

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 ships belonging to His Majesty which are under the control of the Government of India (The Governor General of India in Council) or a local Government in India, hereinafter referred to as Indian Government ships:—

1. An application for registry of an Indian Government ship shall be made in writing under the hand of a Secretary to the Government concerned or other officer nominated by that Government. 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 that 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 that Government:

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

2. The Registrar, on receiving such application in respect of an Indian Government ship, shall—

(i) enter the ship in the Register Book as belonging to "His Majesty, represented by the Government of ..... [giving the name of the Government] ..... " 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 an Indian Government ship the Registrar shall retain in his possession the Surveyor's Certificate and the applica-

tion for registry and any documents of title mentioned in such application.

4. Upon the transfer of a registered Indian Government ship by Bill of Sale, the Secretary of State for India in Council, as required by the Government of India Act, 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 called the Principal Act, omitting the covenant therein contained. Any such Bill of Sale shall be signed on behalf of the transferor by a person authorised to sign by or under Part III of the Government of India Act.

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 an Indian Government ship by a Secretary to the Government concerned or other officer nominated by that Government.

6. The person to whom the management of any Indian Government ship is entrusted by the Government concerned 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 Indian 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 Government concerned on behalf of His Majesty.

8. The term "seaman" in Section 113 of the Principal Act shall not be deemed to mean or include any seaman in His Majesty's Navy or the Royal Indian Marine.

9. 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 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, 1898, 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.