

Shipping Act, 1906, and this Order applicable to Indian Government ships.

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

(i.) The Merchant Shipping Act, 1894, Sections 1, 2, 3, 8 to 12, 427 to 431.

The provisions of Part II. of the Act relating to the requirement of officers to hold certificates of competency and the production of those certificates.

(ii) The Merchant Shipping (Mercantile Marine Fund) Act, 1908, Sections 3 and 5.

(iii.) The Merchant Shipping Act, 1906, Sections 25 and 27.

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

11. Anything required or authorised by this Order in Council to be done by a Government may be done by a Secretary to that Government or other officer nominated by that Government.

M. P. A. HANKEY.

At the Court at Buckingham Palace, the 5th day of November 1929.

PRESENT,

The KING's Most Excellent Majesty in Council.

WHEREAS by Section 80 of the Merchant Shipping Act, 1906, 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:

And whereas by the said Section it is provided that those Acts shall, 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, apply to Government ships registered in accordance with such Regulations as if they were registered in manner provided by those Acts:

And whereas the provisions of Section 1 of the Rules Publication Act, 1893, have been complied with:

Now, therefore, His Majesty, by virtue of the powers in this behalf by the said Act, or otherwise in Him vested, 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 His Majesty's Government in the Union of South Africa (hereinafter referred to as the Union Government):—

1. An application for registry of a Government ship in the service of the Union Government (hereinafter referred to as a Union Government ship) shall be made in writing under the hand of the Permanent Head of the Department of State of the Union (hereinafter

called the Department) controlling the ship. Such application shall contain the following particulars:—

(a) a statement of the name and description of the ship;

(b) 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;

(c) a statement of the nature of the title to the said ship, whether by original construction by or for the Union 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 Union Government.

2. The Registrar on receiving an application under the last preceding regulation shall—

(a) enter the ship in the Register Book as belonging to the Union Government, represented by the Department of (giving the name of the Department), and shall also enter therein

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

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

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

3. On the registry of a Union Government ship 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 by Bill of Sale of a Union Government ship the Permanent Head of the Department for the time being shall be the transferor, and the Bill of Sale shall be in Form A in the proper form prescribed under the Merchant Shipping Act, 1894 (hereinafter referred to as the Principal Act), omitting the covenant contained in that form.

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 Union Government ship by the Permanent Head of the Department.

6. The person to whom the management of a Union Government ship is entrusted by the Union 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, and this Order in Council is applicable to Union Government ships 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 in Council be carried out, borne, or exercised by the Permanent Head of the Department in respect of which the ship is registered.

8. In this Order in Council 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.

9. The term "Seamen" in Section 113 of the Principal Act shall not be deemed to mean