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STATUTORY INSTRUMENTS

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**1951 No. 143**

**The Merchant Shipping (Registration of  
Sierra Leone Government Ships) Order 1951**

1. An application for registry of a Government ship in the service of the Colonial Government shall be made in writing under the hand of the Colonial Secretary of Sierra Leone or other officer of the Colonial Government nominated by the Governor, or by one of the Crown Agents for the Colonies. 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 the Colonial 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 Colonial Government.
- (iv) A statement of the name of the Master.

2. The Registrar, on receiving such application in respect of a Government ship in the service of the Colonial Government shall—

- (i) enter the ship in the Register Book as belonging to “His Majesty, represented by the Government of the Colony of Sierra Leone” 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 a Government ship in the service of the Colonial Government 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 of a registered Government ship in the service of the Colonial Government by Bill of Sale, the Colonial Government shall be the transferors, 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 therein contained. Any such Bill of Sale shall be signed by the Colonial Secretary or other officer or Crown Agent as aforesaid on behalf of the Colonial Government.

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 Government ship in the service of the Colonial Government by the Colonial Secretary or other officer or Crown Agent as aforesaid on behalf of the Colonial Government.

6. The person to whom the management of any Government ship in the service of the Colonial Government is entrusted by the Colonial Government shall be registered as provided by Section 59 (2) of the principal Act.

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7. Where any provision of the Merchant Shipping Acts which by virtue of the Merchant Shipping Act, 1906, and this Order is applicable to Government ships in the service of the Colonial Government 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 be carried out, borne, or exercised by the Colonial Government on behalf of His Majesty.

8. In this Order 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 following sections and provisions of the Merchant Shipping Acts shall not apply to Government ships in the service of the Colonial Government registered in pursuance of this Order, namely:—

(i) The Merchant Shipping Act, 1894—Sections 1, 8 to 12.

(ii) The Merchant Shipping (Mercantile Marine Fund) Act, 1898—Sections 3 and 5.

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

10. Anything required or authorised by this Order to be done by the Colonial Government may be done by the Colonial Secretary or other officer or Crown Agent as aforesaid.

11. The Interpretation Act, 1889, shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

12. This Order shall come into operation on the 2nd day of February, 1951, and may be cited as the Merchant Shipping (Registration of Sierra Leone Government Ships) Order, 1951.

*E. C. E. Leadbitter*