

MERCHANT SHIPPING

<i>Made</i>	-	-	-	6th August 1981
<i>Coming into Operation</i>				1st September 1981

2. The provisions of the 1970 Act specified in the first column of the Schedule to this Order (which relate to the matters specified in the second column of that Schedule) shall come into operation on 1st September 1981.

Trefgarne,
Parliamentary Under Secretary of State,
Department of Trade.

(b) *See* S.I. 1970/1537.

THE SCHEDULE

PROVISIONS COMING INTO FORCE ON 1ST SEPTEMBER 1981

Provisions of the Act	Subject matter of provisions
Section 50	Special certificates of competency.
Section 60	Power to restore certificate.
In section 100, subsection (3) so far as it relates to the provisions of Schedule 5 brought into force by this Schedule.	Repeals.
Schedule 3, paragraphs 5, 6 and 7 ...	Amendments to Pilotage Act 1913.
Schedule 4, paragraph 9	Savings provision (section 60).
Schedule 5, so far as it relates to the repeals set out in the Appendix to this Schedule.	Enactments repealed.

APPENDIX TO THE SCHEDULE

REPEALS TAKING EFFECT ON 1ST SEPTEMBER 1981

Chapter	Short Title	Extent of repeal
1894 c. 60.	The Merchant Shipping Act 1894.	In Part II—sections 92 and 93, 96 to 104 inclusive, and 209 except to the extent that these sections apply in relation to: (a) fishing vessels by virtue of section 414 of the Merchant Shipping Act 1894; or (b) British ships registered outside the United Kingdom.
1906 c. 48.	The Merchant Shipping Act 1906.	In Part III—section 27 and in Part V—sections 56 and 64 except to the extent that sections 27 and 56 apply in relation to British ships registered outside the United Kingdom.
1914 c. 42.	The Merchant Shipping (Certificates) Act 1914.	The whole Act.
1948 c. 44.	The Merchant Shipping Act 1948.	Sections 6, 8, 9, 10, 11 and 12.
1950 c. 9.	The Merchant Shipping Act 1950.	Section 6.
1967 c. 26.	The Merchant Shipping Act 1967.	The whole Act except to the extent that section 92(2) of the Act of 1894 (as amended by this Act) applies in relation to British ships registered outside the United Kingdom.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order brings into force on 1st September 1981 the provisions of the Merchant Shipping Act 1970 specified in the Schedule in respect of special certificates of competency and power to restore certificates. The repeals specified in the Appendix to the Schedule relate to the certification of officers, ships' cooks and doctors and are superseded by provisions in the 1970 Act and in the Merchant Shipping (Certification of Deck Officers) Regulations 1980 (S.I. 1980/2026), the Merchant Shipping (Certification of Marine Engineer Officers) Regulations 1980 (S.I. 1980/2025), the Merchant Shipping (Certification of Ships' Cooks) Regulations 1981 (S.I. 1981/1076) and the Merchant Shipping (Doctors) Regulations 1981 (S.I. 1981/1065) which also come into operation on that date.

Section 64 of the Merchant Shipping Act 1906 (increase of crew space) which is superseded by section 20 of the Merchant Shipping Act 1970 and regulations made thereunder, is also repealed.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This Note is not part of the Order.)

In this Note:

“MSA 1974” means the Merchant Shipping Act 1974;

“MSA 1979” means the Merchant Shipping Act 1979;

an asterisk (*) denotes that the prescribed penalty has been increased by Schedule 6 to the MSA 1979.

The following provisions of the Merchant Shipping Act 1970 have been brought into force by commencement orders made before the date of this Order:

Provision	S.I. No.
Sections 1*, 2*, 3*, 4, 5, 7, 8*, 9, 10 ...	1972/1977
Section 11 (see section 39(3) MSA 1979) ...	1972/1977
Sections 12 to 14 ...	1972/1977
Section 15 (amended by section 37(1) MSA 1979) ...	1979/809
Sections 16 to 18 ...	1972/1977
Section 19* ...	1979/809
Section 20* ...	1975/2156
Sections 21*, 22*, 23* ...	1972/1977
Section 24* ...	1974/1194
Sections 25, 26 ...	1972/1977
Section 27* (amended by section 45(1) MSA 1979) ...	1972/1977
Section 28* (amended by section 45(2) MSA 1979) ...	1972/1977
Section 29 (repealed by section 19(3) MSA 1974) ...	1972/1977
Section 30* (amended by section 19(4) MSA 1974) ...	1972/1977
Section 31 (repealed by section 19(3) MSA 1974) ...	1972/1977
Section 32 (amended by section 19(6) MSA 1974) ...	1972/1977
Sections 33, 34*, 35, 37 to 42 ...	1972/1977
Section 43* (see section 37(2) and (3) MSA 1979) ...	1975/2156
Sections 44, 45*, 46*, 47* ...	1975/2156
Section 48* ...	1972/1977
Section 49 ...	1975/2156

Section 61* (amended by section 28(7)(b), 29(1) and (2) MSA 1979)	1972/1977
Sections 62*, 63, 64, 65*, 66, 67, 68*, 69*, 70*, 71*	1972/1977
Section 72* (amended by section 30 MSA 1979)	1972/1977
Sections 73*, 74*, 75	1972/1977
Section 76* (amended by section 37(5) MSA 1979)	1972/1977
Sections 77*, 78*, 79 to 84	1972/1977
Sections 85 and 86*	1974/1908
Sections 88, 89*, 90	1972/1977
Section 92 (amended by section 37(6) MSA 1979)	1972/1977
Sections 93, 94	1972/1977
Section 95(1) (amended by section 45(3) MSA 1979), (4) to (6)	1972/1977
Section 95(2)	1979/809
Section 96	1972/1977
Section 97 (amended by section 29(3) MSA 1979)	1972/1977
Sections 98 and 99	1972/1977
Section 100 (partially)...	1972/1977
	1974/1194
	1974/1908
	1978/797
	1979/809
Section 101 (amended by section 37(7) MSA 1979)	1972/1977
Schedule 1	1974/1908
Schedule 2 Part I, paragraph 1 and Part II	1972/1977
Schedule 3, paragraphs 1 to 4, 8 and 9, 11 to 14	1972/1977
Schedule 3, paragraph 10	1974/1908
Schedule 4, paragraphs 1 to 4	1972/1977
Schedule 5 (partially)	1972/1977
	1974/1194
	1974/1908
	1978/797
	1979/809

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