



Merchant Shipping Act 1894

1894 CHAPTER 60

PART VI

SPECIAL SHIPPING INQUIRIES AND COURTS.

Courts of Survey.

488 Power and procedure of court of survey.

- (1) The court of survey shall hear every case in open court.
- (2) The judge and each assessor of the court may survey the ship, and shall have for the purposes of this Act all the powers of a Board of Trade inspector under this Act.
- (3) The judge of the court may appoint any competent person or persons to survey the ship and report thereon to the court.
- (4) The judge of the court, any assessor of the court, and any person appointed by the judge of the court to survey a ship, may go on board the ship and inspect the same and every part thereof, and the machinery, equipments, and cargo, and may require the unloading or removal of any cargo, ballast, or tackle, and any person who wilfully impedes such judge, assessor, or person in the execution of the survey, or fails to comply with any requisition made by him, shall for each offence be liable to a fine not exceeding ten pounds.
- (5) The judge of the court shall have the same power as the Board of Trade have to order the ship to be released or finally detained, but, unless one of the assessors concurs in an order for the detention of the ship, the ship shall be released.
- (6) The owner and master of the ship and any person appointed by the owner or master, and also any person appointed by the Board of Trade, may attend at any inspection or survey made in pursuance of this section.
- (7) The judge of the court shall send to the Board of Trade such report as may be directed by the rules, and each assessor shall either sign the report or report to the Board of Trade the reasons for his dissent.