
STATUTORY INSTRUMENTS

1995 No. 965 (C.24)

MERCHANT SHIPPING

**The Merchant Shipping Act 1970
(Commencement No. 11) Order 1995**

Made - - - - 29th March 1995

The Secretary of State for Transport, in exercise of powers conferred by section 101(4) of the Merchant Shipping Act 1970⁽¹⁾ and now vested in him⁽²⁾, and of all other powers enabling him in that behalf, hereby makes the following Order:—

1. This Order may be cited as the Merchant Shipping Act 1970 (Commencement No. 11) Order 1995.
2. The provisions of the Merchant Shipping Act 1970 specified in the first column of the Schedule to this Order (which relate to the matters specified in the second column of the Schedule) shall come into force on 1st May 1995.

Signed by authority of the Secretary of State for Transport

29th March 1995

Goschen
Parliamentary Under Secretary of State,
Department of Transport

(1) 1970 c. 36; section 101(4) was amended by section 37(7) of the Merchant Shipping Act 1979 (c. 39).
(2) See S.I. 1970/1537.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE

Article 2

Provisions coming into force on 1st May 1995.

| Provisions of the Act | Subject matter of provisions |
|---|--|
| Section 51 | Restriction on employment of persons under 18 on board ship. |
| In section 100, subsection (3) so far as it relates to the provisions of Schedule 5 brought into force by this Schedule | Repeals. |
| Schedule 5, so far as it relates to the repeals set out in the Appendix to this Schedule | Enactments repealed. |

APPENDIX TO SCHEDULE

Repeals taking effect on 1st May 1995.

| Chapter | Short Title | Extent of Repeal |
|-------------|---|--|
| 1894 c. 60. | The Merchant Shipping Act 1894. | Part II to the extent that it is not already repealed. Sections 369, 413, 415, 416 and 417. In section 676, in subsection (1), in paragraph (b), the words “Second and” and the words from “including” to the end of the paragraph, and paragraphs (d) and (f). In section 677,, paragraph (a), in paragraph (b) the words from “and the remuneration” to the end of the paragraph, and paragraph (e). In section 721, the word “Second”. In section 722, subsection (2) (a). Schedules 5 and 6. |
| 1906 c. 48. | The Merchant Shipping Act 1906. | Section 56. |
| 1925 c. 65. | The Employment of Women, Young Persons and Children Act 1920. | In section 1, subsections (2) and (5), and in subsection (6) the sub-paragraph beginning “This section so far as it relates to employment in a ship” and, in the sub-paragraph following it, the words “or in any ship” and paragraphs (b) and (d). |
| 1925 c. 42. | The Merchant Shipping (International Labour Convention) 1925. | The whole Act. |
| 1950 c. 9. | The Merchant Shipping Act 1950. | Section 3, to the extent it is not already repealed. |
| 1967 c. 26. | The Merchant Shipping Act 1967. | The whole Act. |

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EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force section 51 of the Merchant Shipping Act 1970 which confers powers to make regulations about the employment of young persons on ships and consequential repeals of earlier legislation. The Order also brings into force the repeals of other enactments relating to seamen which have been superseded by later legislation.

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(3);

“MSA 1979” means the Merchant Shipping Act 1979(4);

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 | Date of commencement | S.I. No |
|---------------------------------------|----------------------|-----------|
| ss. 1*, 2*, 3*, 4, 5, 7, 8*, 9, 1 | 1.1.73 | 1972/1977 |
| s. 11 (see s. 39(3) MSA 1979) | 1.1.73 | 1972/1977 |
| ss. 12 to 14 | 1.1.73 | 1972/1977 |
| s. 15 (amended by s. 37(1) MSA 1979) | 1.8.79 | 1979/809 |
| ss. 16 to 18 | 1.1.73 | 1972/1977 |
| s. 19* | 1.8.79 | 1979/809 |
| s. 20* | 19.12.75 | 1975/2156 |
| ss. 21*, 22*, 23* | 1.1.73 | 1972/1977 |
| s. 24* | 1.10.74 | 1974/1194 |
| ss. 25, 26 | 1.1.73 | 1972/1977 |
| s. 27* (amended by s. 45(1) MSA 1979) | 1.1.73 | 1972/1977 |
| s. 28* (amended by s. 45(2) MSA 1979) | 1.1.73 | 1972/1977 |
| s. 29 (repealed by s. 19(3) MSA 1974) | 1.1.73 | 1972/1977 |

(3) 1974 c. 43.

(4) 1979 c. 39.

| Provision | Date of commencement | S.I. No |
|---|----------------------|-----------|
| s. 30* (amended by s. 19(4) MSA 1974) | 1.1.73 | 1972/1977 |
| s. 31 (repealed by s. 19(3) MSA 1974) | 1.1.73 | 1972/1977 |
| s. 32 (amended by s. 19(6) MSA 1974) | 1.1.73 | 1972/1977 |
| ss. 33, 34*, 35, 37 to 42 | 1.1.73 | 1972/1977 |
| s. 43* (see s. 37(2) and (3) MSA 1979) | 19.12.75 | 1975/2156 |
| ss. 44, 45*, 46*, 47* | 19.12.75 | 1975/2156 |
| s. 48* | 1.1.73 | 1972/1977 |
| s. 49 | 19.12.75 | 1975/2156 |
| s. 50* | 1.9.81 | 1981/1186 |
| ss. 52, 53, 54 | 1.1.83 | 1982/1617 |
| ss. 55, 56 | 1.7.83 | 1982/1617 |
| ss. 57, 59 | 1.1.83 and 1.7.83 | 1982/1617 |
| s. 60 | 1.9.81 | 1981/1186 |
| s. 61* (amended by s. 28 (7) (b), 29(1) and (2) MSA 1979) | 1.1.73 | 1972/1977 |
| ss. 62*, 63, 64, 65*, 66, 67, 68*, 69*, 70*, 71* | 1.1.73 | 1972/1977 |
| s. 72* (amended by s. 30 MSA 1979) | 1.1.73 | 1972/1977 |
| ss. 73*, 74*, 75 | 1.1.73 | 1972/1977 |
| s. 76* (amended by s. 37(5) MSA 1979) | 1.1.73 | 1972/1977 |
| ss. 77*, 78*, 79 to 84 | 1.1.73 | 1972/1977 |
| ss. 85 and 86* | 18.11.74 | 1974/1908 |
| ss. 88, 89*, 90 | 1.1.73 | 1972/1977 |
| s. 91* | 16.7.82 | 1982/840 |
| s. 92 (amended by s. 37(6) MSA 1979) | 1.1.73 | 1972/1977 |
| ss. 93, 94 | 1.1.73 | 1972/1977 |
| s. 95(1) (amended by s. 45(3) MSA 1979), (4) to (6) | 1.1.73 | 1972/1977 |
| s. 95(2) | 1.8.79 | 1979/809 |
| s. 96 | 1.1.73 | 1972/1977 |

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| Provision | Date of commencement | S.I. No |
|--|----------------------|-----------|
| s. 97 (amended by s. 29(3) MSA 1979) | 1.1.73 | 1972/1977 |
| ss. 98 and 99 | 1.1.73 | 1972/1977 |
| s. 100 and Sch. 5 partially | 1.1.73 and 6.4.74 | 1972/1977 |
| | 1.10.74 | 1974/1194 |
| | 18.11.74 | 1974/1908 |
| | 1.7.79 | 1978/797 |
| | 1.8.79 | 1979/809 |
| | 1.9.81 | 1981/1186 |
| | 16.7.82 | 1982/840 |
| | 1.1.83 and 1.7.83 | 1982/1617 |
| | 1.1.87 and 1.9.87 | 1986/2066 |
| s. 101 (amended by s. 37(7) MSA 1979) | 1.1.73 | 1972/1977 |
| Sch. 1 | 18.11.74 | 1974/1908 |
| Sch. 2 Part I, paragraph 1 and Part II | 1.1.73 | 1972/1977 |
| Sch. 3, paragraphs 1 to 4, 8 and 9, 11 to 14 | 1.1.73 and 6.4.74 | 1972/1977 |
| Sch. 3, paragraph 10 | 18.11.74 | 1974/1908 |
| Sch. 3, paragraphs 5, 6 and 7 | 1.9.81 | 1981/1186 |
| Sch. 4, paragraphs 1 to 4 | 1.1.73 | 1972/1977 |
| Sch. 4, paragraph 9 | 1.9.81 | 1981/1186 |
| Sch. 4, paragraph 18 | 1.1.83 and 1.7.83 | 1982/1617 |
| Sch. 5 (partially) | 1.1.73 and 6.4.74 | 1972/1977 |
| | 1.10.74 | 1974/1194 |
| | 18.11.74 | 1974/1908 |
| | 1.7.79 | 1978/797 |
| | 1.8.79 | 1979/809 |
| | 1.9.81 | 1981/1186 |
| | 16.7.82 | 1982/840 |
| | 1.1.87 and 1.9.87 | 1986/2066 |