



Merchant Shipping Act 1894

1894 CHAPTER 60 57 and 58 Vict

PART XIII

LEGAL PROCEEDINGS

Jurisdiction

684 Provision as to jurisdiction in case of offences.

For the purpose of giving jurisdiction under this Act, every offence shall be deemed to have been committed and every cause of complaint to have arisen either in the place in which the same actually was committed or arose, or in any place in which the offender or person complained against may be.

Modifications etc. (not altering text)

C1 S. 684 applied (1.5.1994) by 1993 c. 22, s. 8(3), Sch. 4 para.60; S.I. 1993/3137, art. 3(2)

685 Jurisdiction over ships lying off the coasts.

- (1) Where any district within which any court, justice of the peace, or other magistrate, has jurisdiction either under this Act or under any other Act or at common law for any purpose whatever is situate on the coast of any sea, or abutting on or projecting into any bay, channel, lake, river, or other navigable water, every such court, justice, or magistrate shall have jurisdiction over any vessel being on, or lying or passing off, that coast, or being in or near that bay, channel, lake, river, or navigable water, and over all persons on board that vessel or for the time being belonging thereto, in the same manner as if the vessel or persons were within the limits of the original jurisdiction of the court, justice, or magistrate.
- (2) The jurisdiction under this section shall be in addition to and not in derogation of any jurisdiction or power of a court under the Summary Jurisdiction Acts.

Status: Point in time view as at 01/05/1994.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: Jurisdiction. (See end of Document for details)

686 Jurisdiction in case of offences on board ship.

- (1) Where any person, being a British subject, is charged with having committed any offence on board any British ship on the high seas or in any foreign port or harbour or on board any foreign ship to which he does not belong, or, not being a British subject, is charged with having committed any offence on board any British ship on the high seas, and that person is found within the jurisdiction of any court in Her Majesty's dominions, which would have had cognizance of the offence if it had been committed on board a British ship within the limits of its ordinary jurisdiction, that court shall have jurisdiction to try the offence as if it had been so committed.

^{F1}(2)

Textual Amendments

F1 S. 686(2) repealed (1.5.1994) by 1993 c. 22, s. 8(4), **Sch. 5 Pt.II**; S.I. 1993/3137, **art. 3(2)**

Modifications etc. (not altering text)

C2 S. 686 restricted by **Merchant Shipping Act 1970 (c. 36), s. 77(2)**; and s. 686(1) restricted (1.5.1994) by 1993 c. 22, s. 8(3), **Sch. 4 para.61**; S.I. 1993/3137, **art. 3(2)**

[687] ^{F2}Offences committed by British seamen.

- (1) Any act in relation to property or person done in or at any place (ashore or afloat) outside the United Kingdom by any master or seaman who at the time is employed in a United Kingdom ship, which, if done in any part of the United Kingdom, would be an offence under the law of any part of the United Kingdom, shall—
- (a) be an offence under that law, and
 - (b) be treated for the purposes of jurisdiction and trial as if it had been done within the jurisdiction of the Admiralty of England.
- (2) Subsection (1) above also applies in relation to a person who had been so employed within the period of three months expiring with the time when the act was done.
- (3) Subsections (1) and (2) above apply to omissions as they apply to acts.]

Textual Amendments

F2 S. 687 substituted (1.5.1994) by 1993 c. 22, s. 8(3), **Sch. 4 para.62**; S.I. 1993/3137, **art. 3(2)**

[687A] ^{F3}Offences by officers of bodies corporate.

- (1) Where a body corporate is guilty of an offence under the Merchant Shipping Acts or any instrument made under those Acts, and that offence is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, a director, manager, secretary or other similar officer of the body corporate or any person who was purporting to act in such a capacity, he as well as the body corporate shall be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

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: Jurisdiction. (See end of Document for details)

- (2) Where the affairs of a body corporate are managed by its members, subsection (1) above shall apply in relation to the acts and defaults of a member in connection with his functions of management as if he were a director of the body corporate.]

Textual Amendments

F3 Ss. 687A, 687B inserted (1.5.1994) by 1993 c. 22, s. 8(3), **Sch. 4 para.63**; S.I. 1993/3137, **art. 3(2)**

^{F4}687B Offences by partners, etc in Scotland

Where, in Scotland, a partnership or unincorporated association (other than a partnership) is guilty of an offence under the Merchant Shipping Acts or any instrument made under those Acts, and that offence is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, a partner in the partnership or, as the case may be, a person concerned in the management or control of the association, he as well as the partnership or association shall be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Textual Amendments

F4 Ss. 687A, 687B inserted (1.5.1994) by 1993 c. 22, s. 8(3), **Sch. 4 para.63**; S.I. 1993/3137, **art. 3(2)**

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: Jurisdiction.