



# Merchant Shipping Act 1894

1894 CHAPTER 60 57 and 58 Vict

## PART III

### PASSENGER AND EMIGRANT SHIPS

#### Modifications etc. (not altering text)

- C1 Pt. III amended by [Merchant Shipping Act 1906 \(c. 48\), s. 15](#) and [Merchant Shipping \(Safety Convention\) Act 1949 \(c. 43\), s. 26\(1\)](#)

## 1. DEFINITIONS

### *†Definition of Passenger Steamer and Passenger*

#### Modifications etc. (not altering text)

- C2 Unreliable margin note

<sup>F1</sup>267 .....

#### Textual Amendments

- F1 [S. 267](#) repealed (1.6.1995 with effect as mentioned in reg. 1(5)) by [S.I. 1995/1210, reg. 1\(4\)\(a\)\(5\)](#)

268– ..... <sup>F2</sup>  
270

*Status: Point in time view as at 01/06/1995. This version of this part contains provisions that are not valid for this point in time.  
Changes to legislation: There are currently no known outstanding effects for the Merchant Shipping Act 1894, Part III. (See end of Document for details)*

**Textual Amendments**  
F2 Ss. 257–266, 268–270 repealed by Merchant Shipping Act 1970 (c. 36), s. 100, Sch. 5

## 2. PASSENGER STEAMERS

### Survey of Passenger Steamers

VALID FROM 01/06/1996  
F3 271 .....

**Textual Amendments**  
F3 S. 271 repealed (1.6.1995 with effect as mentioned in reg. 1(5)) by S.I. 1995/1210, reg. 1(4)(a)(5)

F4 272 .....

**Textual Amendments**  
F4 S. 272 repealed (1.6.1995 with effect as mentioned in reg. 1(5)) by S.I. 1995/1210, reg. 1(4)(a)(5)

F5 273 .....

**Textual Amendments**  
F5 S. 273 repealed (1.6.1995 with effect as mentioned in reg. 1(5)) by S.I. 1995/1210, reg. 1(4)(a)(5)

F6 274 .....

**Textual Amendments**  
F6 S. 274 repealed (1.6.1995 with effect as mentioned in reg. 1(5)) by S.I. 1995/1210, reg. 1(4)(a)(5)

F7 275 .....

*Status: Point in time view as at 01/06/1995. This version of this part contains provisions that are not valid for this point in time.*

*Changes to legislation: There are currently no known outstanding effects for the Merchant Shipping Act 1894, Part III. (See end of Document for details)*

**Textual Amendments**

**F7** S. 275 repealed (1.6.1995 with effect as mentioned in reg. 1(5)) by S.I. 1995/1210, reg. 1(4)(a)(5)

**F8** 276 .....

**Textual Amendments**

**F8** S. 276 repealed (1.6.1995 with effect as mentioned in reg. 1(5)) by S.I. 1995/1210, reg. 1(4)(a)(5)

**F9** 277 .....

**Textual Amendments**

**F9** S. 277 repealed (1.6.1995 with effect as mentioned in reg. 1(5)) by S.I. 1995/1210, reg. 1(4)(a)(5)

**F10** 278 .....

**Textual Amendments**

**F10** S. 278 repealed (1.6.1995 with effect as mentioned in reg. 1(5)) by S.I. 1995/1210, reg. 1(4)(a)(5)

**F11** 279 .....

**Textual Amendments**

**F11** S. 279 repealed (1.6.1995 with effect as mentioned in reg. 1(5)) by S.I. 1995/1210, reg. 1(4)(a)(5)

**280 Delivery up of certificate.**

- (1) The Board of Trade may require a passenger steamer’s certificate, which has expired or been cancelled, to be delivered up as they direct.
- (2) If any owner or master fails without reasonable cause to comply with such requirement, he shall for each offence be liable to a fine not exceeding [<sup>F12</sup>[<sup>F13</sup>£50]]<sup>F12</sup>level 2 on the standard scale].

**Textual Amendments**

**F12** Words “level 2 on the standard scale” substituted (E.W.S.) for “£50” by virtue of (E.W.) *Criminal Justice Act 1982* (c. 48, SIF 39:1), s. 46 and (S.) *Criminal Procedure (Scotland) Act 1975* (c. 21, SIF 39:1), s. 289G

**F13** Word substituted by virtue of *Merchant Shipping Act 1979* (c. 39), s. 43(1), **Sch. 6 Pt. I**

*Status: Point in time view as at 01/06/1995. This version of this part contains provisions that are not valid for this point in time.*

*Changes to legislation: There are currently no known outstanding effects for the Merchant Shipping Act 1894, Part III. (See end of Document for details)*

**Modifications etc. (not altering text)**

**C3** S. 280 modified (1.5.1994) by 1993 c. 22, s. 8(3), **Sch. 4 para.16**; S.I. 1993/3137, **art. 3(2)**

**281 Posting up of certificate.**

- (1) The owner or master of every passenger steamer required to have a passenger steamer's certificate shall forthwith on the receipt of the certificate by him or his agent cause one of the duplicates to be put up in some conspicuous place on board the steamer, so as to be legible to all persons on board, and to be kept so put up and legible while the certificate remains in force, and the steamer is in use.
- (2) If the owner or master fails without reasonable cause to comply with this section, he shall for each offence be liable to a fine not exceeding [<sup>F14</sup> [<sup>F15</sup> £50]] [<sup>F14</sup> level 2 on the standard scale].
- (3) If a passenger steamer plies or goes to sea with passengers on board, and this section is not complied with, then for each offence the owner thereof shall be liable to a fine not exceeding [<sup>F16</sup> [<sup>F17</sup> £200]] [<sup>F16</sup> level 4 on the standard scale], and the master shall also be liable to a further fine not exceeding [<sup>F16</sup> [<sup>F17</sup> £200]] [<sup>F16</sup> level 4 on the standard scale].

**Textual Amendments**

- F14** Words “level 2 on the standard scale” substituted (E.W.S.) for “£50” by virtue of (E.W.) **Criminal Justice Act 1982 (c. 48, SIF 39:1), s. 46** and (S.) **Criminal Procedure (Scotland) Act 1975 (c. 21, SIF 39:1), s. 289G**
- F15** Word substituted by virtue of **Merchant Shipping Act 1979 (c. 39), s. 43(1), Sch. 6 Pt. I**
- F16** Words “level 4 on the standard scale” substituted (E.W.S.) for “£200” by virtue of (E.W.) **Criminal Justice Act 1982 (c. 48, SIF 39:1), ss. 38, 46** and (S.) **Criminal Procedure (Scotland) Act 1975 (c. 21, SIF 39:1), ss. 289F, 289G**
- F17** Words substituted by virtue of **Merchant Shipping (Load Lines) Act 1967 (c. 27, SIF 111), s. 25, Sch. 1** (as amended by **Merchant Shipping Act 1979 (c. 39, SIF 111), s. 43, Sch. 6 Pt. VI para. 7**)

**Modifications etc. (not altering text)**

**C4** S. 281 modified (1.5.1994) by 1993 c. 22, s. 8(3), **Sch. 4 para.16**; S.I. 1993/3137, **art. 3(2)**

<sup>F20</sup>**283** .....

**Textual Amendments**

**F20** S. 283 repealed (1.6.1995 with effect as mentioned in reg. 1(5)) by S.I. 1995/1210, **reg. 1(4)(a)(5)**

<sup>F21</sup>**284** .....

**Textual Amendments**

**F21** S. 284 repealed (1.5.1994) by 1993 c. 22, s. 8(4), **Sch. 5 Pt.II**; S.I. 1993/3137, **art. 3(2)**

*Status:* Point in time view as at 01/06/1995. This version of this part contains provisions that are not valid for this point in time.

*Changes to legislation:* There are currently no known outstanding effects for the Merchant Shipping Act 1894, Part III. (See end of Document for details)

### General Equipment of Passenger Steamers

<sup>F22</sup>285 .....

#### Textual Amendments

**F22** S. 285 repealed (1.5.1994) by 1993 c. 22, s. 8(4), Sch. 5 Pt.II; S.I. 1993/3137, art. 3(2)

<sup>F23</sup>286 .....

#### Textual Amendments

**F23** S. 286 repealed (1.5.1994) by 1993 c. 22, s. 8(4), Sch. 5 Pt.II; S.I. 1993/3137, art. 3(2)

### Keeping Order in Passenger Steamers

#### 287 Offences in connexion with passenger steamers.

(1) If any of the following offences is committed in the case of a [<sup>F24</sup>ship carrying more than 12 passengers for which there is in force a Passenger Ship Safety Certificate or Passenger Certificate, as the case may be, issued under or recognised by regulations made under section 21 of the Merchant Shipping Act 1979]; (that is to say,)

- (a) If any person being drunk or disorderly has been on that account refused admission thereto by the owner or any person in his employment, and, after having the amount of his fare (if he has paid it) returned or tendered to him, nevertheless persists in attempting to enter the steamer:
- (b) If any person being drunk or disorderly on board the steamer is requested by the owner or any person in his employ to leave the steamer at any place in the United Kingdom, at which he can conveniently do so, and, after having the amount of his fare (if he has paid it) returned or tendered to him, does not comply with the request:
- (c) If any person on board the steamer, after warning by the master or other officer thereof, molests or continues to molest any passenger:
- (d) If any person, after having been refused admission to the steamer by the owner or any person in his employ on account of the steamer being full, and having had the amount of his fare (if he has paid it) returned or tendered to him, nevertheless persists in attempting to enter the steamer:
- (e) If any person having gone on board the steamer at any place, and being requested, on account of the steamer being full, by the owner or any person in his employ to leave the steamer, before it has quitted that place, and having had the amount of his fare (if he has paid it) returned or tendered to him, does not comply with that request:

<sup>F25</sup>(f) .....

<sup>F25</sup>(g) .....

- (h) If any person on arriving in the steamer at a point to which he has paid his fare knowingly and wilfully refuses or neglects to quit the steamer: and

*Status: Point in time view as at 01/06/1995. This version of this part contains provisions that are not valid for this point in time.*

*Changes to legislation: There are currently no known outstanding effects for the Merchant Shipping Act 1894, Part III. (See end of Document for details)*

- (i) If any person on board the steamer fails, when requested by the master or other officer thereof, either to pay his fare or exhibit such ticket or other receipt, if any, showing the payment of his fare, as is usually given to persons travelling by and paying their fare for the steamer:

the person so offending shall for each offence be liable to a fine not exceeding [F26[F27£50]][F26]level 2 on the standard scale], but that liability shall not prejudice the recovery of any fare payable by him.

- (2) If any person on board any such steamer wilfully does or causes to be done anything in such a manner as to obstruct or [F28damage] any part of the machinery or tackle of the steamer, or to obstruct, impede, or molest the crew, or any of them, in the navigation or management of the steamer, or otherwise in the execution of their duty on or about the steamer, he shall for each offence be liable to a fine not exceeding [F26[F27£50]][F26]level 2 on the standard scale].
- (3) The master or other officer of any such steamer, and all persons called by him to his assistance, may, without any warrant, detain any person who commits any offence against this section and whose name and address are unknown to the master or officer, and [F28deliver that person to a constable]
- (4) If any person commits an offence against this section and on the application of the master of the steamer, or any other person in the employ of the owner thereof, refuses to give his name and address, or gives a false name or address, that person shall be liable to a fine not exceeding [F26[F27£50]][F26]level 2 on the standard scale][F29]and the fine shall be paid to the owner of the steamer.]

#### Textual Amendments

- F24** Words in s. 287(1) substituted (1.6.1995) by S.I. 1995/1210, **reg. 1(6)**
- F25** S. 287(1)(f)(g) repealed (1.5.1994) by 1993 c. 22, s. 8(3)(4), Sch. 4 para. 14(a), **Sch. 5 Pt. II**; S.I. 1993/3137, **art. 3(2)**
- F26** Words “level 2 on the standard scale” substituted (E.W.S.) for “£50” by virtue of (E.W.) **Criminal Justice Act 1982 (c. 48, SIF 39:1), s. 46** and (S.) **Criminal Procedure (Scotland) Act 1975 (c. 21, SIF 39:1), s. 289G**
- F27** Word substituted by virtue of **Merchant Shipping Act 1979 (c. 39), s. 43(1), Sch. 6 Pt. I**
- F28** Words in s. 287(2)(3) substituted (1.5.1994) by 1993 c. 22, s. 8(3), **Sch. 4 para. 14(b)(c); S.I. 1993/3137, art. 3(2)**
- F29** Words repealed (E.W.) by **Justices of the Peace Act 1949 (c. 101), Sch. 7 Pt. III**

## 288 Power to exclude drunken passengers on home trade passenger steamers.

The master of any home trade [F30ship (whether or not a United Kingdom ship) carrying more than 12 passengers] may refuse to receive on board thereof any person who by reason of drunkenness or otherwise is in such a state, or misconducts himself in such a manner, as to cause annoyance or injury to passengers on board, and if any such person is on board, may put him on shore at any convenient place; and a person so refused admittance or put on shore shall not be entitled to the return of any fare he has paid.

#### Textual Amendments

- F30** Words in s. 288 substituted (1.6.1995) by S.I. 1995/1210, **reg. 1(7)**

*Status: Point in time view as at 01/06/1995. This version of this part contains provisions that are not valid for this point in time.*

*Changes to legislation: There are currently no known outstanding effects for the Merchant Shipping Act 1894, Part III. (See end of Document for details)*

### 3. EMIGRANT SHIPS

**289–** ..... **F31**  
**355**

#### Textual Amendments

**F31** Ss. 289–355, 357, 358, 359(2), 360(1)(2) repealed by Merchant Shipping Act 1970 (c. 36), s. 100, **Sch. 5**

#### Legal Proceedings

**F32** **356** .....

#### Textual Amendments

**F32** S. 356 repealed (1.5.1994) by 1993 c. 22, s. 8(4), **Sch. 5 Pt.II**; S.I. 1993/3137, **art. 3(2)**

**357,** ..... **F33**  
**358.**

#### Textual Amendments

**F33** Ss. 289–355, 357, 358, 359(2), 360(1)(2) repealed by Merchant Shipping Act 1970 (c. 36), s. 100, **Sch. 5**

#### Supplemental

**F34** **359** .....

#### Textual Amendments

**F34** S. 359 repealed (1.5.1994) by 1993 c. 22, s. 8(4), **Sch. 5 Pt.II**; S.I. 1993/3137, **art. 3(2)**

**360**  
(1) ..... **F35**  
(3) ..... **F36**

#### Textual Amendments

**F35** Ss. 289–355, 357, 358, 359(2), 360(1)(2) repealed by Merchant Shipping Act 1970 (c. 36), s. 100, **Sch. 5**

**F36** S.360(3) repealed by Merchant Shipping Act 1979 (c. 39), **Sch. 7 Pt. II**

*Status: Point in time view as at 01/06/1995. This version of this part contains provisions that are not valid for this point in time.*

*Changes to legislation: There are currently no known outstanding effects for the Merchant Shipping Act 1894, Part III. (See end of Document for details)*

**361,** ..... <sup>F37</sup>  
**362.**

**Textual Amendments**  
**F37** Ss. 361, 362, 364, 365 repealed by Merchant Shipping Act 1970 (c. 36), s. 100, **Sch. 5**

<sup>F38</sup>**363** .....

**Textual Amendments**  
**F38** S. 363 repealed (1.6.1995 with effect as mentioned in reg. 1(5)) by S.I. 1995/1210, **reg. 1(4)(a)(5)**

*Application of Part III as regards Emigrant Ships*

**364,** ..... <sup>F39</sup>  
**365.**

**Textual Amendments**  
**F39** Ss. 361, 362, 364, 365 repealed by Merchant Shipping Act 1970 (c. 36), s. 100, **Sch. 5**

<sup>F40</sup>**366** .....

**Textual Amendments**  
**F40** S. 366 repealed (1.5.1994) by 1993 c. 22, s. 8(4), **Sch. 5 Pt.II**; S.I. 1993/3137, **art. 3(2)**

<sup>F41</sup>**367** .....

**Textual Amendments**  
**F41** S. 367 repealed (1.5.1994) by 1993 c. 22, s. 8(4), **Sch. 5 Pt.II**; S.I. 1993/3137, **art. 3(2)**

**368** ..... <sup>F42</sup>

**Textual Amendments**  
**F42** S. 368 repealed by Statute Law (Repeals) Act 1976 (c. 16), **Sch. 1 Pt. VII**

**368A** ..... <sup>F43</sup>



---

**Status:** Point in time view as at 01/06/1995. This version of this part contains provisions that are not valid for this point in time.

**Changes to legislation:** There are currently no known outstanding effects for the Merchant Shipping Act 1894, Part III. (See end of Document for details)

---

.....

**Textual Amendments**

**F43** S. 368A repealed by [Burma Independence Act 1947 \(11 & 12 Geo. 6 c. 3\)](#), s. 5, [Sch. 2 Pt. I](#)

**Status:**

Point in time view as at 01/06/1995. This version of this part contains provisions that are not valid for this point in time.

**Changes to legislation:**

There are currently no known outstanding effects for the Merchant Shipping Act 1894, Part III.