
S T A T U T O R Y I N S T R U M E N T S

1963 No. 1632

MERCHANT SHIPPING

**The Shipowners' Liability (Colonial Territories)
Order in Council 1963**

Made - - - - 27th September 1963

Laid before Parliament 3rd October 1963

Coming into Operation 5th October 1963

At the Court at Balmoral, the 27th day of September 1963

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred on Her by section 11 of the Merchant Shipping (Liability of Shipowners and Others) Act 1958(a), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

1. This Order may be cited as the Shipowners' Liability (Colonial Territories) Order in Council 1963 and shall come into operation on 5th October 1963. Citation and commencement.

2. The provisions of the Merchant Shipping (Liabilities of Shipowners and Others) Act 1958 shall extend to each of the territories specified in Schedule 1 to this Order with the exceptions, adaptations and modifications specified in Schedule 2 to this Order. Provisions of 1958 Act extended to certain territories.

3. The provisions of Part VIII of the Merchant Shipping Act 1894(b) and section 2 of the Merchant Shipping (Liability of Shipowners and others) Act 1900(c) shall extend to the territories specified in Schedule 3 to this Order with the modifications specified in Schedule 4 to this Order. Provisions of limitation enactments extended to certain territories.

W. G. Agnew.

SCHEDULE 1

Section 2

Bahamas
Bermuda
British Antarctic Territory
British Honduras
British Solomon Islands Protectorate
Falkland Islands and Dependencies
Fiji
Gilbert and Ellice Islands Colony
Hong Kong
Kenya (Colony and Protectorate)
Mauritius
Seychelles
Virgin Islands.

(a) 6 & 7 Eliz. 2. c. 62. (b) 57 & 58 Vict. c. 60. (c) 63 & 64 Vict. c. 32.

SCHEDULE 2

Section 2

1. Any reference to the Merchant Shipping (Liability of Shipowners and Others) Act 1958 shall be construed as a reference to that Act as extended to the Territory, and the reference in section nine to the commencement of that Act shall be construed as a reference to the coming into force of this Order.

2. For any reference to the United Kingdom there shall be substituted a reference to the Territory.

3. For any reference to the Minister of Transport and Civil Aviation there shall be substituted a reference to the Governor of the Territory or, in the case of the British Solomon Islands Protectorate or the Gilbert and Ellice Islands Colony, the High Commissioner for the Western Pacific; or, in the case of the British Antarctic Territory, the High Commissioner of that Territory; or, in the case of the Virgin Islands, the Administrator.

4. The following provisions shall be omitted—

(a) subsection (2), (5), (6) and (7) of section 2, section 5(7), section 8(5), and section 10;

(b) in section 1(3) the words “made by Statutory Instrument”.

(c) in section 5(1) the words “(or, in Scotland, to have prorogated that jurisdiction)”.

SCHEDULE 3

Section 3

British Solomon Islands Protectorate
Kenya Protectorate.

SCHEDULE 4

Section 3

References in Part VIII of the Merchant Shipping Act 1894 to a British possession shall be construed as references to the Territory.

EXPLANATORY NOTE

(This Note is not part of the Order but is intended to indicate its general purport.)

This Order applies to the Colonial Territories specified therein the provisions of the Merchant Shipping (Liability of Shipowners and Others) Act 1958. It also extends to certain of those Territories the provisions of Part VIII of the Merchant Shipping Act 1894 and the Merchant Shipping (Liability of Shipowners and others) Act 1900.

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