



# Merchant Shipping Act 1894

1894 CHAPTER 60 57 and 58 Vict

## PART XIV

### SUPPLEMENTAL

#### *Definitions and Provisions as to Application of Act*

#### **742 Definitions.**

In this Act, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them; (that is to say,)

“Vessel” including any ship or boat, or any other description of vessel used in navigation;

“Ship” includes every description of vessel used in navigation not propelled by oars;

“Foreign-going Ship” includes every ship employed in trading or going between some place or places in the United Kingdom, and some place or places situate beyond the following limits; that is to say, the coasts of the United Kingdom, the Channel Islands, and Isle of Man, and the continent of Europe between the River Elbe and Brest inclusive;

“Home trade ship” includes every ship employed in trading or going within the following limits; that is to say, the United Kingdom, the Channel Islands, and Isle of Man, and the continent of Europe between the River Elbe and Brest inclusive;

“Home trade passenger ship” means every home trade ship employed in carrying passengers;

“Master” includes every person (except a pilot) having command or charge of any ship;

“Seaman” includes every person (except [<sup>F1</sup>masters and pilots] employed or engaged in any capacity on board any ship;

“Wages” includes emoluments;

“Effects” includes clothes and documents;

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“Salvor” means, in the case of salvage services rendered by the officers or crew or part of the crew of any ship belonging to Her Majesty, the person in command of that ship;

“Pilot” means any person not belonging to a ship who has the conduct thereof;

“Court” in relation to any proceeding includes any magistrate or justice having jurisdiction in the matter to which the proceeding relate;

“Colonial Court of Admiralty” has the same meaning as in the <sup>M1</sup>Colonial Courts of Admiralty Act 1890;

“A Commissioner for Oaths” means a commissioner for oaths within the meaning of the <sup>M2</sup>Commissioners for Oaths Act 1889;

“Chief Officer of Customs” includes the collector, superintendent, principal coast officer, or other chief [<sup>F2</sup>officer of customs and excise] at each port;

[<sup>F3</sup>“the Governor in Council” means the Governor of the Isle of Man (including the Lieutenant-Governor, Deputy Governor, Deputy Lieutenant-Governor, and the Acting Governor or Acting Lieutenant-Governor) acting on the advice and with the concurrence of the Executive Council of the Isle of Man;]

“Superintendent” shall, so far as respects a British possession, include any shipping master or other officer discharging in that possession the duties of a superintendent;

“Consular officer” when used in relation to a foreign country, means the officer recognised by Her Majesty as a consular officer of that foreign country;

“Bankruptcy” includes insolvency;

“Representation” means probate, administration confirmation, or other instrument constituting a person the executor, administrator, or other representative of a deceased person;

“Legal personal representative” means the person so constituted executor, administrator, or other representative, of a deceased person;

“Name” includes a surname;

“Port” includes place;

“Harbour” includes harbours properly so called, whether natural or artificial, estuaries, navigable rivers, piers, jetties, and other works in or at which ships can obtain shelter, or ships and unship goods or passengers;

“Tidal water” means any part of the sea and any part of a river within the ebb and flow of the tide at ordinary spring tides, and not being a harbour;

“Harbour authority” includes all persons or bodies of persons, corporate or unincorporate, being proprietors of, or intrusted with the duty or invested with the power of constructing, improving, managing, regulating, maintaining or lighting a harbour;

“Conservancy authority” includes all persons or bodies of persons, corporate or unincorporate, intrusted with the duty or invested with the power of conserving, maintaining, or improving the navigation of a tidal water;

“Lighthouse” shall in addition to the ordinary meaning of the word include any floating and other light exhibited for the guidance of ships, and also any sirens and any other description of fog signals, and also any addition to a lighthouse of any improved light, or any siren, or any description of fog signal;

“Buoys and beacons” includes all other marks and signs of the sea;

“The Trinity House” shall mean the master wardens and assistants of the guild, fraternity, or brotherhood of the most glorious and undivided Trinity and of St.

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Clement in the parish of Deptford Strond in the county of Kent, commonly called the corporation of the Trinity House of Deptford Strond;

“The Commissioners of Irish Lights” means the body incorporated by that name under the <sup>M3</sup>Dublin Port Act 1867 and any Act amending the same;

“Lifeboat service” means the saving, or attempted saving of vessels, or of life, or property on board vessels, wrecked or aground or sunk, or in danger of being wrecked or getting aground or sinking.

Any reference to failure to do any act or thing shall include a reference to refusal to do that act or thing.

**Textual Amendments**

- F1** Words substituted by [Merchant Shipping Act 1970 \(c. 36\), Sch. 3 para. 4](#)
- F2** Words substituted by virtue of [Customs and Excise Management Act 1979 \(c. 2\), Sch. 4 para. 1](#)
- F3** Words inserted by [S.I. 1980/399, Sch. Pt. I para. 10](#)

**Marginal Citations**

- M1** 1890 c. 27.
- M2** 1889 c. 10.
- M3** 1867 c. lxxxi.

**743 Application of Act to ships propelled by electricity, &c.**

Any provisions of this Act applying to steamers or steamships shall apply to ships propelled by electricity or other mechanical power with such modifications as the Board of Trade may prescribe for the purpose of adaptation.

**744** ..... <sup>F4</sup>

**Textual Amendments**

- F4** S. 744 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\)](#)

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