3. Section 238 of the Merchant Shipping Act, 1894, shall apply in the case of the Italian Republic 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 Italian Republic, 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 any 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.

W. G. Agnew.

EXPLANATORY NOTE

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

The purpose of this Order is to provide for the apprehension of deserters from Italian merchant ships at ports in the United Kingdom, the Channel Islands, the Isle of Man or any Colony, and with certain exceptions for their return to their ships, so as to give effect to provisions contained in the Consular Convention between the United Kingdom and Italy signed at Rome on 1st June, 1954.

1958 No. 1048

The Merchant Shipping (Certificates of Competency as A.B.) (Republic of Ireland) Order, 1958

Made - - - -	*25th June*, 1958
Laid before Parliament	*1st July*, 1958
Coming into Operation	*11th July*, 1958

At the Court at Buckingham Palace, the 25th day of June, 1958

Present,

The Queen's Most Excellent Majesty in Council.

Whereas provision is made by the law of the Republic of Ireland for the grant of certificates of competency as A.B.:

And Whereas the Minister of Transport and Civil Aviation has reported to Her Majesty that he is satisfied that the conditions under which such certificates are granted require standards of competency not lower than those required for the grant of a certificate in pursuance of regulations made under section 5 of the Merchant Shipping Act, 1948(a) :

(a) 11 & 12 Geo. 6. c. 44.

Now, therefore, Her Majesty, in pursuance of the powers vested in Her by subsection (4) of section 5 of the Merchant Shipping Act, 1948, as affected by the Ireland Act, 1949(a), 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, as follows :—

1.—(1) This Order shall come into operation on the eleventh day of July, 1958, and may be cited as the Merchant Shipping (Certificates of Competency as A.B.) (Republic of Ireland) Order, 1958.

(2) In this Order, the expression " the Act " means the Merchant Shipping Act, 1948.

(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. Certificates of competency as A.B. granted in the Republic of Ireland shall have the same effect for the purposes of section 5 of the Act as if they had been granted in pursuance of regulations made under that section.

3. Any provision of regulations made under section 5 of the Act applying section 104 of the Merchant Shipping Act, 1894(c), to certificates of competency as A.B. granted under those regulations shall apply in relation to certificates of competency as A.B. granted in the Republic of Ireland.

W. G. Agnew.

EXPLANATORY NOTE

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

This Order provides—

(1) that certificates of competency as A.B. granted in the Republic of Ireland shall have the same effect for the purposes of section 5 of the Merchant Shipping Act, 1948, as if they had been granted in pursuance of regulations made under that section ;

(2) for the application of section 104 of the Merchant Shipping Act, 1894 (which relates to forgery and other offences relating to certificates of competency of Ships' Officers granted under that Act) in relation to certificates of competency as A.B. granted in the Republic of Ireland.

(a) 12, 13 & 14 Geo. 6. c. 41. (b) 52 & 53 Vict. c. 63. (c) 57 & 58 Vict. c. 60.