1955 No. 708

The Merchant Shipping (Department of Scientific and Industrial Research Ships) Order, 1955

Made - - - -	*6th May*, 1955
Laid before Parliament	*6th May*, 1955
Coming into Operation	*16th May*, 1955

At the Court at Buckingham Palace, the 6th day of May, 1955

Present,

The Queen's Most Excellent Majesty in Council

Whereas by Section 80 of the Merchant Shipping Act, 1906(a), power is given to Her 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:

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, Her Majesty, in exercise of the powers vested in Her by the said Section and of all other powers enabling Her in that behalf, is pleased by and with the advice of Her Privy Council, to order, and it is hereby ordered that the following Regulations shall take effect as regards any Government ships in the service of the Committee of Her Majesty's Privy Council for Scientific and Industrial Research (hereinafter referred to as "the Department"):—

1. An application for registry of a Government ship in the service of the Department shall be made in writing under the hand of the Secretary of the Department. 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 Department, 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 Department.

(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 Department shall enter in the Register Book

(i) the ship as belonging to "Her Majesty, represented by the Committee of Her Majesty's Privy Council for Scientific and Industrial Research".

(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.

(a) 6 Edw. 7. c. 48.

3. On the registry of a Government ship in the service of the Department 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. 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, and this Order applicable to Government ships.

5. Upon the transfer to a registered Government ship in the service of the Department by Bill of Sale, the Department 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(**a**) (hereinafter referred to as "the principal Act"), omitting the covenant therein contained. Any such Bill of Sale shall be signed by the Secretary of the Department on behalf of the Department.

6. 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 Department by the Secretary on behalf of the Department.

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

8. Government ships in the service of the Department are hereby excluded from the category of ships belonging to Her Majesty within the meaning of Section 557 to 564 of the principal Act.

9. Where any Section of the Merchant Shipping Acts which, by virtue of the Merchant Shipping Act, 1906, and this Order is applicable to Government ships in the service of the Department 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 Department on behalf of Her Majesty.

10. The powers conferred by Sections 530 to 534 of the principal Act shall not be exercised in the case of Government ships in the service of the Department without the consent of the Department except in regard to lights, buoys and other matters or things necessary for the immediate protection of traffic.

11. No provision contained in the Merchant Shipping Acts shall render the Department liable to pay salvage where no such liability at present exists.

12. No provision contained in the Merchant Shipping Acts providing for the forfeiture or detention of a ship by reason of non-compliance with an enactment therein contained shall have any application to a Government ship in the service of the Department.

13. Notwithstanding anything contained in the Merchant Shipping Acts and this Order the Master of a Government ship in the service of the Department shall not be liable for any penalty, debt or damages under any provision of the Merchant Shipping Acts in respect of anything done or omitted in pursuance of an order of the Department.

(**a**) 57 & 58 Vict. c. 60.

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

(i) The Merchant Shipping Act, 1894 Section 1, 2, 7 (3) and (5), 8 to 12, 16, 27 to 38, 39 to 42 so far as they relate to Mortgages, 43, 44 to 46 so far as they relate to Mortgages, 58, 69, 71, 72, 74, 76, 103 (4), 171 (2), 388, 392 to 398, 409, 446 to 450, 692, 693 and 729 (1) (*d*) and (3) so far as they may relate to any papers or documents belonging to or in the possession of the Crown.

Provided 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 Department, shall be deemed to apply to such ships by reason only that its application is not hereby expressly excluded.

15. This Order may be cited as the Merchant Shipping (Department of Scientific and Industrial Research Ships) Order, 1955, and shall come into operation on the 16th day of May, 1955.

W. G. Agnew.

EXPLANATORY NOTE

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

Section 80 of the Merchant Shipping Act, 1906, provides that Her Majesty may by Order in Council 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. This Order allows ships in the service of the Department of Scientific and Industrial Research to be so registered and determines the Sections and provisions of the Merchant Shipping Acts which shall apply to them.

METROPOLITAN AND CITY POLICE DISTRICTS

CABS

1955 No. 1853

The London Cab Order, 1955

Made - - - 3*rd December,* 1955
Coming into Operation 1*st January,* 1956

In pursuance of the powers conferred upon me by the Metropolitan Public Carriage Act, 1869(**a**), and the London Cab and Stage Carriage Act, 1907(**b**), I hereby order as follows:—

1.—(1) For the definition of "Commissioner of Police" in sub-paragraph (1) of paragraph 2 of the London Cab Order, 1934(**c**), there shall be substituted the following definition:—

"the Assistant Commissioner" means the person, being an Assistant Commissioner of Police of the Metropolis, for the time being appointed

(**a**) 32 & 33 Vict. c. 115. (**b**) 7 Edw. 7. c. 55.
(**c**) S.R. & O. 1934/1346 (Rev. XIV, p. 795: 1934 I, p. 1221).