



Merchant Shipping Act 1995

1995 CHAPTER 21

PART XIII

SUPPLEMENTAL

Application of Act to certain descriptions of ships, etc.

307 Application of Act to non-United Kingdom ships

- (1) The Secretary of State may make regulations specifying any description of non-United Kingdom ships and directing that such of the provisions of this Act and of instruments under this Act as may be specified in the regulations—
 - (a) shall extend to non-United Kingdom ships of that description and to masters and seamen employed in them, or
 - (b) shall so extend in such circumstances as may be so specified, with such modifications (if any) as may be so specified.
- (2) Regulations under this section may contain such transitional, supplementary and consequential provisions as appear to the Secretary of State to be expedient.
- (3) In this section “non-United Kingdom ships” means ships which are not registered in the United Kingdom.

308 Application of Act to government ships

- (1) Subject to any other provision of it, this Act shall not apply to ships belonging to Her Majesty.
- (2) Her Majesty may by Order in Council make regulations with respect to the manner in which Government ships may be registered as British ships under Part II; and this Act, 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 the Order as if they were registered in accordance with Part II.

Status: This is the original version (as it was originally enacted).

- (3) Any Order in Council under subsection (2) above shall be laid before Parliament after being made.
- (4) In this section “Government ships” means ships not forming part of Her Majesty’s Navy which belong to Her Majesty, or are held by any person on behalf of or for the benefit of the Crown (and for that reason cannot be registered under Part II).

309 Application of Act to ships chartered by demise to the Crown

- (1) This section applies to a ship if for the time being—
 - (a) the ship is—
 - (i) registered in the United Kingdom, and
 - (ii) in the service of a government department (including a Northern Ireland department) (“the relevant department”) by reason of a charter by demise to the Crown; and
 - (b) there is in force under section 308(2) an Order in Council providing for the registration of Government ships in the service of the relevant department.
- (2) Where this section applies to any ship, the following statutory provisions, namely—
 - (a) the provisions of the Order in Council referred to in subsection (1)(b) above (excluding those relating to registration under the Order), and
 - (b) the provisions of this Act (as they apply by virtue of section 308(2) and that Order in Council),
 shall (subject to subsections (3) and (4) below) have the same effect in relation to that ship as they have in relation to a Government ship in the service of the relevant department (whether referred to as such or as such a ship registered in pursuance of that Order in Council).
- (3) Subject to subsection (4) below, Part II shall have effect in relation to a ship to which this section applies in like manner as if it were not, for the purposes of this Act, a ship belonging to Her Majesty.
- (4) Her Majesty may by Order in Council provide that any statutory provision falling within subsection (2) or (3) above and specified in the Order—
 - (a) shall not have effect in accordance with that subsection in relation to a ship to which this section applies, or
 - (b) shall so have effect in relation to such a ship, but subject to such modifications as are specified in the Order.
- (5) In the application of any provision of this Act (other than a provision of Part II) in relation to a ship to which this section applies, any reference to the owner of the ship shall be construed as a reference to the relevant department.
- (6) An Order in Council under this section may make such transitional, incidental or supplementary provision as appears to Her Majesty to be necessary or expedient.

310 Application of Act to hovercraft

The enactments and instruments with respect to which provision may be made by Order in Council under section 1(1)(h) of the Hovercraft Act 1968 shall include this Act (except Parts I and II) and any instrument made thereunder.

311 Application of Act to certain structures, etc

- (1) The Secretary of State may by order provide that a thing designed or adapted for use at sea and described in the order is or is not to be treated as a ship for the purposes of any specified provision of this Act or of an instrument made thereunder.
- (2) An order under this section may—
 - (a) make different provision in relation to different occasions;
 - (b) if it provides that a thing is to be treated as a ship for the purposes of a specified provision, provide that the provision shall have effect in relation to the thing with such modifications as are specified.
- (3) In this section “specified” means specified in the order.