



Merchant Shipping Act 1894

1894 CHAPTER 60 57 and 58 Vict

PART V

SAFETY

Unseaworthy Ships

457^{F1}

Textual Amendments

^{F1} S. 457 repealed by [Merchant Shipping Act 1979 \(c. 39\), Sch. 7 Pt. II](#)

458 **Obligation of shipowner to crew with respect to use of reasonable efforts to secure seaworthiness.**

(1) In every [^{F2}contract of employment], between the owner of a ship and the master or any seaman thereof, . . . ^{F3}there shall be implied, notwithstanding any agreement to the contrary, an obligation on the owner of the ship, that the owner of the ship, and the master, and every agent charged with the loading of the ship, or the preparing of the ship for sea, or the sending of the ship to sea, shall use all reasonable means to insure the seaworthiness of the ship for the voyage at the time when the voyage commences, and to keep her in a seaworthy condition for the voyage during the voyage.

(2) Nothing in this section—

(a) shall subject the owner of a ship to any liability by reason of the ship being sent to sea in an unseaworthy state where, owing to special circumstances, the sending of the ship to sea in such a state was reasonable and justifiable; or

^{F4}(b)

Status: Point in time view as at 01/05/1994.

Changes to legislation: There are currently no known outstanding effects for the Merchant Shipping Act 1894, Cross Heading: Unseaworthy Ships. (See end of Document for details)

Textual Amendments

- F2 Words in s. 458(1) substituted (1.5.1994) by 1993 c. 22, s. 8(3), **Sch. 4 para. 7(a)**; S.I. 1993/3137, **art. 3(2)**
- F3 Words repealed by Merchant Shipping Act 1970 (c. 36), s. 100, **Sch. 5**
- F4 S. 458(2)(b) repealed (1.5.1994) by 1993 c. 22, s. 8(3)(4), Sch. 4 para. 7(b), **Sch. 5 Pt.II**; S.I. 1993/3137, **art. 3(2)**

Modifications etc. (not altering text)

- C1 S. 458 restricted (1.5.1994) by 1993 c. 22, s. 8(3), **Sch. 4 para. 6(1)(a)**; S.I. 1993/3137, **art. 3(2)**

^{F5}**459**

Textual Amendments

- F5 S. 459 repealed (1.5.1994) by 1993 c. 22, s. 8(3)(4), Sch. 4 para. 12(1), **Sch. 5 Pt.II**; S.I. 1993/3137, **art. 3(2)**

^{F6}**460**

Textual Amendments

- F6 S. 460 repealed (1.5.1994) by 1993 c. 22, s. 8(3)(4), Sch. 4 para. 12(1), **Sch. 5 Pt.II**; S.I. 1993/3137, **art. 3(2)**

^{F7}**461**

Textual Amendments

- F7 S. 461 repealed (1.5.1994) by 1993 c. 22, s. 8(3)(4), Sch. 4 para. 12(1), **Sch. 5 Pt.II**; S.I. 1993/3137, **art. 3(2)**

^{F8}**462**

Textual Amendments

- F8 S. 462 repealed (1.5.1994) by 1993 c. 22, s. 8(4), **Sch. 5 Pt.II**; S.I. 1993/3137, **art. 3(2)**

463 ^{F9}

Status: Point in time view as at 01/05/1994.

Changes to legislation: There are currently no known outstanding effects for the Merchant Shipping Act 1894, Cross Heading: Unseaworthy Ships. (See end of Document for details)

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Textual Amendments

- F9** S. 463 repealed by [Merchant Shipping Act 1988 \(c. 12, SIF 111\)](#), ss. 48, 57(5), Schs. 5, 7, (with s. 58(4), Sch. 8 para. 1)

Status:

Point in time view as at 01/05/1994.

Changes to legislation:

There are currently no known outstanding effects for the Merchant Shipping Act 1894, Cross Heading: Unseaworthy Ships.