



# Merchant Shipping Act 1894

1894 CHAPTER 60 57 and 58 Vict

## PART II

MASTERS AND SEAMEN

*Certificates of Competency*

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

C1 Ss. 92—100, 102—104 extended by [South Africa Act 1962 \(c. 23\)](#), [Sch. 3 para. 6](#)

[<sup>F1</sup>92 **Certificates of competency to be held by officers of ships.**

- (1) Every British foreign-going ship and every British home trade passenger ship, when going to sea from any place in the United Kingdom [<sup>F2</sup>every ship registered in the United Kingdom, being a foreign-going ship or a home trade passenger ship, when going to sea from a place outside the United Kingdom], and every foreign steamship carrying passengers between places in the United Kingdom, shall be provided with officers duly certificated under this Act according to the following scale:—
- (a) In any case with a duly certificated master:
    - [ If the ship is of one hundred tons burden or upwards, with at least one officer
    - <sup>F3</sup>(b) besides the master holding a certificate not lower than that of—
      - (i) mate in the case of a home trade passenger ship;
      - (ii) second mate in the case of a foreign-going sailing ship of not more than two hundred tons burden; and
      - (iii) only mate in the case of any other foreign-going ship:]
  - (c) If the ship is a foreign-going ship, and carries more than one mate, with at least the first and second mate duly certificated:
  - (d) If the ship is a foreign-going steamship of one hundred nominal horse-power or upwards, with at least two engineers, one of whom shall be a first-class and the other a first-class or second-class engineer duly certificated:

*Status: Point in time view as at 01/02/1991.*

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

- (e) If the ship is a foreign-going steamship of less than one hundred nominal horse-power, or a sea-going home trade passenger steamship, with at least one engineer who is a first-class or second-class engineer duly certificated.

<sup>F4</sup>(1A) [ If, on an occasion on which a ship of a particular description registered in the United Kingdom, being a foreign-going ship or a home trade passenger ship, goes to sea from a place outside the United Kingdom, one, but only one, of the duly certificated officers with which a ship of that description is required to be provided by the foregoing provisions of this section is not provided, but all reasonable steps were taken to secure the provision on that occasion of a duly certificated person as that officer, so much of the foregoing subsection as requires a ship of that description to be provided with that officer when going to sea from a place outside the United Kingdom shall not apply to the ship during whichever is the shorter of the following periods beginning with the day on which the ship goes to sea from that place on that occasion, that is to say—

- (a) the period of twenty-eight days; and  
(b) the period ending with the day on which the ship is provided with a duly certificated person as that officer].

<sup>F5</sup>(2) [If the requirements of subsection (1) of this section are not complied with in a case in which they apply to a ship, the master or owner of the ship shall be liable to a fine not exceeding one hundred pounds].

- (3) An officer shall not be deemed duly certificated, within the meaning of this section, unless he is the holder for the time being of a valid certificate of competency under this Act of a grade appropriate to his station in the ship, or of a higher grade.]

#### Textual Amendments

- F1** Ss. 92, 93, 96–104, and 209 repealed (*prosp.*) by Merchant Shipping Act 1970 (c. 36), ss. 100, 101(4), Sch. 5 :however, by virtue of S.I. 1981/1186, Sch., Appendix and S.I. 1986/2066, art. 2(2), Sch. 2, Appendix the repeal of ss. 92, 93, 96-104, 209 is no longer prospective except to the extent that these sections apply in relation to British ships registered outside the United Kingdom and by S.I. 1982/840, Sch., Appendix the repeal of ss. 92, 93, 96-104, 209 is no longer prospective to the extent that these sections apply in relation to British ships registered in the Channel Islands or the Isle of Man
- F2** Words inserted by Merchant Shipping Act 1967 (c. 26) s. 1(1)(2)
- F3** S. 92(1)(b) substituted by Merchant Shipping Act 1906 (c. 48), s. 56
- F4** S. 92(1A) inserted by Merchant Shipping Act 1967 (c. 26), s. 1(1)(3)
- F5** S. 92(2) substituted by Merchant Shipping Act 1967 (c. 26), s. 1(1)(4)

#### <sup>F6</sup>93 Grades of certificates of competency.

- (1) Certificates of competency shall be granted, in accordance with this Act, for each of the following grades; (that is to say,)

Master of a foreign-going ship:  
First mate of a foreign-going ship:  
Second mate of a foreign-going ship:  
Only mate of a foreign-going ship:  
Master of a home trade passenger ship:  
Mate of a home trade passenger ship:  
First-class engineer:  
Second-class engineer.

*Status: Point in time view as at 01/02/1991.*

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

- (2) A certificate of competency for a foreign-going ship shall be deemed to be of a higher grade than the corresponding certificate for a home trade passenger ship, and shall entitle the lawful holder thereof to go to sea in the corresponding grade in the last-mentioned ship; but a certificate for a home trade passenger ship shall not entitle the holder to go to sea as master or mate of a foreign-going ship.]

#### Textual Amendments

- F6** Ss. 92, 93, 96–104, and 209 repealed (*prosp.*) by Merchant Shipping Act 1970 (c. 36), ss. 100, 101(4), Sch. 5 :however, by virtue of S.I. 1981/1186, Sch., Appendix and S.I. 1986/2066, art. 2(2), Sch. 2, Appendix the repeal of ss. 92, 93, 96-104, 209 is no longer prospective except to the extent that these sections apply in relation to British ships registered outside the United Kingdom and by S.I. 1982/840, Sch., Appendix the repeal of ss. 92, 93, 96-104, 209 is no longer prospective to the extent that these sections apply in relation to British ships registered in the Channel Islands or the Isle of Man

94, 95. .... <sup>F7</sup>

#### Textual Amendments

- F7** Ss. 94, 95 repealed by Merchant Shipping (Certificates) Act 1914 (c. 42), s. 1(3)

<sup>F8</sup>96 .....

#### Textual Amendments

- F8** Pt. II (ss. 92-266) repealed by 1970 c. 36, s. 100, Sch. 5 which repeal is brought partly into force by virtue of S.I. 1981/1186, Sch., Appendix; S.I. 1982/840, Sch., Appendix; S.I. 1986/2066, art. 2(2), Sch. 2, Appendix and is wholly in force at 1.5.1995 by virtue of S.I. 1995/965, art. 2

[<sup>F46</sup>96 **Engineers certificates of competency.** **U.K.**

- (1) For the purpose of granting certificates of competency as engineers to person desirous of obtaining the same, examinations shall be held at such places as the Board of Trade direct.
- (2) The Board of Trade may appoint times for the examinations, and may appoint, remove, and re-appoint examiners to conduct the same, and determine the remuneration of those examiners, and may regulate the conduct of the examinations and the qualification of the applicants and may do all such acts and things as they think expedient for the purpose of the examinations.]

#### Textual Amendments

- F46** Ss. 92, 93, 96–104, and 209 repealed (*prosp.*) by Merchant Shipping Act 1970 (c. 36), ss. 100, 101(4), Sch. 5 :however, by virtue of S.I. 1981/1186, Sch., Appendix and S.I. 1986/2066, art. 2(2), Sch. 2, Appendix the repeal of ss. 92, 93, 96-104, 209 is no longer prospective except to the extent that these sections apply in relation to British ships registered outside the United Kingdom and by S.I. 1982/840,

*Status: Point in time view as at 01/02/1991.*

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

**Sch.**, Appendix the repeal of ss. 92, 93, 96-104, 209 is no longer prospective to the extent that these sections apply in relation to British ships registered in the Channel Islands or the Isle of Man

[<sup>F9</sup>97] **Fees on examination.**

An applicant for examination, whether as master, mate, or engineer, shall pay such fees . . . <sup>F10</sup>, as the Board of Trade direct, and the fees shall be paid to such persons as the Board appoint and carried to the Mercantile Marine Fund.]

**Textual Amendments**

**F9** Ss. 92, 93, 96–104, and 209 repealed (*prosp.*) by Merchant Shipping Act 1970 (c. 36), ss. 100, 101(4), **Sch. 5** :however, by virtue of S.I. 1981/1186, **Sch.**, Appendix and S.I. 1986/2066, art. 2(2), **Sch. 2**, Appendix the repeal of ss. 92, 93, 96-104, 209 is no longer prospective except to the extent that these sections apply in relation to British ships registered outside the United Kingdom and by S.I. 1982/840, **Sch.**, Appendix the repeal of ss. 92, 93, 96-104, 209 is no longer prospective to the extent that these sections apply in relation to British ships registered in the Channel Islands or the Isle of Man

**F10** Words repealed by Merchant Shipping (Safety Convention) Act 1949 (c. 43), **Sch. 3**

[<sup>F11</sup>98] **Grant of certificates on passing examination.**

- (1) The Board of Trade shall, subject as herein-after mentioned, deliver to every applicant who is duly reported by the examiners to have passed the examination satisfactorily, and, to have given satisfactory evidence of his sobriety, experience, ability, and general good conduct on board ship, such a certificate of competency as the case requires.
- (2) The Board of Trade may in any case in which a report appears to them to have been unduly made, remit the case either to the examiners who made the report or to any other examiners, and may require a re-examination of the applicant, or a further enquiry into his testimonials and character, before granting him a certificate.]

**Textual Amendments**

**F11** Ss. 92, 93, 96–104, and 209 repealed (*prosp.*) by Merchant Shipping Act 1970 (c. 36), ss. 100, 101(4), **Sch. 5** :however, by virtue of S.I. 1981/1186, **Sch.**, Appendix and S.I. 1986/2066, art. 2(2), **Sch. 2**, Appendix the repeal of ss. 92, 93, 96-104, 209 is no longer prospective except to the extent that these sections apply in relation to British ships registered outside the United Kingdom and by S.I. 1982/840, **Sch.**, Appendix the repeal of ss. 92, 93, 96-104, 209 is no longer prospective to the extent that these sections apply in relation to British ships registered in the Channel Islands or the Isle of Man

[<sup>F12</sup>99] **Certificates of service for naval officers.**

- (1) A person who has attained the rank of lieutenant, sub-lieutenant, navigating lieutenant, or navigating sub-lieutenant in Her Majesty’s Navy, or of lieutenant in Her Majesty’s [<sup>F13</sup>Indian Navy] shall be entitled to a certificate of service as master of a foreign-going ship without examination.
- (2) A person who has attained the rank of engineer or assistant engineer in Her Majesty’s Navy or [<sup>F13</sup>Indian Navy] shall be entitled without examination, if an engineer, to a certificate of service as first-class engineer, and if an assistant engineer to a certificate of service as second-class engineer.

*Status: Point in time view as at 01/02/1991.*

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

- (3) A certificate of service shall differ in form from a certificate of competency, and shall contain the name and rank of the person to whom it is delivered, and the Board of Trade shall deliver a certificate of service to any person who proves himself to be entitled thereto.
- (4) The provisions of this Act (including the penal provisions) shall apply in the case of a certificate of service as they apply in the case of a certificate of competency, except that the provisions allowing a holder of a certificate of competency as master of a foreign-going ship to go to sea as master or mate of a home trade passenger ship shall not apply.]

#### Textual Amendments

- F12** Ss. 92, 93, 96–104, and 209 repealed (*prosp.*) by Merchant Shipping Act 1970 (c. 36), ss. 100, 101(4), Sch. 5 :however, by virtue of S.I. 1981/1186, Sch., Appendix and S.I. 1986/2066, art. 2(2), Sch. 2, Appendix the repeal of ss. 92, 93, 96-104, 209 is no longer prospective except to the extent that these sections apply in relation to British ships registered outside the United Kingdom and by S.I. 1982/840, Sch., Appendix the repeal of ss. 92, 93, 96-104, 209 is no longer prospective to the extent that these sections apply in relation to British ships registered in the Channel Islands or the Isle of Man
- F13** Words substituted by S.R. & O. 1937/230 (Rev. X, p. 545: 1937 p. 963), Sch. Pt. II

#### [<sup>F14</sup>100 Form and record of certificate.

- (1) All certificates of competency shall be made in duplicate, one part to be delivered to the person entitled to the certificate, and one to be preserved.
- (2) Such last-mentioned part of the certificate shall be preserved, and a record of certificates of competency and the suspending, cancelling, or altering of the certificates and any other matter affecting them shall be kept, in such manner as the Board of Trade direct, by the Registrar-General of Shipping and Seamen or by such other person as the Board of Trade direct.
- (3) Any such certificate and any record under this section shall be admissible in evidence in manner provided by this Act.]

#### Textual Amendments

- F14** Ss. 92, 93, 96–104, and 209 repealed (*prosp.*) by Merchant Shipping Act 1970 (c. 36), ss. 100, 101(4), Sch. 5 :however, by virtue of S.I. 1981/1186, Sch., Appendix and S.I. 1986/2066, art. 2(2), Sch. 2, Appendix the repeal of ss. 92, 93, 96-104, 209 is no longer prospective except to the extent that these sections apply in relation to British ships registered outside the United Kingdom and by S.I. 1982/840, Sch., Appendix the repeal of ss. 92, 93, 96-104, 209 is no longer prospective to the extent that these sections apply in relation to British ships registered in the Channel Islands or the Isle of Man

#### [<sup>F15</sup>101 Loss of certificate.

If a master, mate, or engineer proves to the satisfaction of the Board of Trade that he has, without fault on his part, lost or been deprived of a certificate already granted to him, the Board of Trade shall, and in any other case may, upon payment of such fee (if any) as they direct, cause a copy of the certificate to which, by the record kept in pursuance of this Act, he appears to be entitled, to be certified by the Registrar-

*Status: Point in time view as at 01/02/1991.*

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

General of Shipping and Seamen, or other person directed to keep the record, and to be delivered to him; and a copy purporting to be so certified shall have all the effect of the original.]

#### Textual Amendments

**F15** Ss. 92, 93, 96–104, and 209 repealed (*prosp.*) by Merchant Shipping Act 1970 (c. 36), ss. 100, 101(4), Sch. 5 :however, by virtue of S.I. 1981/1186, Sch., Appendix and S.I. 1986/2066, art. 2(2), Sch. 2, Appendix the repeal of ss. 92, 93, 96-104, 209 is no longer prospective except to the extent that these sections apply in relation to British ships registered outside the United Kingdom and by S.I. 1982/840, Sch., Appendix the repeal of ss. 92, 93, 96-104, 209 is no longer prospective to the extent that these sections apply in relation to British ships registered in the Channel Islands or the Isle of Man

### [<sup>F16</sup>102 Colonial certificates of competency.

Where the legislature of any British possession provides for the examination of, and grant of certificates of competency to, persons intending to act as masters, mates, or engineers on board ships, and the Board of Trade report to Her Majesty that they are satisfied that the examinations are so conducted as to be equally efficient with the examinations for the same purpose in the United Kingdom under this Act, and that the certificates are granted on such principles as to show the like qualifications and competency as those granted under this Act, and are liable to be forfeited for the like reasons and in the like manner, Her Majesty may by Order in Council—

- (i) declare that the said certificates shall be of the same force as if they had been granted under this Act: and
- (ii) declare that all or any of the provisions of this Act, which relate to certificates of competency granted under this Act, shall apply to the certificates referred to in the Order: and
- (iii) impose such conditions and make such regulations with respect to the certificates, and to the use, issue, delivery, cancellation, and suspension thereof, as Her Majesty may think fit, and impose fines not exceeding fifty pounds for the breach of those conditions and regulations.]

#### Textual Amendments

**F16** Ss. 92, 93, 96–104, and 209 repealed (*prosp.*) by Merchant Shipping Act 1970 (c. 36), ss. 100, 101(4), Sch. 5 :however, by virtue of S.I. 1981/1186, Sch., Appendix and S.I. 1986/2066, art. 2(2), Sch. 2, Appendix the repeal of ss. 92, 93, 96-104, 209 is no longer prospective except to the extent that these sections apply in relation to British ships registered outside the United Kingdom and by S.I. 1982/840, Sch., Appendix the repeal of ss. 92, 93, 96-104, 209 is no longer prospective to the extent that these sections apply in relation to British ships registered in the Channel Islands or the Isle of Man

### [<sup>F17</sup>103 Production of certificates of competency to superintendent.

- (1) The master of a foreign-going ship—
  - (a) on signing the agreement with the crew before a superintendent shall produce to him the certificates of competency which the master, mates, and engineers of the ship are by this Act required to hold: and
  - (b) in the case of a running agreement shall also, before the second and every subsequent voyage, produce to the superintendent the certificate of

*Status: Point in time view as at 01/02/1991.*

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

competency of any mate or engineer then first engaged by him who is required by this Act to hold a certificate.

- (2) The master or owner of every home trade passenger ship of more than eighty tons burden shall produce to some superintendent within twenty-one days after the thirtieth of June and the thirty-first of December in every year the certificates of competency which the master, mates, and engineers of the ship are by this Act required to hold.
- (3) Upon the production of the certificates of competency, the superintendent shall, if the certificates are such as the master, mates, and engineers of the ship ought to hold, give to the master a certificate to the effect that the proper certificates of competency have been so produced.
- (4) The master shall, before proceeding to sea, produce the superintendent's certificate to the chief officer of customs, and the ship may be detained until the certificate is produced.]

#### Textual Amendments

**F17** Ss. 92, 93, 96–104, and 209 repealed (*prosp.*) by Merchant Shipping Act 1970 (c. 36), ss. 100, 101(4), Sch. 5 :however, by virtue of S.I. 1981/1186, Sch., Appendix and S.I. 1986/2066, art. 2(2), Sch. 2, Appendix the repeal of ss. 92, 93, 96-104, 209 is no longer prospective except to the extent that these sections apply in relation to British ships registered outside the United Kingdom and by S.I. 1982/840, Sch., Appendix the repeal of ss. 92, 93, 96-104, 209 is no longer prospective to the extent that these sections apply in relation to British ships registered in the Channel Islands or the Isle of Man

#### [<sup>F18</sup>104 Forgery, &c. of certificate of competency.

If any person—

- [<sup>F19</sup>(a) forges or fraudulently alters, or assists in forging or fraudulently altering, or procures to be forged or fraudulently altered, any certificate of competency, or an official copy of any such certificate; or]
- (b) makes, assists in making, or procures to be made, any false representation for the purpose of procuring either for himself or for any other person a certificate of competency; or
- (c) fraudulently uses a certificate or copy of a certificate of competency which has been [<sup>F20</sup>forged, altered], cancelled or suspended, or to which he is not entitled; or
- (d) fraudulently lends his certificate of competency or allows it to be used by any other person,

that person shall in respect of each offence be guilty of a misdemeanor.]

#### Textual Amendments

**F18** Ss. 92, 93, 96–104, and 209 repealed (*prosp.*) by Merchant Shipping Act 1970 (c. 36), ss. 100, 101(4), Sch. 5 :however, by virtue of S.I. 1981/1186, Sch., Appendix and S.I. 1986/2066, art. 2(2), Sch. 2, Appendix the repeal of ss. 92, 93, 96-104, 209 is no longer prospective except to the extent that these sections apply in relation to British ships registered outside the United Kingdom and by S.I. 1982/840, Sch., Appendix the repeal of ss. 92, 93, 96-104, 209 is no longer prospective to the extent that these sections apply in relation to British ships registered in the Channel Islands or the Isle of Man

**F19** S. 104 para. (a) repealed (E.W.N.I.) by Forgery and Counterfeiting Act 1981 (c. 5, SIF 39:7), s. 30, Sch. Pt. I

*Status: Point in time view as at 01/02/1991.*

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

**F20** Words repealed (E.W.N.I.) by [Forgery and Counterfeiting Act 1981 \(c. 45, SIF 39:7\)](#), s. 30, **Sch. Pt. I**

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

**C2** Power to apply s. 104 conferred by [Merchant Shipping Act 1948 \(c. 44\)](#), s. 5

**105–** ..... **F21**  
**109**

**Textual Amendments**

**F21** Ss. 105–109, 113–125, 127–144 repealed by [Merchant Shipping Act 1970 \(c. 36\)](#), s. 100, **Sch. 5**

*Licences to supply Seamen*

**110 Licence for supply of seamen.**

The Board of Trade may grant to such persons as the Board think fit licences to engage or supply seamen or apprentices for merchant ships in the United Kingdom, and any such licence shall continue for such period, and may be granted and revoked on such terms and conditions as the Board think proper.

**111 Penalty for engaging seamen without licence.**

- (1) A person shall not engage or supply a seaman or apprentice to be entered on board any ship in the United Kingdom, unless that person either holds a licence from the Board of Trade for the purpose, or is the owner or master or mate of the ship, or is bona fide the servant and in the constant employment of the owner, or is a superintendent.
- (2) A person shall not employ for the purpose of engaging or supplying a seaman or apprentice to be entered on board any ship in the United Kingdom any person, unless that person either holds a licence from the Board of Trade for the purpose, or is the owner or master or mate of the ship, or is bona fide the servant and in the constant employment of the owner, or is a superintendent.
- (3) A person shall not receive or accept to be entered on board any ship any seaman or apprentice, if that person knows that the seaman or apprentice has been engaged or supplied in contravention of this section.
- (4) If a person acts in contravention of this section, he shall for each seaman or apprentice in respect of whom an offence is committed, be liable to a fine not exceeding [<sup>F22</sup>[<sup>F23</sup>£50]] [<sup>F22</sup>level 2 on the standard scale], and, if a licensed person, shall forfeit his licence.

**Textual Amendments**

**F22** 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

**F23** 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 01/02/1991.*

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

## 112 Penalty for receiving remuneration from seamen for engagement.

- (1) A person shall not demand or receive directly or indirectly from a seaman or apprentice to the sea service, or from a person seeking employment as a seaman or apprentice to the sea service, or from a person on his behalf, any remuneration whatever for providing him with employment other than any fees authorised by this Act.
- (2) If a person acts in contravention of this section, he shall for each offence be liable to a fine not exceeding [<sup>F24</sup>£50][<sup>F24</sup>level 2 on the standard scale].

### Textual Amendments

- F24** 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](#)
- F25** Word substituted by virtue of [Merchant Shipping Act 1979 \(c. 39\), s. 43\(1\), Sch. 6 Pt. I](#)

113– ..... <sup>F26</sup>  
125

### Textual Amendments

- F26** Ss. 105–109, 113–125, 127–144 repealed by [Merchant Shipping Act 1970 \(c. 36\), s. 100, Sch. 5](#)

## *Rating of Seamen*

### <sup>X1</sup>126 Rating of seamen.

- (1) A seaman shall not be entitled to the rating of A.B., that is to say, of an able-bodied seaman, unless he has served at sea for [<sup>F27</sup>three years before the mast,] but the employment of fishermen in decked fishing vessels registered under the first part of this Act shall only count as sea service up to the period of [<sup>F27</sup>two years of that employment]; and the rating of A.B. shall only be granted after at least one year’s sea service in a trading vessel in addition to [<sup>F27</sup>two or more years sea service] on board of decked fishing vessels so registered.
- (2) The service may be proved by certificates of discharge, by a certificate of service from the Registrar-General of Shipping and Seamen (granted by the Registrar on payment of a fee . . . <sup>F28</sup>), specifying in each case whether the service was rendered in whole or in part in steam ship or in sailing ship, or by other satisfactory proof.

### Editorial Information

- X1** [S. 126](#) repealed, in relation to seamen engaged in a British ship registered in the United Kingdom, by [Merchant Shipping Act 1948 \(c. 44\), s. 5\(6\)](#)

### Textual Amendments

- F27** Words substituted by [Merchant Shipping Act 1906 \(c. 48\), s. 58\(1\)](#)
- F28** Words repealed by [Merchant Shipping \(Safety Convention\) Act 1949 \(c. 43\), Sch. 3](#)

*Status: Point in time view as at 01/02/1991.*

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

127– ..... F29  
144

**Textual Amendments**  
F29 Ss. 105–109, 113–125, 127–144 repealed by Merchant Shipping Act 1970 (c. 36), s. 100, Sch. 5

145, ..... F30  
146.

**Textual Amendments**  
F30 Ss. 145, 146 repealed by Merchant Shipping Act 1970 (c. 36), s. 100, Sch. 4 para. 2, Sch. 5

147 ..... F31

**Textual Amendments**  
F31 S. 147 repealed by Merchant Shipping Act 1970 (c. 36), s. 100, Sch. 5

148– ..... F32  
153

**Textual Amendments**  
F32 Ss. 148–153 repealed by Merchant Shipping Act 1970 (c. 36), s. 100, Sch. 4 para. 3, Sch. 5

154– ..... F33  
197

**Textual Amendments**  
F33 Ss. 154–208 repealed by Merchant Shipping Act 1970 (c. 36), s. 100, Sch. 5

*Provisions, Health, and Accommodation*

198– ..... F34  
208

**Textual Amendments**  
F34 Ss. 154–208 repealed by Merchant Shipping Act 1970 (c. 36), s. 100, Sch. 5

*Status: Point in time view as at 01/02/1991.*

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

[<sup>F35</sup>209 **Certain ships to carry medical practitioners.**

- (1) Every foreign-going ship, having one hundred persons or upwards on board, shall carry on board as part of her complement some duly qualified medical practitioner, and if she does not the owner shall for every voyage of the ship made without a duly qualified medical practitioner be liable to a fine not exceeding one hundred pounds.
- (2) Nothing in this section shall apply to an emigrant ship within the meaning of the Third Part of this Act.]

**Textual Amendments**

**F35** Ss. 92, 93, 96–104, and 209 repealed (*prosp.*) by Merchant Shipping Act 1970 (c. 36), ss. 100, 101(4), Sch. 5 :however, by virtue of S.I. 1981/1186, Sch., Appendix and S.I. 1986/2066, art. 2(2), Sch. 2, Appendix the repeal of ss. 92, 93, 96-104, 209 is no longer prospective except to the extent that these sections apply in relation to British ships registered outside the United Kingdom and by S.I. 1982/840, Sch., Appendix the repeal of ss. 92, 93, 96-104, 209 is no longer prospective to the extent that these sections apply in relation to British ships registered in the Channel Islands or the Isle of Man

**210 Accommodation for seamen.**

- (1) Every place in any British ship occupied by seamen or apprentices, and appropriated to their use, shall have for each of those seamen or apprentices a space of not less than seventy-two cubic feet, and of not less than twelve superficial feet measured on the deck or floor of that place, and shall be subject to the regulations in the Sixth Schedule to this Act, and those regulations shall have effect as part of this section, and if any of the foregoing requirements of this section is not complied with in the case of any ship, the owner of the ship shall for each offence be liable to a fine not exceeding [<sup>F36</sup>twenty pounds][<sup>F36</sup>level 2 on the standard scale].
- (2) Every place so occupied and appropriated shall be kept free from goods and stores of any kind not being the personal property of the crew in use during the voyage, and if any such place is not so kept free, the master shall forfeit and pay to each seamen or apprentice lodged in that place the sum of [<sup>F37</sup>5p] for each day during which, after complaint has been made to him by any two or more of the seamen so lodged, it is not so kept free.
- (3) Such fees as the Board of Trade fix shall be paid in respect of an inspection for the purposes of this section . . . <sup>F38</sup>

**Textual Amendments**

**F36** Words “level 2 on the standard scale” substituted (E.W.S.) for “£50”, itself previously substituted (E.W.S.), 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

**F37** Words substituted by virtue of Decimal Currency Act 1969 (c. 19), s. 10(1)

**F38** Words repealed by Merchant Shipping (Safety Convention) Act 1949 (c. 43), Sch. 3

*Status: Point in time view as at 01/02/1991.*

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

**Textual Amendments**

**F39** Ss. 211–253 repealed by Merchant Shipping Act 1970 (c. 36), s. 100, Sch. 55

*Registration of and Returns respecting Seamen*

251– ..... F40  
253

**Textual Amendments**

**F40** Ss. 211–253 repealed by Merchant Shipping Act 1970 (c. 36), s. 100, Sch. 55

254 ..... F41

**Textual Amendments**

**F41** S. 254 repealed by Merchant Shipping Act 1970 (c. 36), s. 100, Sch. 4 para. 4, Sch. 5

255 ..... F42

**Textual Amendments**

**F42** S. 255 repealed by Merchant Shipping Act 1970 (c. 36), s. 100, Sch. 5

**256 Transmission of documents to registrar by superintendents and other officers.**

(1) All superintendents and all [<sup>F43</sup>officers of customs and excise] shall take charge of all documents which are delivered or transmitted to or retained by them in pursuance of this Act, and shall keep them for such time (if any) as may be necessary for the purpose of settling any business arising at the place where the documents come into their hands, or for any other proper purpose, and shall, if required, produce them for any of those purposes, and shall then transmit them to the Registrar-General of Shipping and Seamen, and he shall record and preserve them, and they shall be admissible in evidence in manner provided by this Act, and they shall, on payment of a moderate fee fixed by the Board of Trade, or without payment if the Board so direct, be open to the inspection of any person.

(2) ..... F44

**Textual Amendments**

**F43** Words substituted by virtue of Customs and Excise Management Act 1979 (c. 2), Sch. 4 para. 1

**F44** S. 256(2) repealed by Public Records Act 1958 (c. 51), Sch. 4

---

*Status: Point in time view as at 01/02/1991.*

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

---

**257–** ..... **F45**  
**266**

.....  
**Textual Amendments**

**F45** Ss. 257–266, 268–270 repealed by [Merchant Shipping Act 1970 \(c. 36\)](#), s. 100, [Sch. 5](#)

**Status:**

Point in time view as at 01/02/1991.

**Changes to legislation:**

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