TURKEY

The Merchant Shipping (Safety Convention) (Turkey) Order, 1949

1949 No. 1830

Made - - - - *29th September,* 1949
Laid before Parliament *30th September,* 1949
*Coming into Operation upon the date of publication in the London Gazette**

At the Court at Buckingham Palace, the 29th day of September, 1949

Present,

The King's Most Excellent Majesty in Council

Whereas by Section 37 of the Merchant Shipping (Safety and Load Line Conventions) Act, 1932(a), it is enacted that His Majesty, if satisfied that the Government of any country has acceded to the Safety Convention, may, by Order in Council, make a declaration to that effect:

And Whereas His Majesty is satisfied that the Government of Turkey has acceded to the Safety Convention:

Now, therefore, His Majesty, in pursuance of the powers vested in Him by the aforesaid Section and of all other powers enabling Him in that behalf, by and with the advice of His Privy Council, is pleased to declare, and doth hereby declare that the Government of Turkey has acceded to the Safety Convention.

E. C. E. Leadbitter.

---

2. REGISTRATION OF BRITISH GUIANA GOVERNMENT SHIPS

The Merchant Shipping (Registration of British Guiana Government Ships) Order, 1949

1949 No. 353

Made - - - - *4th March,* 1949
Laid before Parliament *7th March,* 1949
Coming into Operation *8th March,* 1949

At the Court at Buckingham Palace, the 4th day of March, 1949

Present,

The King's Most Excellent Majesty in Council

Whereas by Section 80 of the Merchant Shipping Act, 1906(b), power is given to His Majesty by Order in Council to make regulations with respect to the manner in which Government ships may be registered as British ships for the purpose of the Merchant Shipping Acts:

(a) 22 & 23 Geo. 5. c. 9. (b) 6 Edw. 7. c. 48.
* 4th October, 1949.

And Whereas by the said Section it is provided that those Acts, subject to any exceptions and modifications which may be made by Order in Council, either generally or as respects any special class of Government ships, shall apply to Government ships registered in accordance with those regulations as if they were registered in manner provided by those Acts :

Now, therefore, His Majesty, in exercise of the powers vested in Him by the said Section and of all other powers enabling Him in that behalf, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, that the following Regulations shall have effect as regards any Government ships in the service of the Government of the Colony of British Guiana (hereinafter referred to as " the Colonial Government ") :—

1. An application for registry of a Government ship in the service of the Colonial Government shall be made in writing under the hand of the Colonial Secretary of British Guiana or other officer of the Colonial Government nominated by the Governor, or by one of the Crown Agents for the Colonies. Such application shall contain the following particulars :—

(i) A statement of the name and description of the ship.

(ii) A statement of the time when and place where the ship was built, or, if the ship was foreign built, and the time and place of building are unknown, a statement to that effect and of her foreign name.

(iii) A statement of the nature of the title to the said ship, whether by original construction by or for the Colonial Government, or by purchase, capture, condemnation or otherwise, and a list of the documents of title, if any, in case she was not originally constructed by or for the Colonial Government.

(iv) A statement of the name of the Master.

2. The Registrar, on receiving such application in respect of a Government ship in the service of the Colonial Government shall—

(i) enter the ship in the Register Book as belonging to " His Majesty, represented by the Government of the Colony of British Guiana " and shall also enter therein :

(ii) the name of the port to which she belongs ;

(iii) the particulars stated in the application for registration ;

(iv) the details comprised in the Surveyor's Certificate.

3. On the registry of a Government ship in the service of the Colonial Government the Registrar shall retain in his possession the Surveyor's Certificate and the application for registry and any documents of title mentioned in such application.

4. Upon the transfer of a registered Government ship in the service of the Colonial Government by Bill of Sale, the Colonial Government shall be the transferors, and the Bill of Sale shall be in Form A in the proper form prescribed under the Merchant Shipping Act, 1894 (**b**) (hereinafter referred to as " the principal Act "), omitting the covenant therein contained. Any such Bill of Sale shall be signed by the Colonial Secretary or other officer or Crown Agent as aforesaid on behalf of the Colonial Government.

5. The application for a Certificate of Sale referred to in Sections 39 to 42 and Sections 44 to 46 of the principal Act may be made in respect of a Government ship in the service of the Colonial Government by the Colonial Secretary or other officer or Crown Agent as aforesaid on behalf of the Colonial Government.

6. The person to whom the management of any Government ship in the service of the Colonial Government is entrusted by the Colonial Government shall be registered as provided by Section 59 (2) of the principal Act.

7. Where any provision of the Merchant Shipping Acts which by virtue of the Merchant Shipping Act, 1906(**a**), and this Order is applicable to Government ships in the service of the Colonial Government imposes any duty or liability or confers any right or power upon or contemplates any act being performed by the owner of a ship such duty, liability, right or power shall, subject always to the other provisions of this Order be carried out, borne, or exercised by the Colonial Government on behalf of His Majesty.

8. In this Order the term "Merchant Shipping Acts" shall mean and include any of the Merchant Shipping Acts any provision of which is by virtue of the Merchant Shipping Act, 1906(**a**), and this Order applicable to Government ships.

9. The following sections and provisions of the Merchant Shipping Acts shall not apply to Government ships in the service of the Colonial Government registered in pursuance of this Order, namely :—

(i) The Merchant Shipping Act, 1894(**b**)—Sections 1, 8 to 12.

(ii) The Merchant Shipping (Mercantile Marine Fund) Act, 1898(**c**)—Sections 3 and 5.

Provided always that no provision of the Merchant Shipping Acts which, according to a reasonable construction, would not apply in the case of Government ships in the service of the Colonial Government, shall be deemed to apply to such ships by reason only that its application is not hereby expressly excluded.

10. Anything required or authorised by this Order to be done by the Colonial Government may be done by the Colonial Secretary or other officer or Crown Agent as aforesaid.

11. The Interpretation Act, 1889(**d**), shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

12. This Order shall come into operation on the 8th day of March, 1949, and may be cited as the Merchant Shipping (Registration of British Guiana Government Ships) Order, 1949.

E. C. E. Leadbitter.

EXPLANATORY NOTE

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

This Order makes provision for the registration of British Guiana Government ships as British ships for the purposes of the Merchant Shipping Acts.

(**a**) 6 Edw. 7. c. 48. (**b**) 57 & 58 Vict. c. 60. (**c**) 61 & 62 Vict. c. 44. (**d**) 52 & 53 Vict. c. 63.