



# Merchant Shipping Act 1894

## CHAPTER 60

### MERCHANT SHIPPING ACT 1894

#### PART I

#### REGISTRY.

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- 1 Qualification for owning British ship.

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- 2 Obligation to register British ships.
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- 14 Certificate of registry.
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- 211 Facilities for making complaint.

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**PART III**

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**2**

**PASSENGER STEAMERS.**

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- 280 Delivery up of certificate.
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- 283 Penalty for carrying passengers in excess.
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**3**

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- 296 Mode of carrying water.
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- 298 Issue of water or provisions during voyage.
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- 314 Certificate for clearance.
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- 331 Provisions in case of an emigrant ship being wrecked or damaged in or near British Islands.
- 332 Expenses of rescue and conveyance of wrecked passengers.
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- 340 Saving for right of action on contract for passage.

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- 352 Emigrant runners commission and fees.

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- 353 Frauds in procuring passages.
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355 Emigration officers and assistants.

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**PART IV**

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369 Application of Part IV.

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372 Extent of Part IV.

**I**

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378 Application of forfeitures.

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- 381 Dealing with seaman who refuses to proceed to sea, &c.
- 382 Notice by seaman that he intends to absent himself.
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- 384 Facilities for proving desertion so far as concerns forfeiture of wages.

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- 389 Agreements for fishing vessels in Scotland.

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## II

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## III

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- 405 Report of crew.
- 406 Statement of change of crew in case of running agreements.
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- 412 Provision as to discharge, &c. to apply in the case of any sort of agreement.

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- 413 Skippers and second hands to hold certificate of competency.
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**PART V**

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- 419 Observance of collision regulations.
- 420 Inspection as to lights and fog signals.
- 421 Saving for local rules of navigation in harbours, &c.
- 422 Duty of vessel to assist the other in case of collision.
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- 425 Report to Board of Trade of accidents to steamships.
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- 428 Duties of owners and masters as to carrying life-saving appliances.
- 429 Appointment of consultative committee for framing rules.
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- 432 Adjustment of compasses and provision of hose.

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434 Signals of distress.

435 Provision of signals of distress, inextinguishable lights, and life-buoys.

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438 Marking of load-line.

439 Ships with submerged load-lines deemed unsafe.

440 Time, &c. for marking of load-line in case of foreign-going vessels.

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444 Provision as to colonial ships with respect to load-lines.

445 Provision as to foreign ships with respect to load-lines.

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449 Forfeiture of dangerous goods improperly sent or carried.

450 Saving for other enactments relating to dangerous goods.

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451 Loading of timber.

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454 Notice by master of kind and quantity of grain cargo.

455 Power of Board of Trade for enforcing provisions as to carriage of grain.

456 Definition of grain, &c.

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461 Power to require from complainant security for costs.

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**PART VI**

**SPECIAL SHIPPING INQUIRIES AND COURTS.**



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- 467 List of assessors.
- 468 Inquiry in case of loss of life from fishing vessel's boat.

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- 470 Power of court of investigation or inquiry as to certificates.
- 471 Inquiry into conduct of certificated officer.
- 472 Removal of master by Admiralty Court.
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- 475 Re-hearing of inquiries and investigations.

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- 476 Investigations before stipendiary magistrate.
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- 481 Constitution of naval courts.
- 482 Functions of naval courts.
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- 484 Report of proceedings of naval courts.
- 485 Penalty for preventing complaint or obstructing investigation.
- 486 Application of provisions as to naval courts.

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- 488 Power and procedure of court of survey.
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- 490 Reference in difficult cases to scientific persons.

*Payments to Officers of Courts.*

- 491 Payments to officers of courts.

**PART VII**

**DELIVERY OF GOODS.**

*Status: This is the original version (as it was originally enacted).*

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*Delivery of Goods and Lien for Freight.*

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- 493 Power of shipowner to enter and land goods on default by owner of goods.
- 494 Lien for freight on landing goods.
- 495 Discharge of lien.
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- 502 Limitation of shipowner's liability in certain cases of loss of, or damage to, goods.
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- 504 Power of courts to consolidate claims against owners, &c.
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- 512 Powers of the receiver in case of vessels in distress.
- 513 Power to pass over adjoining lands.
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- 515 Liability for damage in case of a vessel plundered.
- 516 Exercise of powers of receiver in his absence.
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- 520 Notice of wreck to be given by receiver.
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- 524 Notice of unclaimed wreck to be given to persons entitled.
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- 526 Disputed title to unclaimed wreck.
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- 529 Admiral not to interfere with wreck.

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- 530 Removal of wreck by harbour or conservancy authority.
- 531 Power of lighthouse authority to remove wreck.
- 532 Powers of removal to extend to tackle, cargo, &c.
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- 535 Taking wreck to foreign port.
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- 537 Summary procedure for concealment of wreck.

*Marine Store Dealers.*

- 538 Marine store dealer to have his name and trade painted on his shop.
- 539 Marine store dealer to keep proper books.
- 540 Marine store dealer not to purchase from person under sixteen.
- 541 Marine store dealer not to cut up cable, &c.
- 542 Permit to be advertised before dealer proceeds to act thereon.

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- 543 Marking of anchors.

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- 544 Salvage payable for saving life.
- 545 Salvage of life from foreign vessels.
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*Procedure in Salvage.*

- 547 Determination of salvage disputes.
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- 549 Appeal in case of salvage disputes.
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- 551 Valuation of property by receiver.
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- 559 Provisions as to bond to be executed.

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- 565 Jurisdiction of High Court in salvage.

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- 566 Appointment of receivers of wreck.

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- 567 Receivers fees.
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- 569 Provisions as to duties, &c. on wrecked goods.

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591 Recovery of pilotage dues.  
592 Receiving or offering improper rates of pilotage.  
593 Pilotage rate for leading ships.  
594 Allowance to licensed pilot taken out of his district.  
595 Penalty on making a false declaration to pilot as to draught of ship.  
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597 Power of qualified to supersede unqualified pilot.  
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603 Compulsory pilotage.  
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605 Exemption from compulsory pilotage.

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612 Characteristics of pilot boats.  
613 Display of pilot flag, when pilot is on board vessel.  
614 Penalty on ordinary boat displaying pilot flag.  
615 Signals to be displayed by ships requiring a pilot.

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624 Ships from London coining past Dungeness to take the first pilot.  
625 Exemption from compulsory pilotage.

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- 646 Regulation of light dues by lighthouse authorities.
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- 658 Payment of lighthouse expenses out of Mercantile Marine Fund.
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- 660 Estimates or accounts of expenses sent to Board of Trade.
- 661 Advances by Treasury for lighthouse expenses.
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- 664 Accounts of general lighthouse authorities.
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*Commissioners of Northern Lighthouses.*

- 668 Incorporation of Commissioners of Northern Lights.

*Provision as to Channel Islands.*

- 669 Restriction on exercise of powers in Channel Islands.

*Lighthouses, &c. in Colonies.*

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*Status: This is the original version (as it was originally enacted).*

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- 695 Admissibility of documents in evidence.
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701 Payment of costs of prosecution of offences committed in Admiralty jurisdiction.

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702 Offences punishable as misdemeanors.  
703 Summary proceedings.  
704 Form of complaint.  
705 Warrants on summary proceedings.  
706 Backing arrestments.  
707 Form of decree for payment of money.  
708 Sentence and penalties in default of defender's appearance.  
709 Orders not to be quashed for want of form and to be final.  
710 General rules, so far as applicable, to extend to penalties and proceedings in Scotland.

*Prosecution of Offences in Colonies.*

711 Prosecution of offences in British possession.

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712 Application of Part XIII.

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713 Superintendence of merchant shipping by Board of Trade.  
714 Returns as to merchant shipping to Board of Trade.  
715 Production of log-books, &c. by superintendents.  
716 Application of fees, fines, &c.  
717 Legal proceedings.

*Expenses of Commissioners of Customs.*

718 Expenses incurred by Commissioners of Customs.

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719 Proof of documents.  
720 Power of Board of Trade to prescribe forms.  
721 Exemption from stamp duty.  
722 Offences as to use of forms.

*Powers for enforcing Compliance with Act.*

723 Powers for seeing that Act is complied with.

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724 Appointment of surveyors.  
725 Power of surveyor for purpose of survey of ships.  
726 Returns by surveyors to Board of Trade.  
727 Appointment of surveyors in colonies.

*Status: This is the original version (as it was originally enacted).*

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*Board of Trade Inspectors.*

- 728 Appointment of inspectors to report on accidents, &c.
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- 731 Exemption from rates.
- 732 Exemption from harbour dues.

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- 733 Registration of private code of signals.

*Application of Act to Foreign Ships by Order in Council.*

- 734 Application by Order in Council of provisions of Merchant Shipping Acts to foreign ships.

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- 735 Power of colonial legislatures to alter provisions of Act.
- 736 Regulation of coasting trade by colonial legislature.

*Provision for Foreign Places where Her Majesty has Jurisdiction.*

- 737 Provision for foreign places where her Majesty has jurisdiction.

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- 738 Provision as to Orders in Council.

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- 739 Notices, &c. to be in writing and provision as to sending by post.
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*Exemption of Her Majesty's Ships.*

- 741 Exemption of Her Majesty's ships.

*Definitions and Provisions as to Application of Act.*

- 742 Definitions.
- 743 Application of Act to ships propelled by electricity, &c.
- 744 Application of Act to certain fishing vessels.

*Repeal and Savings.*

- 745 Repeal.
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*Short Title and Commencement.*

- 747 Short title.
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SCHEDULES.

FIRST SCHEDULE —  
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PART II

*Documents of which the forms are to be prescribed by the  
Commissioners of Customs and sanctioned by the Board of Trade.*

SECOND —  
SCHEDULE

*Measurement of Tonnage.*

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- (1.) Measurement of ships to be registered and other ships of which the hold is clear. Lengths.
- (2.) Transverse areas.
- (3.) Computation from areas.
- (4.) In case of decks above the tonnage deck.
- (5.) Poop, deck house, forecastle, and any other closed-in space.

Rule II.

- (1.) Measurement of ships not requiring registry with cargo on board and ships which cannot be measured under Rule I. Length. Breadth. Girting of the ship.
- (2.) Poop, deck house, forecastle, and other closed-in spaces on upper deck.

Rule III.

- (i.) Measurement of allowance for engine room space in steamships.
- (ii.) If in any ship in which the space for propelling...
- (iii.) In the case of screw steamers in which the space...
- (iv.) If in any ship in which the space aforesaid is...

Rule IV.

IV Measurement of open ships.

THIRD SCHEDULE — TABLE OF MAXIMUM FEES TO BE PAID FOR THE  
MEASUREMENT OF MERCHANT SHIPS.

FOURTH SCHEDULE — TABLE OF MAXIMUM FEES TO BE PAID BY APPLICANTS  
FOR EXAMINATION.

FIFTH SCHEDULE — REGULATIONS TO BE OBSERVED WITH RESPECT TO  
ANTISCORBUTICS.

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*Furnishing of Anti-Scorbutics.*

- 1 The anti-scorbutics to be furnished shall be lime or lemon...
- 2 , No lime or lemon juice shall be deemed fit...
- 3 Lime or lemon juice shall not be so obtained or...
- 4 If the lime or lemon juice is deposited in a...
- 5 The lime or lemon juice with which a ship is...

*Serving out of Anti-Scorbutics.*

- 6 The lime or lemon juice shall be served outwith sugar...
- 7 The anti-scorbutics shall be served out to the crew so...
- 8 The lime or lemon juice and sugar shall be served...
- 9 The other anti-scorbutics, if any, provided in pursuance of an...

SIXTH SCHEDULE — REGULATIONS TO BE OBSERVED WITH RESPECT TO  
ACCOMMODATION ON BOARD SHIPS.

- 1 Every place in a ship occupied by seamen or apprentices,...
- 2 A place so occupied and appropriated as aforesaid shall not...
- 3 Every place so occupied and appropriated as aforesaid shall, whenever...
- 4 No deduction from tonnage as aforesaid shall be authorised unless...
- 5 Upon any complaint concerning any place so occupied and appropriated...

*Maximum Fees for Inspection.*

- 6 The fee far each visit to the ship shall not...
- 7 The aggregate amount of the fees for any such inspection...
- 8 When the accommodation is inspected at the same time with...

SEVENTH — CONSTITUTION OF LOCAL MARINE BOARDS.  
SCHEDULE

*Elections.*

- 1 Constitution of local marine board.
- 2 The election shall be held on the twenty-fifth day of...
- 3 Upon the conclusion of that month and the constitution of...
- 4 A casual vacancy happening in the intervals between the general...
- 5 The mayor or provost shall fix the place and mode...
- 6 The Board of Trade may decide any question raised concerning...

*Registry and Votes of Electors.*

- 7 Owners of foreign-going ships and of home trade passenger ships...
- 8 The qualification of electors shall be ascertained as follows :—...
- 9 The chief officer of customs in the port shall, with...
- 10 The mayor or provost of the port, or such of...
- 11 The revisors shall, between the eighth and fifteenth days of...
- 12 The revisors shall give three clear days notice of the...
- 13 The revisors shall make the revision by inserting in the...
- 14 The decision of the revisors with respect to every such...
- 15 The revisors shall, immediately after the revision, sign their names...
- 16 The list so revised shall be the register of voters...
- 17 The revised list, when so signed, shall be delivered to...

- 18 The chief officer shall, if required, for the assistance of...
- 19 The revisors shall certify the expanses properly incurred by the...
- 20 Every person whose name appears on the revised list and...

*Qualification of Members.*

- 21 Every male person who is, according to the revised list,...

*Application to Corporations.*

- 22 A corporation owning a ship shall be entitled to he...

EIGHTH SCHEDULE —

*Particulars to be registered by Master of a Ship concerning a Birth at Sea.*

*Particulars to be registered by Master of a Ship concerning a Death at Sea.*

NINTH SCHEDULE —

PART I

*Maximum Fees to be paid for Passenger Steamer's Certificate.*

PART II

*Maximum Fees for Survey of Emigrant Ships.*

TENTH SCHEDULE —

*Regulations as to number of Persons carried on Emigrant Ships.*

- 1 An emigrant ship shall not carry under the poop or...
- 2 An emigrant ship shall not carry on the lower passenger...
- 3 Provided, that if the height between the lower passenger deck...
- 4 An emigrant ship, whatever be her superficial space of decks,...
- 5 In the measurement of the passenger decks, poop, round house...

ELEVENTH — REGULATIONS AS TO THE ACCOMMODATION FOR  
SCHEDULE STEERAGE PASSENGERS.

*Construction of Passenger Decks.*

- 1 The beams supporting the passenger decks shall form part of...
- 2 The passenger decks shall be at least, one inch and...
- 3 The height between that part of any deck on which...

*Berths.*

- 4 There shall not be more than two tiers of berths...
- 5 The berths shall be securely constructed and of dimensions not...
- 6 No part of any berth shall be placed within nine...
- 7 All male steerage passengers of the age of fourteen years...
- 8 Not more than one steerage passenger, except in the case...
- 9 Berths occupied by steerage passengers during the voyage shall not...

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*Hospitals.*

- 10 Sufficient space shall be set apart in every emigrant ship...
- 11 The space set apart for a hospital shall be under...
- 12 The space so set apart shall contain not less than...

*Privies.*

- 13 Every emigrant ship shall be provided to the satisfaction of...
- 14 All such privies and waterclosets shall be firmly constructed and...
- 15 The master of the ship shall alone be liable to...

*Light and Ventilation.*

- 16 Every emigrant ship shall be supplied with such provision for...
- 17 The steerage passengers shall have the free and unimpeded use...

TWELFTH — WATER AND PROVISIONS.  
SCHEDULE

*Water.*

*Provisions.*

*Substitutions.*

*Regulations as to Lime Juice.*

Lime Juice.

*Regulations as to Messes and Issue of Provisions.*

- 1 Steerage passengers may be divided into messes, but a mess...
- 2 Members of the same family, whereof one at least is...
- 3 Water and provisions according to the above scales shall be...
- 4 The first of the issues shall be made before two...
- 5 Such provisions as require to be cooked shall be issued...

THIRTEENTH —  
SCHEDULE

*Conditions for Carriage of Horses and Cattle in Emigrant Ships.*

- 1 The animals shall not be carried below any deck on...
- 2 Clear space on the spar or weather deck shall be...
- 3 No greater number of steerage passengers shall be carried than...
- 4 In emigrant ships of less than five hundred tons registered...
- 5 Proper arrangements shall be made, to the satisfaction of the...
- 6 Not more than six dogs, and no pigs or male...

FOURTEENTH — FORMS UNDER PART III. (PASSENGER AND EMIGRANT  
SCHEDULE SHIPS).

FIFTEENTH — NUMBER and DIMENSIONS of BOATS for FISHING BOATS  
SCHEDULE entered in the FISHING BOAT REGISTER.

SIXTEENTH —  
SCHEDULE

*Maximum Fees for Inspection of Lights and Fog Signals.*

SEVENTEENTH — LIFE SAVING APPLIANCES.  
SCHEDULE

*Constitution of the Committee.*

- 1 Three shipowners selected by the Council of the Chamber of...
- 2 One shipowner selected by the Shipowners Associations of Glasgow and...
- 3 Two shipbuilders selected by the Council of the Institution of...
- 4 Three persons practically acquainted with the navigation of vessels selected...
- 5 Three persons being or having been able-bodied seamen selected by...
- 6 Two persons selected conjointly by the Committee of Lloyd's, the...

EIGHTEENTH —  
SCHEDULE

*Precautions as to Grain Cargo.*

- 1 There shall not be carried between the decks, or, if...
- 2 Where grain (except such as maybe carried in properly constructed...
- 3 Where grain is carried in the hold or between the...
- 4 In loading the grain shall be properly stowed, trimmed, and...

NINETEENTH —  
SCHEDULE

PART I — STATEMENTS IN THE CASE OF SALVAGE BY HER MAJESTY'S SHIPS.

- 1 Particulars to be stated both by the salvor and by...
- 2 Additional particulars to be stated by the salvor:—
- 3 Additional particulars to be stated by the said master or...

PART II — SALVAGE BOND.

TWENTIETH — MAXIMUM FEES AND REMUNERATION OF RECEIVERS.  
SCHEDULE

TWENTY-FIRST — MAXIMUM RATES of PILOTAGE to be DEMANDED and RECEIVED by qualified PILOTS for piloting Snips within the under-mentioned Limits.

TWENTY-SECOND — REPEAL.  
SCHEDULE