



Merchant Shipping Act 1894

1894 CHAPTER 60 57 and 58 Vict

PART I **U.K.**

REGISTRY

Modifications etc. (not altering text)

- C1 Pt. I extended by [Merchant Shipping Act 1921 \(c. 28\)](#), [s. 1](#)
- C2 Pt. I (ss. 1–91) excluded by [Merchant Shipping Act 1983 \(c. 13, SIF 111\)](#), [s. 5\(2\)](#)
- C3 Pt. I (ss. 1–91) excluded by [Merchant Shipping Act 1988 \(c. 12, SIF 111\)](#), [s. 13\(2\)\(a\)](#), (with s. 58(4), Sch. 8 para. 1)
- C4 Pt. I (ss. 1–91) amended by [Merchant Shipping Act 1988 \(c. 12, SIF 111\)](#), [ss. 3\(1\)](#), 4, 10(2), (with s. 58(4), Sch. 8 para. 1)
- C5 Pt. I (ss. 1–91) excluded by [S.I. 1988/1911](#), [art. 5](#)
- C6 Pt. I (down to and including s. 67) applied with modifications by [Merchant Shipping Act 1988 \(c. 12, SIF 111\)](#), [s. 47\(3\)\(7\)](#), (with s. 58(4), Sch. 8 para. 1)
- C7 Pt. I (ss. 1–91) extended by [S.I. 1988/1926](#), [reg. 45](#)
- C8 Pt. I (ss. 1–91) restricted by [S.I. 1991/770](#), [art. 3\(1\)](#).
- C9 Pt. I (ss. 1–91) restricted (13.8.1992) by [S.I. 1992/1736](#), [art. 3](#)

1–3 ^{F1} **U.K.**

Textual Amendments

- F1 [Ss. 1–3](#) repealed and superseded by [Merchant Shipping Act 1988 \(c. 12, SIF 111\)](#), [ss. 1](#), 10, 57(5), Sch. 1 para. 1, [Sch. 7](#), (with s. 58(4), Sch. 8 para. 1)

Status: Point in time view as at 21/03/1994.

Changes to legislation: There are currently no known outstanding effects for the Merchant Shipping Act 1894, Part I. (See end of Document for details)

Procedure for Registration

4 U.K.

- F2(1)
- (2) F3
- F2(3)

Textual Amendments

F2 S. 4(1)(3) repealed (21.3.1994) by 1993 c. 22, s. 8(4), Sch. 5 Pt.I; S.I 1993/3137, art. 3(1)

F3 S. 4(2) repealed by Merchant Shipping Act 1988 (c. 12, SIF 111), ss. 10, 57(5), Sch. 1 para. 2(b), Sch. 7, (with s. 58(4), Sch. 8 para. 1)

F45 U.K.

Textual Amendments

F4 S. 5 repealed (21.3.1994) by 1993 c. 22, s. 8(4), Sch. 5 Pt.I; S.I 1993/3137, art. 3(1)

F56 U.K.

Textual Amendments

F5 S. 6 repealed (21.3.1994) by 1993 c. 22, s. 8(4), Sch. 5 Pt.I; S.I 1993/3137, art. 3(1)

F67 U.K.

Textual Amendments

F6 S. 7 repealed (21.3.1994) by 1993 c. 22, s. 8(4), Sch. 5 Pt.I; S.I 1993/3137, art. 3(1)

F78 U.K.

Textual Amendments

F7 S. 8 repealed (21.3.1994) by 1993 c. 22, s. 8(4), Sch. 5 Pt.I; S.I 1993/3137, art. 3(1)

F89 U.K.

Status: Point in time view as at 21/03/1994.

Changes to legislation: There are currently no known outstanding effects for the Merchant Shipping Act 1894, Part I. (See end of Document for details)

Textual Amendments

F8 S. 9 repealed (21.3.1994) by 1993 c. 22, s. 8(4), **Sch. 5 Pt.I**; S.I 1993/3137, art. 3(1)

^{F9}**10** **U.K.**

Textual Amendments

F9 S. 10 repealed (21.3.1994) by 1993 c. 22, s. 8(4), **Sch. 5 Pt.I**; S.I 1993/3137, art. 3(1)

^{F10}**11** **U.K.**

Textual Amendments

F10 S. 11 repealed (21.3.1994) by 1993 c. 22, s. 8(4), **Sch. 5 Pt.I**; S.I 1993/3137, art. 3(1)

^{F11}**12** **U.K.**

Textual Amendments

F11 S. 12 repealed (21.3.1994) by 1993 c. 22, s. 8(4), **Sch. 5 Pt. I**; S.I 1993/3137, art. 3(1)

^{F12}**13** **U.K.**

Textual Amendments

F12 S. 13 repealed (21.3.1994) by 1993 c. 22, s. 8(4), **Sch. 5 Pt.I**; S.I 1993/3137, art. 3(1)

Certificate of Registry

^{F13}**14** **U.K.**

Textual Amendments

F13 S. 14 repealed (21.3.1994) by 1993 c. 22, s. 8(4), **Sch. 5 Pt.I**; S.I 1993/3137, art. 3(1)

^{F14}**15** **U.K.**

Status: Point in time view as at 21/03/1994.

Changes to legislation: There are currently no known outstanding effects for the Merchant Shipping Act 1894, Part I. (See end of Document for details)

Textual Amendments

F14 S. 15 repealed (21.3.1994) by 1993 c. 22, s. 8(4), **Sch. 5 Pt.I**; S.I 1993/3137, art. 3(1)

^{F15} **16** **U.K.**

Textual Amendments

F15 S. 16 repealed (21.3.1994) by 1993 c. 22, s. 8(4), **Sch. 5 Pt.I**; S.I 1993/3137, art. 3(1)

^{F16} **17** **U.K.**

Textual Amendments

F16 S. 17 repealed (21.3.1994) by 1993 c. 22, s. 8(4), **Sch. 5 Pt. I**; S.I 1993/3137, art. 3(1)

^{F17} **18** **U.K.**

Textual Amendments

F17 S. 18 repealed (21.3.1994) by 1993 c. 22, s. 8(4), **Sch. 5 Pt.I**; S.I 1993/3137, art. 3(1)

19 ^{F18} **U.K.**

Textual Amendments

F18 S. 19 repealed by Merchant Shipping Act 1988 (c. 12, SIF 111), ss. 10, 57(5), Sch. 1 para. 11, **Sch. 7**, (with s. 58(4), Sch. 8 para. 1)

^{F19} **20** **U.K.**

Textual Amendments

F19 S. 20 repealed (21.3.1994) by 1993 c. 22, s. 8(4), **Sch. 5 Pt.I**; S.I 1993/3137, art. 3(1)

^{F20} **21** **U.K.**

Textual Amendments

F20 S. 21 repealed (21.3.1994) by 1993 c. 22, s. 8(4), **Sch. 5 Pt.I**; S.I 1993/3137, art. 3(1)

Status: Point in time view as at 21/03/1994.

Changes to legislation: There are currently no known outstanding effects for the Merchant Shipping Act 1894, Part I. (See end of Document for details)

F21 **22** **U.K.**

Textual Amendments

F21 S. 22 repealed (21.3.1994) by 1993 c. 22, s. 8(4), Sch. 5 Pt.I; S.I 1993/3137, art. 3(1)

F22 **23** **U.K.**

Textual Amendments

F22 S. 23 repealed (21.3.1994) by 1993 c. 22, s. 8(4), Sch. 5 Pt.I; S.I 1993/3137, art. 3(1)

Transfers and Transmissions

F23 **24** **U.K.**

Textual Amendments

F23 S. 24 repealed (21.3.1994) by 1993 c. 22, s. 8(4), Sch. 5 Pt.I; S.I 1993/3137, art. 3(1)

F24 **25** **U.K.**

Textual Amendments

F24 S. 25 repealed (21.3.1994) by 1993 c. 22, s. 8(4), Sch. 5 Pt.I; S.I 1993/3137, art. 3(1)

F25 **26** **U.K.**

Textual Amendments

F25 S. 26 repealed (21.3.1994) by 1993 c. 22, s. 8(4), Sch. 5 Pt.I; S.I 1993/3137, art. 3(1)

F26 **27** **U.K.**

Textual Amendments

F26 S. 27 repealed (21.3.1994) by 1993 c. 22, s. 8(4), Sch. 5 Pt.I; S.I 1993/3137, art. 3(1)

F27 **28** **U.K.**

Status: Point in time view as at 21/03/1994.

Changes to legislation: There are currently no known outstanding effects for the Merchant Shipping Act 1894, Part I. (See end of Document for details)

Textual Amendments

F27 S. 28 repealed (21.3.1994) by 1993 c. 22, s. 8(4), **Sch. 5 Pt.I**; S.I 1993/3137, art. 3(1)

^{F28}**29** **U.K.**

Textual Amendments

F28 S. 29 repealed (21.3.1994) by 1993 c. 22, s. 8(4), **Sch. 5 Pt.I**; S.I 1993/3137, art. 3(1)

^{F29}**30** **U.K.**

Textual Amendments

F29 S. 30 repealed (21.3.1994) by 1993 c. 22, s. 8(4), **Sch. 5 Pt.I**; S.I 1993/3137, art. 3(1)

Mortgages

^{F30}**31** **U.K.**

Textual Amendments

F30 S. 31 repealed (21.3.1994) by 1993 c. 22, s. 8(4), **Sch. 5 Pt.I**; S.I 1993/3137, art. 3(1)

^{F31}**32** **U.K.**

Textual Amendments

F31 S. 32 repealed (21.3.1994) by 1993 c. 22, s. 8(4), **Sch. 5 Pt.I**; S.I 1993/3137, art. 3(1)

^{F32}**33** **U.K.**

Textual Amendments

F32 S. 33 repealed (21.3.1994) by 1993 c. 22, s. 8(4), **Sch. 5 Pt.I**; S.I 1993/3137, art. 3(1)

^{F33}**34** **U.K.**

Status: Point in time view as at 21/03/1994.

Changes to legislation: There are currently no known outstanding effects for the Merchant Shipping Act 1894, Part I. (See end of Document for details)

Textual Amendments

F33 S. 34 repealed (21.3.1994) by 1993 c. 22, s. 8(4), [Sch. 5 Pt.I](#); S.I 1993/3137, art. 3(1)

^{F34}**35** **U.K.**

Textual Amendments

F34 S. 35 repealed (21.3.1994) by 1993 c. 22, s. 8(4), [Sch. 5 Pt.I](#); S.I 1993/3137, art. 3(1)

^{F35}**36** **U.K.**

Textual Amendments

F35 S. 36 repealed (21.3.1994) by 1993 c. 22, s. 8(4), [Sch. 5 Pt.I](#); S.I 1993/3137, art. 3(1)

^{F36}**37** **U.K.**

Textual Amendments

F36 S. 37 repealed (21.3.1994) by 1993 c. 22, s. 8(4), [Sch. 5 Pt.I](#); S.I 1993/3137, art. 3(1)

^{F37}**38** **U.K.**

Textual Amendments

F37 S. 38 repealed (21.3.1994) by 1993 c. 22, s. 8(4), [Sch. 5 Pt.I](#); S.I 1993/3137, art. 3(1)

39–46 ^{F38} **U.K.**

Textual Amendments

F38 Ss. 39–46 repealed by Merchant Shipping Act 1988 (c. 12, SIF 111), ss. 10, 57(5), Sch. 1 para. 25, [Sch. 7](#), (with s. 58(4), Sch. 8 para. 1)

Name of Ship

^{F39}**47** **U.K.**

Status: Point in time view as at 21/03/1994.

Changes to legislation: There are currently no known outstanding effects for the Merchant Shipping Act 1894, Part I. (See end of Document for details)

Textual Amendments

F39 S. 47 repealed (21.3.1994) by 1993 c. 22, s. 8(4), [Sch. 5 Pt.I](#); S.I 1993/3137, art. 3(1)

Registry of Alterations, Registry anew, and Transfer of Registry

^{F40}**48** **U.K.**

Textual Amendments

F40 S. 48 repealed (21.3.1994) by 1993 c. 22, s. 8(4), [Sch. 5 Pt.I](#); S.I 1993/3137, art. 3(1)

^{F41}**49** **U.K.**

Textual Amendments

F41 S. 49 repealed (21.3.1994) by 1993 c. 22, s. 8(4), [Sch. 5 Pt.I](#); S.I 1993/3137, art. 3(1)

^{F42}**50** **U.K.**

Textual Amendments

F42 S. 50 repealed (21.3.1994) by 1993 c. 22, s. 8(4), [Sch. 5 Pt.I](#); S.I 1993/3137, art. 3(1)

^{F43}**51** **U.K.**

Textual Amendments

F43 S. 51 repealed (21.3.1994) by 1993 c. 22, s. 8(4), [Sch. 5 Pt.I](#); S.I 1993/3137, art. 3(1)

^{F44}**52** **U.K.**

Textual Amendments

F44 S. 52 repealed (21.3.1994) by 1993 c. 22, s. 8(4), [Sch. 5 Pt.I](#); S.I 1993/3137, art. 3(1)

^{F45}**53** **U.K.**

Status: Point in time view as at 21/03/1994.

Changes to legislation: There are currently no known outstanding effects for the Merchant Shipping Act 1894, Part I. (See end of Document for details)

Textual Amendments

F45 S. 53 repealed (21.3.1994) by 1993 c. 22, s. 8(4), **Sch. 5 Pt. I**; S.I 1993/3137, art. 3(1)

^{F46} **53A** **U.K.**

Textual Amendments

F46 S. 53A repealed (21.3.1994) by 1993 c. 22, s. 8(4), **Sch. 5 Pt.I**; S.I 1993/3137, art. 3(1)

^{F47} **53B** **U.K.**

Textual Amendments

F47 S. 53B repealed (21.3.1994) by 1993 c. 22, s. 8(4), **Sch. 5 Pt.I**; S.I 1993/3137, art. 3(1)

54 ^{F48} **U.K.**

Textual Amendments

F48 S. 54 repealed by Merchant Shipping Act 1988 (c. 12, SIF 111), ss. 10, 57(5), Sch. 1 para. 31, **Sch. 7**, (with s. 58(4), Sch. 8 para. 1)

Incapacitated Persons

55 ^{F49} **U.K.**

Textual Amendments

F49 S. 55 repealed by Merchant Shipping Act 1988 (c. 12, SIF 111), ss. 10, 57(5), Sch. 1 para. 32, **Sch. 7**, (with s. 58(4), Sch. 8 para. 1)

Trusts and Equitable Rights

^{F50} **56** **U.K.**

Textual Amendments

F50 S. 56 repealed (21.3.1994) by 1993 c. 22, s. 8(4), **Sch. 5 Pt.I**; S.I 1993/3137, art. 3(1)

Status: Point in time view as at 21/03/1994.

Changes to legislation: There are currently no known outstanding effects for the Merchant Shipping Act 1894, Part I. (See end of Document for details)

^{F51}57 **U.K.**

Textual Amendments

F51 S. 57 repealed (21.3.1994) by 1993 c. 22, s. 8(4), **Sch. 5 Pt.I**; S.I 1993/3137, art. 3(1)

Liability of Beneficial Owner

^{F52}58 **U.K.**

Textual Amendments

F52 S. 58 repealed (21.3.1994) by 1993 c. 22, s. 8(4), **Sch. 5 Pt.I**; S.I 1993/3137, art. 3(1)

Managing Owner

^{F53}59 **U.K.**

Textual Amendments

F53 S. 59 repealed (21.3.1994) by 1993 c. 22, s. 8(4), **Sch. 5 Pt.I**; S.I 1993/3137, art. 3(1)

Declarations, Inspection of Register, and Fees.

^{F54}60 **U.K.**

Textual Amendments

F54 S. 60 repealed (21.3.1994) by 1993 c. 22, s. 8(4), **Sch. 5 Pt.I**; S.I 1993/3137, art. 3(1)

61 **U.K.**

(1) ^{F55}

^{F56}(2)

Textual Amendments

F55 S. 61(1) repealed by Merchant Shipping Act 1988 (c. 12, SIF 111), ss. 10, 57(5), Sch. 1 para. 35, **Sch. 7**, (with s. 58(4), Sch. 8 para. 1)

F56 S. 61(2) repealed (21.3.1994) by 1993 c. 22, s. 8(4), **Sch. 5 Pt.I**; S.I 1993/3137, art. 3(1)

Status: Point in time view as at 21/03/1994.

Changes to legislation: There are currently no known outstanding effects for the Merchant Shipping Act 1894, Part I. (See end of Document for details)

^{F57}62 **U.K.**

Textual Amendments

F57 S. 62 repealed (21.3.1994) by 1993 c. 22, s. 8(4), **Sch. 5 Pt.I**; S.I 1993/3137, art. 3(1)

Returns, Evidence, and Forms

^{F58}63 **U.K.**

Textual Amendments

F58 S. 63 repealed (21.3.1994) by 1993 c. 22, s. 8(4), **Sch. 5 Pt.I**; S.I 1993/3137, art. 3(1)

^{F59}64 **U.K.**

Textual Amendments

F59 S. 64 repealed (21.3.1994) by 1993 c. 22, s. 8(4), **Sch. 5 Pt.I**; S.I 1993/3137, art. 3(1)

^{F60}65 **U.K.**

Textual Amendments

F60 S. 65 repealed (21.3.1994) by 1993 c. 22, s. 8(4), **Sch. 5 Pt.I**; S.I 1993/3137, art. 3(1)

Forgery and false Declarations

[^{F61}66 **Forgery of documents.** **U.K.**

If any person forges, or fraudulently alters, or assists in forging or fraudulently altering, or procures to be forged or fraudulently altered, any of the following documents, namely, any register book, builder's certificate, surveyor's certificate, certificate of registry, declaration, bill of sale, instrument of mortgage, or certificate of mortgage or sale under this Part of this Act, or any entry or endorsement required by this Part of this Act to be made in or on any of those documents, that person shall in respect of each offence be guilty of felony [^{F62}and liable on conviction on indictment to imprisonment for not more than seven years].]

Textual Amendments

F61 S. 66 repealed (E.W.N.I.) by Forgery and Counterfeiting Act 1981 (c. 45, SIF 39:7), s. 30, **Sch. Pt. I**

Status: Point in time view as at 21/03/1994.

Changes to legislation: There are currently no known outstanding effects for the Merchant Shipping Act 1894, Part I. (See end of Document for details)

F62 Words added by (E.W.) [Criminal Law Act 1967 \(c. 58\), Sch. 2 para. 11](#) and (N.I.) [Criminal Law Act \(Northern Ireland\) 1967 \(c. 18\), Sch. 1 para. 19](#) and inserted (S.) by [Merchant Shipping Act 1979 \(c. 39\), Sch. 6 Pt. VII para. 1](#)

Modifications etc. (not altering text)

C10 [S. 66](#) amended (E.W.) (N.I.) by [Forgery Act 1913 \(c. 27\), s. 3\(3\)\(k\)](#)

^{F63}**67** **U.K.**

Textual Amendments

F63 [S. 67](#) repealed (21.3.1994) by [1993 c. 22, s. 8\(4\), Sch. 5 Pt.I](#); [S.I 1993/3137, art. 3\(1\)](#)

National Character and Flag

^{F64}**68** **U.K.**

Textual Amendments

F64 [S. 68](#) repealed (21.3.1994) by [1993 c. 22, s. 8\(4\), Sch. 5 Pt.I](#); [S.I 1993/3137, art. 3\(1\)](#)

^{F65}**69** **U.K.**

Textual Amendments

F65 [S. 69](#) repealed (21.3.1994) by [1993 c. 22, s. 8\(4\), Sch. 5 Pt. I](#); [S.I 1993/3137, art. 3\(1\)](#)

^{F66}**70** **U.K.**

Textual Amendments

F66 [S. 70](#) repealed (21.3.1994) by [1993 c. 22, s. 8\(4\), Sch. 5 Pt.I](#); [S.I 1993/3137, art. 3\(1\)](#)

71 ^{F67} **U.K.**

Textual Amendments

F67 [S. 71](#) repealed by [Merchant Shipping Act 1988 \(c. 12, SIF 111\), ss. 10, 57\(5\), Sch. 1 para. 43, Sch. 7](#), (with [s. 58\(4\), Sch. 8 para. 1](#))

Status: Point in time view as at 21/03/1994.

Changes to legislation: There are currently no known outstanding effects for the Merchant Shipping Act 1894, Part I. (See end of Document for details)

F68⁷² **U.K.**

Textual Amendments

F68 S. 72 repealed (21.3.1994) by 1993 c. 22, s. 8(4), Sch. 5 Pt.I; S.I 1993/3137, art. 3(1)

F69⁷³ **U.K.**

Textual Amendments

F69 S. 73 repealed (21.3.1994) by 1993 c. 22, s. 8(4), Sch. 5 Pt.I; S.I 1993/3137, art. 3(1)

F70⁷⁴ **U.K.**

Textual Amendments

F70 S. 74 repealed (21.3.1994) by 1993 c. 22, s. 8(4), Sch. 5 Pt.I; S.I 1993/3137, art. 3(1)

75 Saving for Admiralty. **U.K.**

The provisions of this Act with respect to colours worn by merchant ships shall not affect any other power of the Admiralty in relation thereto.

Forfeiture of Ship

76 Proceedings on forfeiture of ship. **U.K.**

(1) Where any ship has either wholly or as to any share therein become subject to forfeiture under this Part of this Act.

- (a) any commissioned officer on full pay in the military or naval service of Her Majesty; [^{F71}or
- (b) any person appointed by the Secretary of State for the purposes of this section;]

may seize and detain the ship, and bring her for adjudication before the High Court in England or Ireland, or before the Court of Session in Scotland, . . . ^{F72}and the court may thereupon adjudge the ship with her tackle, apparel, and furniture to be forfeited to Her Majesty, and make such order in the case as to the court seems just, and may award to the officer [^{F73}or other person]bringing in the ship for adjudication such portion of the proceeds of sale of the ship, or any share therein, as the court thinks fit.

(2) Any such officer [^{F74}or other person as is mentioned in subsection (1) of this section]shall not be responsible either civilly or criminally to any person whomsoever in respect of any such seizure or detention as aforesaid, notwithstanding that the ship has not been brought in for adjudication, or if so brought in is declared not liable to forfeiture, it is shown to the satisfaction of the court before whom any trial relating to such ship or such seizure or detention is held that there were reasonable grounds

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for such seizure or detention; but if no such grounds are shown the court may award costs and damages to any party aggrieved, and make such other order in the premises as the court thinks just.

Textual Amendments

- F71** S. 76(1)(b) substituted by Merchant Shipping Act 1988 (c. 12, SIF 111), s. 10, **Sch. 1 para. 47(2)(a)**, (with s. 58(4), Sch. 8 para. 1)
- F72** Words repealed by Merchant Shipping Act 1988 (c. 12, SIF 111), ss. 10, 57(5), Sch. 1 para. 47(2)(b), **Sch. 7**, (with s. 58(4), Sch. 8 para. 1)
- F73** Words inserted by Merchant Shipping Act 1988 (c. 12, SIF 111), s. 10, **Sch. 1 para. 47(2)(c)**, (with s. 58(4), Sch. 8 para. 1)
- F74** Words substituted by Merchant Shipping Act 1988 (c. 12, SIF 111), s. 10, **Sch. 1 para. 47(3)**, (with s. 58(4), Sch. 8 para. 1)

Modifications etc. (not altering text)

- C11** Reference to Ireland to be construed as exclusive of Republic of Ireland: S.R. & O. 1923/405 (Rev. X, p. 298: 1923, p. 400), art. 2
- C12** S. 76 applied by Merchant Shipping Act 1988 (c. 12, SIF 111), s. 22(10)

76 Proceedings on forfeiture of ship. **U.K.**

- (1) Where any ship has either wholly or as to any share therein become subject to forfeiture under this Part of this Act.
- (a) any commissioned officer on full pay in the military or naval service of Her Majesty; ^{F86}or
- (b) any person appointed by the Secretary of State for the purposes of this section;]

may seize and detain the ship, and bring her for adjudication before the High Court in England or Ireland, or before the Court of Session in Scotland, . . . ^{F87}and the court may thereupon adjudge the ship with her tackle, apparel, and furniture to be forfeited to Her Majesty, and make such order in the case as to the court seems just, and may award to the officer ^{F88}or other person]bringing in the ship for adjudication such portion of the proceeds of sale of the ship, or any share therein, as the court thinks fit.

- (2) Any such officer ^{F89}or other person as is mentioned in subsection (1) of this section]shall not be responsible either civilly or criminally to any person whomsoever in respect of any such seizure or detention as aforesaid, notwithstanding that the ship has not been brought in for adjudication, or if so brought in is declared not liable to forfeiture, it is shown to the satisfaction of the court before whom any trial relating to such ship or such seizure or detention is held that there were reasonable grounds for such seizure or detention; but if no such grounds are shown the court may award costs and damages to any party aggrieved, and make such other order in the premises as the court thinks just.

Textual Amendments

- F86** S. 76(1)(b) substituted by Merchant Shipping Act 1988 (c. 12, SIF 111), s. 10, **Sch. 1 para. 47(2)(a)**, (with s. 58(4), Sch. 8 para. 1)
- F87** Words repealed by Merchant Shipping Act 1988 (c. 12, SIF 111), ss. 10, 57(5), Sch. 1 para. 47(2)(b), **Sch. 7**, (with s. 58(4), Sch. 8 para. 1)

Status: Point in time view as at 21/03/1994.

Changes to legislation: There are currently no known outstanding effects for the Merchant Shipping Act 1894, Part I. (See end of Document for details)

F88 Words inserted by [Merchant Shipping Act 1988 \(c. 12, SIF 111\), s. 10, Sch. 1 para. 47\(2\)\(c\)](#), (with s. 58(4), Sch. 8 para. 1)

F89 Words substituted by [Merchant Shipping Act 1988 \(c. 12, SIF 111\), s. 10, Sch. 1 para. 47\(3\)](#), (with s. 58(4), Sch. 8 para. 1)

Modifications etc. (not altering text)

C16 Reference to Ireland to be construed as exclusive of Republic of Ireland: S.R. & O. 1923/405 (Rev. X, p. 298: 1923, p. 400), art. 2

C17 [S. 76](#) applied by [Merchant Shipping Act 1988 \(c. 12, SIF 111\), s. 22\(10\)](#)

Measurement of Ship and Tonnage

77–81 ^{F75} **U.K.**

Textual Amendments

F75 [Ss. 77–81](#) repealed by [Merchant Shipping Act 1965 \(c. 47\), Sch. 2](#)

82 **Tonnage once ascertained to be the tonnage of ship.** **U.K.**

Whenever the tonnage of any ship has been ascertained and registered in accordance with the tonnage regulations of this Act, [^{F76}that tonnage shall be treated as the tonnage of the ship except so far as registration regulations provide, in specified circumstances, for the ship to be re-measured and the register amended accordingly.].

Textual Amendments

F76 Words in [s. 82](#) substituted (21.3.1994) by [1993 c. 22, s. 8\(1\), Sch. 2 para. 2\(a\); S.I. 1993/3137, art. 3\(1\)](#)

Modifications etc. (not altering text)

C13 [S. 82](#) excluded by [Merchant Shipping Act 1965 \(c. 47\), s. 1\(5\)](#)

83 **Fees for measurement.** **U.K.**

Such fees as the Board of Trade determine shall be paid in respect of the measurement of a ship's tonnage . . . ^{F77} and those fees shall be paid into the Mercantile Marine Fund.

Textual Amendments

F77 Words repealed by [Merchant Shipping \(Safety Convention\) Act 1949 \(c. 43\), Sch. 3](#)

Modifications etc. (not altering text)

C14 [S. 83](#) restricted by [Merchant Shipping Act 1965 \(c. 47\), s. 1\(4\)](#)

Status: Point in time view as at 21/03/1994.

Changes to legislation: There are currently no known outstanding effects for the Merchant Shipping Act 1894, Part I. (See end of Document for details)

84 Tonnage of ships of foreign countries adopting tonnage regulations. **U.K.**

- (1) Whenever it appears to Her Majesty the Queen in Council that the tonnage regulations of this Act have been adopted by any foreign country, and are in force there, Her Majesty in Council may order that the ships of that country shall, without being re-measured in [^{F78}the United Kingdom], be deemed to be of the tonnage denoted in their certificates of registry or other national papers, in the same manner, to the same extent, and for the same purposes as the tonnage denoted in the certificate of registry of a [^{F79}registered]ship is deemed to be the tonnage of that ship, . . . ^{F80}[^{F81}and any space shown by the certificate of registry or other national papers of any such ship as deducted from the tonnage shall, where a similar deduction in the case of a [^{F79}registered]ship depends on compliance with any conditions or on the compliance being evidenced in any manner, be deemed to comply with those conditions and to be so evidenced, unless a surveyor of ships certifies to the Board of Trade that the construction and the equipment of the ship as respects that space do not come up to the standard which would be required if the ship were a [^{F82}registered ship]]
- (2) Her Majesty in Council may limit the time during which the Order is to remain in operation, and make the Order subject to such conditions and qualifications (if any) as Her Majesty may deem expedient, and the operation of the Order shall be limited and modified accordingly.
- (3) If it is made to appear to Her Majesty that the tonnage of any foreign ship, as measured by the rules of the country to which she belongs, materially differs from that which would be her tonnage if measured under this Act, Her Majesty in Council may order that, notwithstanding any Order in Council for the time being in force under this section, any of the ships of that country may, for all or any of the purposes of this Act, be remeasured in accordance with this Act.

Textual Amendments

- F78** Words substituted by [Merchant Shipping Act 1988 \(c. 12, SIF 111\), s. 10, Sch. 1 para. 48\(a\)](#), (with s. 58(4), Sch. 8 para. 1)
- F79** Words substituted by [Merchant Shipping Act 1988 \(c. 12, SIF 111\), s. 10, Sch. 1 para. 48\(b\)](#), (with s. 58(4), Sch. 8 para. 1)
- F80** Words repealed by [Merchant Shipping Act 1965 \(c. 47\), Sch. 2](#)
- F81** Words added by [Merchant Shipping Act 1965 \(c. 47\), Sch. 1](#)
- F82** Words substituted by [Merchant Shipping Act 1988 \(c. 12, SIF 111\), s. 10, Sch. 1 para. 48\(c\)](#), (with s. 58(4), Sch. 8 para. 1)

85 ^{F83} **U.K.**

Textual Amendments

- F83** [S. 85](#) repealed by [Merchant Shipping Act 1988 \(c. 12, SIF 111\), ss. 10, 57\(5\), Sch. 1 para. 49, Sch. 7](#), (with s. 58(4), Sch. 8 para. 1)

Status: Point in time view as at 21/03/1994.

Changes to legislation: There are currently no known outstanding effects for the Merchant Shipping Act 1894, Part I. (See end of Document for details)

86 Surveyors and regulations for measurement of ships. U.K.

All duties in relation to the survey and measurement of ships shall be performed by surveyors of ships under this Act in accordance with regulations made by the Board of Trade.

Modifications etc. (not altering text)

C15 S. 86 excluded by [Merchant Shipping Act 1965 \(c. 47\), s. 1\(4\)](#)

87 Levy of tonnage rates under local Acts on the registered tonnage. U.K.

Any persons having power to levy tonnage rates on ships may, if they think fit, with the consent of the Board of Trade, levy those tonnage rates upon the registered tonnage of the ships as determined by the tonnage regulations of this Act, notwithstanding that any local Act under which those rates are levied provides for levying the same upon some different system of tonnage measurement.

88–90 ^{F84} **U.K.**

Textual Amendments

F84 Ss. 88–90 repealed by [Merchant Shipping Act 1988 \(c. 12, SIF 111\)](#), ss. 10, 57(5), Sch. 1 para. 50, [Sch. 7](#), (with s. 58(4), Sch. 8 para. 1)

91 ^{F85} **U.K.**

Textual Amendments

F85 S. 91 repealed by [Merchant Shipping Act 1988 \(c. 12, SIF 111\)](#), ss. 10, 57(5), Sch. 1 para. 51, [Sch. 7](#), (with s. 58(4), Sch. 8 para. 1)

Status:

Point in time view as at 21/03/1994.

Changes to legislation:

There are currently no known outstanding effects for the Merchant Shipping Act 1894, Part I.