The Merchant Shipping (Foreign Deserters) (Kingdom of Norway) Order, 1951

1951 No. 1942

Made - - - -	*14th November,* 1951
Laid before Parliament	*15th November,* 1951
Coming into Operation	*28th November,* 1951

At the Court at Buckingham Palace, the 14th day of November, 1951

Present,

The King's Most Excellent Majesty in Council

Whereas section 238 of the Merchant Shipping Act, 1894(**a**) (hereinafter referred to as "the Act") makes provision for the apprehension, and conveyance on board their ships, of deserters from foreign merchant ships; and by subsection (1) of that section it is provided that where it appears to His Majesty that due facilities are or will be given by the Government of any foreign country for recovering and apprehending seamen who desert from British merchant ships in that country, His Majesty may, by Order in Council, stating that such facilities are or will be given, declare that that section shall apply in the case of such foreign country, subject to any limitations, conditions and qualifications contained in the Order:

And whereas by an Order in Council(**b**) made on the 18th day of August, 1852, under section 1 of the Foreign Deserters Act, 1852(**c**), it is provided (amongst other things) that seamen who within His Majesty's dominions desert from merchant ships belonging to subjects of the King of Norway shall be liable to be apprehended and carried on board their respective ships; which said Order in Council is, by virtue of the provisions of section 745 of the Act, still in force as if it had been made under the Act:

And whereas by section 738 of the Act it is provided (amongst other things) that where His Majesty has power under the Act to make an Order in Council, His Majesty may from time to time by Order in Council revoke, alter or add to any order so made:

And whereas it appears to His Majesty that due facilities are given by the Government of the Kingdom of Norway for recovering and apprehending seamen who desert from British merchant ships in that country:

And whereas it is expedient that certain provisions of the said Order in Council should be revoked and superseded by the provisions of this Order:

Now, therefore, His Majesty, in exercise of the powers conferred upon Him as aforesaid and of all other powers enabling Him in that behalf, is pleased, by and with the advice of His Privy Council, to order and declare, and it is hereby ordered and declared, as follows:—

1.—(1) This Order may be cited as "The Merchant Shipping (Foreign Deserters) (Kingdom of Norway) Order, 1951", and shall come into operation on the 28th day of November, 1951.

(**a**) 57 & 58 Vict. c. 60. (**b**) S.R. & O., Rev. 1904, VIII, Merchant Shipping, p. 86.
(**c**) 15 & 16 Vict. c. 26.

(2) In this Order

(*a*) the expressions "Colony" and "British protected person" have respectively the same meanings as they have in or for the purposes of the British Nationality Act, 1948(**a**); and

(*b*) the expression "Kingdom of Norway" means the territories of His Majesty the King of Norway with the exception of Jan Mayen Island and Svalbard and His overseas dependencies.

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

2. The provisions of the said Order in Council made on the 18th day of August, 1852, to the extent to which they relate to seamen who when within the United Kingdom, any of the Channel Islands, the Isle of Man or any Colony desert from merchant ships belonging to the Kingdom of Norway, are hereby revoked.

3. Section 238 of the Act shall apply in the case of the Kingdom of Norway subject to the following limitations, conditions and qualifications, namely,

(*a*) the said section shall only apply as respects seamen and apprentices who desert from ships registered at any port in the Kingdom of Norway, and when those ships are within the United Kingdom, any of the Channel Islands, the Isle of Man or any Colony; and

(*b*) nothing in the said section shall be taken to confer any power or impose any duty or obligation on any court, justice or officer in relation to the apprehension, or conveyance on board his ship, of a deserter who satisfies that court, justice or officer that he is:—

(i) a citizen of the United Kingdom and Colonies or a Southern Rhodesian citizen or a British protected person; or

(ii) a person in respect of whom there is reasonable ground for believing that his life or liberty will be endangered, for reasons of race, nationality, political opinion or religion, in any country to which his ship is likely to go.

F. J. Fernau.

The Merchant Shipping (International Labour Conventions) (Barbados) Order, 1951

1951 No. 1950

Made - - - -	*14th November,* 1951
Laid before Parliament	*15th November,* 1951
Coming into Operation	*On publication in the Official Gazette of the Colony as provided in Section* 2

At the Court at Buckingham Palace, the 14th day of November, 1951

Present,

The King's Most Excellent Majesty in Council

Whereas by section 6 of the Merchant Shipping (International Labour Conventions) Act, 1925(**c**), (hereinafter referred to as "the Act") it is enacted

---

(a) 11 & 12 Geo. 6. c. 56. (b) 52 & 53 Vict. c. 63.
(c) 15 & 16 Geo. 5. c. 42.