1995", and for "those Acts" substitute "that Act".

Sea Fish (Conservation) Act 1967 (c. 84)

38 In the Sea Fish (Conservation) Act 1967—

(a) for section 1(9), substitute—

"(9) In this section—

"British fishing boat" means a fishing boat which either is registered in the United Kingdom under Part II of the Merchant Shipping Act 1995 or is owned wholly by persons qualified to own British ships for the purposes of that Part of that Act; and

"foreign fishing boat" means any fishing boat other than a British fishing boat.";

(b) in section 5(8)(b), for "Merchant Shipping (Registration, etc.) Act 1993" substitute "Merchant Shipping Act 1995"; and

(c) in section 22(1), for the definition of "British-owned" substitute—

> ""British-owned", in relation to a fishing boat, means owned by a person who is for the purposes of Part II of the Merchant Shipping Act 1995 a person qualified to own a British ship, or owned by two or more persons any one of whom is for those purposes a person so qualified;".

Public Health Act (Northern Ireland) 1967 (c. 36 (N.I.))

39 In section 32 of the Public Health Act (Northern Ireland) 1967, in the definition of "vessel", for "in the Merchant Shipping Act 1894" substitute ""ship" in the Merchant Shipping Act 1995".

Consular Relations Act 1968 (c. 18)

40 In the Consular Relations Act 1968—

(a) in section 13(3), in paragraph (b), for "Merchant Shipping Acts 1894 to 1967" substitute "Merchant Shipping Act 1995"; and

(b) in section 15, for "685 or section 686 of the Merchant Shipping Act 1894" substitute " 280 or section 281 of the Merchant Shipping Act 1995".

Countryside Act 1968 (c. 41)

41 In section 13(6)(a) of the Countryside Act 1968, for "Merchant Shipping Act 1894" substitute "Merchant Shipping Act 1995".

Hovercraft Act 1968 (c. 59)

42 In section 1(1)(i) of the Hovercraft Act 1968—

(a) in sub-paragraph (ii), for the words after "1924" substitute "sections 185 and 186 of the Merchant Shipping Act 1995 so far as those sections relate to property on board a ship"; and

(b) in sub-paragraph (iii), for the words after "hovercraft" (where it occurs last) substitute "sections 185 and 186 of the Merchant Shipping Act 1995".

Sea Fisheries Act 1968 (c. 77)

43 In the Sea Fisheries Act 1968—

(a) in section 8(6)—

(i) for "418 of the Merchant Shipping Act 1894" substitute " 85 of the Merchant Shipping Act 1995";

(ii) for "723(1) of that Act (enforcement)" substitute " 257 of the Merchant Shipping Act 1995 (powers to require production of ships documents)";

(iii) for "subsection" substitute "section"; and

(iv) for "723(2)" substitute " 257".

(b) in section 17, for "72 of the Merchant Shipping Act 1906 (wreck brought within the limits of the United Kingdom)" substitute " 236(1) of the

Merchant Shipping Act 1995 (delivery of wreck to receiver)", and for "Merchant Shipping Act 1894" substitute "Merchant Shipping Act 1995"; and

(c) in section 19(1)—

(i) for the definitions of "British fishing boat" and "foreign fishing boat" substitute—

""British fishing boat" means a fishing boat which either is registered in the United Kingdom under Part II of the Merchant Shipping Act 1995 or is wholly British-owned;" and

(ii) in the appropriate places insert—

""foreign fishing boat" means any fishing boat other than a British fishing boat;" and

""wholly British-owned" means wholly owned by persons qualified to own British ships for the purposes of Part II of the Merchant Shipping Act 1995;".

Harbours Act (Northern Ireland) 1970 (c. 1 (N.I.))

44 In Part II of Schedule 1 to the Harbours Act (Northern Ireland) 1970, in paragraph 7, for "section 2 of the Merchant Shipping (Liability of Shipowners and Others) Act 1900" substitute "section 191 of the Merchant Shipping Act 1995".

Carriage of Goods by Sea Act 1971 (c. 19)

45 (1) The Carriage of Goods by Sea Act 1971 shall be amended as follows ("the Rules" meaning the Rules set out in the Schedule to that Act).

(2) Section 1 shall continue to have effect with the addition, after "1968", of "and by the Protocol signed at Brussels on 21st December 1979".

(3) After section 1 insert the following section—

"**1A Conversion of special drawing rights into sterling.**

(1) For the purposes of Article IV of the Rules the value on a particular day of one special drawing right shall be treated as equal to such a sum in sterling as the International Monetary Fund have fixed as being the equivalent of one special drawing right—

(a) for that day; or

(b) if no sum has been so fixed for that day, for the last day before that day for which a sum has been so fixed.

(2) A certificate given by or on behalf of the Treasury stating—

(a) that a particular sum in sterling has been fixed as aforesaid for a particular day; or

(b) that no sum has been so fixed for a particular day and that a particular sum in sterling has been so fixed for a day which is the last day for which a sum has been so fixed before the particular day,

shall be conclusive evidence of those matters for the purposes of subsection (1) above; and a document purporting to be such a certificate

shall in any proceedings be received in evidence and, unless the contrary is proved, be deemed to be such a certificate.

(3) The Treasury may charge a reasonable fee for any certificate given in pursuance of subsection (2) above, and any fee received by the Treasury by virtue of this subsection shall be paid into the Consolidated Fund."

(4) For section 6(4) substitute—

"(4) It is hereby declared that for the purposes of Article VIII of the Rules section 186 of the Merchant Shipping Act 1995 (which entirely exempts shipowners and others in certain circumstances for loss of, or damage to, goods) is a provision relating to limitation of liability."

(5) Article IV of the Rules shall continue to have effect with the following amendments—

(a) for "the equivalent of 10,000 francs" substitute "666.67 units of account";

(b) for "30 francs per kilo" substitute "2 units of account per kilogramme"; and

(c) for paragraph 5(d) substitute—

"(d) The unit of account mentioned in this Article is the special drawing right as defined by the International Monetary Fund. The amounts mentioned in sub-paragraph (a) of this paragraph shall be converted into national currency on the basis of the value of that currency on a date to be determined by the law of the Court seized of the case."

(6) Article 4, paragraph 5(d) of the Rules shall continue to have effect as if the date there mentioned were the date of the judgment in question.

(7) Article X of the Rules shall continue to have effect as if references to a Contracting State included references to a State that is a contracting State in respect of the Rules without the amendments made by the Protocol signed at Brussels on 21st December 1979 as well as to one that is a contracting State in respect of the Rules as so amended, and section 2 shall have effect accordingly.

Attachment of Earnings Act 1971 (c. 32)

46 In section 24(3) of the Attachment of Earnings Act 1971, for the words following "above" substitute—

""fishing boat" means a vessel of whatever size, and in whatever way propelled, which is for the time being employed in sea fishing or in the sea-fishing service;

"seaman" includes every person (except masters and pilots) employed or engaged in any capacity on board any ship; and

"wages" includes emoluments."

Industry Act 1972 (c. 63)

47 In section 12(2)(a) of the Industry Act 1972, for "1 of the Merchant Shipping Act 1965" substitute " 19 of the Merchant Shipping Act 1995".

Education (Work Experience) Act 1973 (c. 23)

48 In section 1(2)(b) of the Education (Work Experience) Act 1973, for "(when it comes into force) section 51(1) of the Merchant Shipping Act 1970" substitute "section 55(1) of the Merchant Shipping Act 1995".

Fishery Limits Act 1976 (c. 86)

49 In section 8 of the Fishery Limits Act 1976—

(a) for the definition of "foreign fishing boat" substitute—

""foreign fishing boat" means a fishing boat which is not—

(a) registered in the United Kingdom, the Channel Islands or the Isle of Man; or

(b) wholly British-owned;" and

(b) in the appropriate place insert—

""wholly British-owned" means wholly owned by persons qualified to own British fishing boats for the purposes of Part II of the Merchant Shipping Act 1995;".

Aircraft and Shipbuilding Industry Act 1977 (c. 3)

50 In paragraph 5(1)(a) of Schedule 2 to the Aircraft and Shipbuilding Industry Act 1977 for "Merchant Shipping Act 1894" substitute "Merchant Shipping Act 1995".

Rates (Northern Ireland) Order 1977 (S.I. 1977/2157 (NI 28))

51 In the Rates (Northern Ireland) Order 1977—

(a) in Schedule 4, in the definition of "vessel", for "meaning assigned to it by section 742 of the Merchant Shipping Act 1894" substitute "same meaning as "ship" in the Merchant Shipping Act 1995"; and

(b) in Schedule 11, in paragraph 6, for "section 731 of the Merchant Shipping Act 1894" substitute "section 221(1) of the Merchant Shipping Act 1995".

Judicature (Northern Ireland) Act 1978 (c. 23)

52 In section 46 of the Judicature (Northern Ireland) Act 1978, after subsection (3) insert the following subsection—

"(3A) Sections 280, 281 and 282 of the Merchant Shipping Act 1995 (offences on ships and abroad by British citizens and others) apply in relation to other offences under the law of Northern Ireland as they apply in relation to offences under that Act or instruments under that Act."

Customs and Excise Management Act 1979 (c. 2)

53 (1) The Customs and Excise Management Act 1979 shall be amended as follows.

(2) In section 1(1)—

(a) in the definition of "British ship", for the words from "Merchant Shipping Act 1894" to the end substitute "Merchant Shipping Act 1995";

(b) in the definition of "tons register", for "Merchant Shipping Act 1894" substitute "Merchant Shipping Act 1995".

(3) In section 81(7), for "not being a fishing vessel registered under the Merchant Shipping (Registration, etc.) Act 1993" substitute "not being a fishing vessel registered under Part II of the Merchant Shipping Act 1995".

Hydrocarbon Oil Duties Act 1979 (c. 5)

54 In section 19(1)(a) of the Hydrocarbon Oil Duties Act 1979, for "fishing boat register under the Merchant Shipping Act 1894" substitute "register of British ships under the Merchant Shipping Act 1995".

Magistrates' Courts Act 1980 (c. 43)

55 After section 3 of the Magistrates' Courts Act 1980 insert the following section—

"**3A Offences committed on ships and abroad.**

Sections 280, 281 and 282 of the Merchant Shipping Act 1995 (offences on ships and abroad by British citizens and others) apply in relation to other offences under the law of England and Wales as they apply in relation to offences under that Act or instruments under that Act."

Education (Scotland) Act 1980 (c. 44)

56 In section 123(2)(b) of the Education (Scotland) Act 1980, for "(when it comes into force) section 51(1) of the Merchant Shipping Act 1970" substitute "section 55(1) of the Merchant Shipping Act 1995".

Private Streets (Northern Ireland) Order 1980 (S.I. 1980/1086 (NI 12))

57 In Article 2(2) of the Private Streets (Northern Ireland) Order 1980, in the definition of "industrial undertaking", for "vessel as defined in section 742 of the Merchant Shipping Act 1894" substitute "ship as defined in the Merchant Shipping Act 1995".

Animal Health Act 1981 (c. 22)

58 In the Animal Health Act 1981—

(a) in section 49(4), for paragraph (a) substitute—

"(a) "master", "owner" and "port" have the same meanings as in the Merchant Shipping Act 1995, and "vessel" has the same meaning as "ship" in the Merchant Shipping Act 1995; and"; and

(b) in section 65—

(i) in subsection (3), for "692 of the Merchant Shipping Act 1894" substitute " 284 of the Merchant Shipping Act 1995"; and

(ii) in subsection (4)(a), for "1894 Act" substitute "1995 Act".

Supreme Court Act 1981 (c. 54)

59 (1) The Supreme Court Act 1981 shall be amended as follows.

(2) In section 20—

(a) in subsection (3)—

(i) in paragraph (a), for the words after "under" substitute "the Merchant Shipping Act 1995";

(ii) in paragraph (c), for "Merchant Shipping Acts 1894 to 1979" substitute "Merchant Shipping Act 1995";

(b) in subsection (5)—

(i) in paragraph (a), for "the Merchant Shipping (Oil Pollution) Act 1971" substitute "Chapter III of Part VI of the Merchant Shipping Act 1995";

(ii) in paragraph (b), for the words following "falling on the" substitute "International Oil Pollution Compensation Fund, or on the International Oil Compensation Fund 1984, under Chapter IV of Part VI of the Merchant Shipping Act 1995.";

(c) in subsection (6)(a), for "section 1 of the Merchant Shipping Salvage and Pollution Act 1994" substitute "section 224 of the Merchant Shipping Act 1995";

(d) in subsection (7), for "Merchant Shipping Acts 1894 to 1979" substitute "Merchant Shipping Act 1995".

(3) In section 24—

(a) in subsection (1)—

(i) in the definition of "collision regulations", for the words after "means" substitute "safety regulations under section 85 of the Merchant Shipping Act 1995"; and

(ii) in the definition of "master", for "Merchant Shipping Act 1894" substitute "Merchant Shipping Act 1995";

(b) in subsection (2), in paragraph (b), for "552 of the Merchant Shipping Act 1894" substitute " 226 of the Merchant Shipping Act 1995".

(4) After section 46 insert the following section—

"**46A Offences committed on ships and abroad.**

(1) Sections 280, 281 and 282 of the Merchant Shipping Act 1995 (offences on ships and abroad by British citizens and others) apply in relation to other offences under the law of England and Wales as they apply in relation to offences under that Act or instruments under that Act."

Judgments Enforcement (Northern Ireland) Order 1981 (S.I. 1981/226 (NI 6))

60 In the Judgments Enforcement (Northern Ireland) Order 1981—

(a) in Article 3(5)(f), for "section 11(1) of the Merchant Shipping Act 1970" substitute "section 34(1) of the Merchant Shipping Act 1995";

(b) in Article 3(6), for "Merchant Shipping Act 1894" substitute "Merchant Shipping Act 1995";

(c) in Article 97(2), for "section 11(1) of the Merchant Shipping Act 1970" substitute "section 34(1)(a) of the Merchant Shipping Act 1995".

Clean Air (Northern Ireland) Order 1981 (S.I. 1981/158 (NI 14))

61 In Article 29(6) of the Clean Air (Northern Ireland) Order 1981, in the definition of "Government ship", for "section 80 of the Merchant Shipping Act 1906" substitute "the Merchant Shipping Act 1995".

Diseases of Animals (Northern Ireland) Order 1981 (S.I. 1981/1115 (NI 22))

62 In Article 48(3) of the Diseases of Animals (Northern Ireland) Order 1981, for "section 692 of the Merchant Shipping Act 1894" substitute "section 284 of the Merchant Shipping Act 1995".

Magistrates' Courts (Northern Ireland) Order 1981 (S.I. 1981/1675 (NI 26))

63 After Article 17 of the Magistrates' Courts Order 1981 insert the following Article—

Offences committed on ships and abroad

"17A Sections 280, 281 and 282 of the Merchant Shipping Act 1995 (offences on ships and abroad by British citizens and others) apply in relation to other offences under the law of Northern Ireland as they apply in relation to offences under that Act or instruments under that Act."

Civil Aviation Act 1982 (c. 16)

64 In the Civil Aviation Act 1982—

(a) in section 75(6), for "530 to 537 of the Merchant Shipping Act 1894 or any enactment amending those sections" substitute " 245 to 247 and sections 252 to 254 of the Merchant Shipping Act 1995";

(b) in section 86(2), for "Merchant Shipping Act 1894" substitute "Merchant Shipping Act 1995"; and

(c) in section 97(6), in the definition of "conservancy authority" and "harbour authority", for "meanings assigned to them by section 742 of the Merchant Shipping Act 1894" substitute "the same meaning as in the Merchant Shipping Act 1995".

Oil and Gas (Enterprise) Act 1982 (c. 23)

65 In the Oil and Gas (Enterprise) Act 1982—

(a) in section 27(2), for paragraphs (a) and (b) substitute—

"(a) the Merchant Shipping Act 1995;

(b) the Pilotage Act 1987;"

(b) in section 28(1), in the definition of "submersible apparatus", for "16(2) of the Merchant Shipping Act 1974" substitute " 88 of the Merchant Shipping Act 1995".

Civil Jurisdiction and Judgments Act 1982 (c. 27)

66 In the Civil Jurisdiction and Judgments Act 1982—

(a) in section 31(3), for "13(3) of the Merchant Shipping (Oil Pollution) Act 1971" substitute " 166(4) of the Merchant Shipping Act 1995"; and

(b) in section 32(4)(a)—

(i) omit "section 13(3) of the Merchant Shipping (Oil Pollution) Act 1971,";

(ii) for "section 6(4) of the Merchant Shipping Act 1974" substitute "section 177(4) of the Merchant Shipping Act 1995".

Civic Government (Scotland) Act 1982 (c. 45)

67 In section 38(4)(a) of the Civic Government (Scotland) Act 1982, for "Merchant Shipping Acts 1894 to 1981" substitute "Merchant Shipping Act 1995".

British Fishing Boats Act 1983 (c. 8)

68 In section 9 of the British Fishing Boats Act 1983—

(a) for the definition of "British fishing boat" substitute—

""British fishing boat" means a fishing vessel which either is registered in the United Kingdom under Part II of the Merchant Shipping Act 1995 or is wholly British-owned;"; and

(b) in the appropriate place insert—

""wholly British-owned" means wholly owned by persons qualified to own British ships for the purposes of Part II of the Merchant Shipping Act 1995;".

Public Health (Control of Disease) Act 1984 (c. 22)

69 In the Public Health (Control of Disease) Act 1984—

(a) in section 53(a) of the definition of "canal boat", for "Merchant Shipping Acts 1894 to 1983" substitute "Merchant Shipping Act 1995"; and

(b) in section 74, in the definition of "vessel", for "in the Merchant Shipping Act 1894" substitute ""ship" in the Merchant Shipping Act 1995".

Inshore Fishing (Scotland) Act 1984 (c. 26)

70 In section 9(1) of the Inshore Fishing (Scotland) Act 1984—

(a) for the definition of "British fishing boat" substitute—

""British fishing boat" means a fishing boat which either is registered under Part II of the Merchant Shipping Act 1995 or is wholly British-owned"; and

(b) in the appropriate place insert—

""wholly British-owned" means wholly owned by persons qualified to own British ships for the purposes of Part II of the Merchant Shipping Act 1995;".

Road Traffic Regulation Act 1984 (c. 27)

71 In section 133(1) of the Road Traffic Regulation Act 1984, for "Part IV of the Merchant Shipping Act 1894" substitute "Part IX of the Merchant Shipping Act 1995".

County Courts Act 1984 (c. 28)

72 (1) The County Courts Act 1984 shall be amended as follows.

(2) In section 27—

(a) in subsection (3)(a), for "section 1 of the Merchant Shipping (Salvage and Pollution) Act 1994" substitute "section 224 of the Merchant Shipping Act 1995"; and

(b) in subsection (5), for "Merchant Shipping Acts 1894 to 1983" substitute "Merchant Shipping Act 1995".

(3) In section 30(1)(c), for the words after "ships" substitute "with safety regulations under section 85 of the Merchant Shipping Act 1995".

(4) In section 31—

(a) in subsection (1), in the definition of "master", for "Merchant Shipping Act 1894" substitute "Merchant Shipping Act 1995";

(b) in subsection (2)(b), for "552 of the Merchant Shipping Act 1894" substitute " 226 of the Merchant Shipping Act 1995".

Repatriation of Prisoners Act 1984 (c. 47)

73 In section 5(6) of the Repatriation of Prisoners Act 1984, in the definition of "British ship", for "Merchant Shipping Act 1894" substitute "Merchant Shipping Act 1995".

Dangerous Vessels Act 1985 (c. 22)

74 In section 2(b) of the Dangerous Vessels Act 1985, for "Merchant Shipping (Liability of Shipowners and Others) Act 1900" substitute "section 191 of the Merchant Shipping Act 1995 (which limits the liability of harbour, conservancy, dock and canal authorities)".

Food and Environment Protection Act 1985 (c. 48)

75 In section 24(1) of the Food and Environment Protection Act 1985—

(a) in the definition of "British vessel", for "Merchant Shipping Act 1894" substitute "Merchant Shipping Act 1995";

(b) in the definition of "vessel", for "it by section 742 of the Merchant Shipping Act 1894", substitute ""ship" by the Merchant Shipping Act 1995".

Protection of Military Remains Act 1986 (c. 35)

76 In section 9 of the Protection of Military Remains Act 1986, in the definition of "British-controlled ship", for "Merchant Shipping Act 1894" substitute "Merchant Shipping Act 1995".

Wages Act 1986 (c. 48)

77 In section 30(3) of the Wages Act 1986, for "Merchant Shipping Act 1970" substitute "Part III of the Merchant Shipping Act 1995".

Petroleum Act 1987 (c. 12)

78 In section 23(8) of the Petroleum Act 1987, for "16(2) of the Merchant Shipping Act 1974" substitute " 88(4) of the Merchant Shipping Act 1995".

Debtors (Scotland) Act 1987 (c. 18)

79 In section 73(4) of the Debtors (Scotland) Act 1987—

(a) in paragraph (a), for "section 742 of the Merchant Shipping Act 1894" substitute "section 313 of the Merchant Shipping Act 1995"; and

(b) in paragraph (b), for the words from "has" to the end substitute "means any ship which is for the time being employed in sea fishing or in the sea fishing service, and includes any ship which is both—

(i) engaged in whale fisheries off the coast of Scotland; and

(ii) registered under the Merchant Shipping Act 1995".

Pilotage Act 1987 (c. 21)

80 In the Pilotage Act 1987—

(a) in section 22—

(i) in subsection (3), for "Schedule 4 to the Merchant Shipping Act 1979" substitute "Schedule 7 to the Merchant Shipping Act 1995";

(ii) in subsection (7), for "17 or is excluded under section 18 of the Merchant Shipping Act 1979" substitute " 185 or is excluded under section 186 of the Merchant Shipping Act 1995"; and

(b) in section 31(1)—

(i) in the definition of "master", for "Merchant Shipping Act 1894" substitute "Merchant Shipping Act 1995";

(ii) in the definition of "pilot", for "has the same meaning as in the Merchant Shipping Act 1894" substitute "means any person not belonging to a ship who has the conduct thereof".

Channel Tunnel Act 1987 (c. 53)

81 In Part III of Schedule 7 to the Channel Tunnel Act 1987, in paragraph 1(2), in the definition of "the Trinity House", for "742 of the Merchant Shipping Act 1894" substitute " 223 of the Merchant Shipping Act 1995".

Norfolk and Suffolk Broads Act 1988 (c. 4)

82 In section 25(1) of the Norfolk and Suffolk Broads Act 1988, in subsection (1), in the definition of "Trinity House", for "742 of the Merchant Shipping Act 1894" substitute " 223 of the Merchant Shipping Act 1995".

Local Government Finance Act 1988 (c. 41)

83 In Schedule 5 to the Local Government Finance Act 1988, in paragraph 12(2), for "731 of the Merchant Shipping Act 1894" substitute " 221(1) of the Merchant Shipping Act 1995".

Copyright, Designs and Patents Act 1988 (c. 48)

84 In the Copyright, Designs and Patents Act 1988—

(a) in section 162(2), in the definition of "British ship", for "Merchant Shipping Acts (see section 2 of the Merchant Shipping Act 1988)" substitute "Merchant Shipping Act 1995"; and

(b) in section 210(2), in the definition of "British ship", for "Merchant Shipping Acts (see section 2 of the Merchant Shipping Act 1988)" substitute "Merchant Shipping Act 1995".

Road Traffic Act 1988 (c. 52)

85 In section 144(2)(c) of the Road Traffic Act 1988, for "Merchant Shipping Act 1894" substitute "Merchant Shipping Act 1995".

Wages (Northern Ireland) Order 1988 (S.I. 1988/796 (NI 7))

86 In Article 26(3) of the Wages (Northern Ireland) Order 1988, for "the Merchant Shipping Act 1970" substitute "Part III of the Merchant Shipping Act 1995".

Criminal Justice (International Co-operation) Act 1990 (c. 5)

87 In section 5(7) of the Criminal Justice (International Co-operation) Act 1990, in the definition of "British ship", for "Merchant Shipping Acts 1894 to 1988" substitute "Merchant Shipping Act 1995".

Aviation and Maritime Security Act 1990 (c. 31)

88 (1) The Aviation and Maritime Security Act 1990 shall be amended as follows.

(2) In section 14(3), for "686 or 687 of the Merchant Shipping Act 1894" substitute " 281 or 282 of the Merchant Shipping Act 1995".

(3) In section 15(8), in the definition of "master", for "Merchant Shipping Act 1894" substitute "Merchant Shipping Act 1995".

(4) In section 35(4), for "692 of the Merchant Shipping Act 1894" substitute "284 of the Merchant Shipping Act 1995".

(5) In section 45—

(a) in subsection (7)(a), for "section 59(1) of the Merchant Shipping Act 1894" substitute "registration regulations"; and

(b) in subsection (10), for the words following "provisions" substitute "mean Part II of the Merchant Shipping Act 1995, or any Order in Council under section 1 of the Hovercraft Act 1968.".

(6) In section 46(1)—

(a) in the definition of "British ship"—

(i) in paragraph (a), for "Part I of the Merchant Shipping Act 1894, section 5 of the Merchant Shipping Act 1983, Part II of the Merchant Shipping Act 1988" substitute "Part II of the Merchant Shipping Act 1995";

(ii) in paragraph (b), for "Part I of the Merchant Shipping Act 1894" substitute "Part II of the Merchant Shipping Act 1995"; and

(b) in the definition of "master", for "Merchant Shipping Act 1894" substitute "Merchant Shipping Act 1995".

Water Industry Act 1991 (c. 56)

89 In the Water Industry Act 1991—

(a) in section 121(6), for "Merchant Shipping Act 1894" substitute "Merchant Shipping Act 1995"; and

(b) in section 219(1), in the definition of "harbour authority", for "the Prevention of Oil Pollution Act 1971" substitute "Chapter II of Part VI of the Merchant Shipping Act 1995".

Water Resources Act 1991 (c. 57)

90 In section 221(1) of the Water Resources Act 1991—

(a) in the definition of "harbour", for "the Merchant Shipping Act 1894" substitute "section 313 of the Merchant Shipping Act 1995"; and

(b) in the definition of "harbour authority", for "the Merchant Shipping Act 1894" substitute "section 313 of the Merchant Shipping Act 1995", and for "within the meaning of the Prevention of Oil Pollution Act 1971" substitute "as defined in section 151 for the purposes of Chapter II of Part VI of that Act".

Land Drainage Act 1991 (c. 59)

91 In the Land Drainage Act 1991—

(a) in section 12(7), for "the Prevention of Oil Pollution Act 1971" substitute "Chapter II of Part VI of the Merchant Shipping Act 1995";

(b) in section 72(1)—

(i) in the definition of "conservancy authority", for "the Prevention of Oil Pollution Act 1971" substitute "Chapter II of Part VI of the Merchant Shipping Act 1995"; and

(ii) in the definitions of "harbour" and "harbour authority", for "Merchant Shipping Act 1894" substitute "Merchant Shipping Act 1995".

Dangerous Vessels (Northern Ireland) Order 1991 (S.I. 1991/1219 (NI 10))

92 In Article 4(b) of the Dangerous Vessels (Northern Ireland) Order 1991, for "Merchant Shipping (Liability of Shipowners and Others) Act 1900" substitute "section 191 of the Merchant Shipping Act 1995 (which limits the liability of harbour, conservancy, dock and canal authorities)".

Judicial Pensions and Retirement Act 1993 (c. 8)

93 In the Judicial Pensions and Retirement Act 1993—

(a) in section 26(8)(c), for "52 of the Merchant Shipping Act 1970" substitute " 61 of the Merchant Shipping Act 1995";

(b) in Schedule 5, in the entry for a "Wreck commissioner", for "82 of the Merchant Shipping Act 1970" substitute " 297(1) of the Merchant Shipping Act 1995"; and

(c) in Schedule 7, in paragraph 5(5)(xxxiii), for "82 of the Merchant Shipping Act 1970" substitute " 297(1) of the Merchant Shipping Act 1995".

Clean Air Act 1993 (c. 11)

94 In the Clean Air Act 1993—

(a) in section 46(6), in the definition of "Government ship", for "section 80 of the Merchant Shipping Act 1906" substitute "the Merchant Shipping Act 1995"; and

(b) in section 64(1), in the definition of "vessel", for "in the Merchant Shipping Act 1894" substitute ""ship" in the Merchant Shipping Act 1995".

Value Added Tax Act 1994 (c. 23)

95 In section 33(3)(h), for "Part XI of the Merchant Shipping Act 1894" substitute "Part VIII of the Merchant Shipping Act 1995".