

1981 No. 405 (C.10)

MERCHANT SHIPPING

The Merchant Shipping Act 1979 (Commencement No. 5)
Order 1981

Made - - - - 16th March 1981

The Secretary of State, in exercise of powers conferred on him by sections 38(6) and 52(2) of the Merchant Shipping Act 1979(a) (hereinafter referred to as "the Act") and of all other powers enabling him in that behalf hereby makes the following Order:—

1. This Order may be cited as the Merchant Shipping Act 1979 (Commencement No. 5) Order 1981.
2. The provisions of the Act specified in the first column of the Schedule to this Order (which relate to the matters specified in the second column of that Schedule) shall come into force on 8th April 1981.
3. This Order shall not affect the limit of any liability under section 1 of the Merchant Shipping (Oil Pollution) Act 1971(b) the amount of which has, before 8th April 1981, been paid into court (or, in Scotland, consigned in court) or determined by the court in accordance with that Act.

16th March 1981.

Trefgarne,
Parliamentary Under-Secretary of State,
Department of Trade.

SCHEDULE

PROVISIONS COMING INTO FORCE ON 8TH APRIL 1981

Provisions of the Act	Subject matter of the provisions
Section 38, subsections (1), (2), (3) and (6).	Miscellaneous amendments, etc, of the Merchant Shipping (Oil Pollution) Act 1971.
Section 50(4) so far as it relates to the repeals specified in Part II of Schedule 7 set out in the Appendix to this Schedule.	Repeal.

APPENDIX TO SCHEDULE

REPEALS TAKING EFFECT ON 8TH APRIL 1981

Chapter	Short Title	Extent of Repeal
1971 c.59.	The Merchant Shipping (Oil Pollution) Act 1971.	Section 4(3) to (5).

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order brings into force, on 8th April 1981, section 38(1) to (3) and (6) of the Merchant Shipping Act 1979. These provisions concern the replacement of gold francs by special drawing rights as the units in which are measured the limits of liability of shipowners for oil pollution damage arising under section 1 of the Merchant Shipping (Oil Pollution) Act 1971. It also brings into effect certain consequential repeals in the Act of 1971.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This Note is not part of the Order.)

The following provisions of the Act have been brought into force by commencement orders made before the date of this Order:—

<i>Provision</i>	<i>S.I. No.</i>
ss. 1 to 6, Sch. 1	1979/807
ss. 7, 8(1),(2),(4) and that part of (6) which relates to s.14 of the Pilotage Act 1913, 9 to 11	1980/923
ss.12, 13(1) in relation to Sch. 2, paras. 1 to 4, 5(2), 6, 7, 10(2), 11, 12, 14 to 19, 20(1), the former part of 20(2), 21 to 27	1979/807
s.13(1) in relation to Sch. 2, paras 5(1), 8, 9, 10(1), 13(3) and the latter part of 20(2)	1980/923
s.13(2) to (5)	1979/807
s.15(1) and the latter part of (2)	1979/1578
s.16	1979/807
s.19(2), (3)	1979/1578
ss. 20 to 22, 26 to 30, 32(1), 33, 34, 35(1) except in relation to fishing vessels, 36(1)	1979/807
s.36(2)	1980/354
ss.36(3), 37(1) to (3),(5),(7),(8)	1979/807
s.38(5)	1979/1578
ss.39 to 45, 46 (partially), Sch.6	1979/807
s.46 (remainder)	1980/923
s.47(1),(2)(partially),(3)	1979/807
s.47(2)(partially)	1979/1578
ss.48, 49, 50(1),(2)	1979/807
s.50(3)	1980/923
s.50(4) (partially), Sch.7 (partially)	1979/807
s.50(4) (partially), Sch.7 (partially)	1980/354
s.50(4) (partially), Sch.7 (partially)	1980/923
ss.51(1),(3), 52	1979/807

Schedule 3, Part I has been brought into force for some purposes, with modifications, by S.I. 1980/1092 made under the powers in section 16(1), (2) and (5).

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