Status: Point in time view as at 01/02/1991. This version of this provision has been superseded.
Changes to legislation: There are currently no known outstanding effects for
the Merchant Shipping Act 1894, Section 547. (See end of Document for details)

Merchant Shipping Act 1894

1894 CHAPTER 60 57 and 58 Vict

PART IX U.K.

WRECK AND SALVAGE

Procedure in Salvage

[^{F1}**547   Determination of salvage disputes.**   U.K.

(1) Disputes as to the amount of salvage whether of life or property, and whether rendered within or without the United Kingdom arising between the salvor and the owners of any vessel, cargo, apparel, or wreck, shall, if not settled by agreement, arbitration, or otherwise, be determined summarily in manner provided by this Act, in the following cases; namely:—

  (a)   In any case where the parties to the dispute consent:

  (b)   In any case where the value of the property saved does not exceed one thousand pounds:

  (c)   In any case where the amount claimed does not exceed in Great Britain three hundred pounds, and in Ireland two hundred pounds.

[^{F2}(2) [Subject as aforesaid, disputes as to salvage shall be determined by the High Court in England or Ireland, or in Scotland the Court of Session, but if the claimant does not recover in any such court in Great Britain more than three hundred pounds, and in any such court in Ireland more than two hundred pounds, he shall not be entitled to recover any costs, charges, or expenses incurred by him in the prosecution of his claim, unless the court before which the case is tried certify that the case is a fit one to be tried otherwise than summarily in manner provided by this Act.

(3) Disputes relating to salvage may be determined on the application either of the salvor or of the owner of the property saved, or of their respective agents.]

(4) Where a dispute as to salvage is to be determined summarily under this section it shall be referred and determined as follows:—

  (a)   . . . .   ^{F3}

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(b) In Scotland it shall be referred to and determined by the sheriff's court:

(c) In Ireland it shall be referred to the arbitration of and determined by two justices of the peace, or a stipendiary magistrate, or the recorder of any borough having a recorder, or the chairman of quarter sessions in any county, and any such justices, stipendiary magistrate, recorder, or chairman are hereinafter included in the expression "arbitrators."

(5) Nothing in this Act relating to the procedure in salvage cases shall affect the jurisdiction or procedure in salvage cases of a county court having Admiralty jurisdiction by virtue of [**F4**the **M1**County Courts Act 1959] or the **M2**Court of Admiralty (Ireland) Act 1867, or any Act amending either of those Acts.]

Textual Amendments

F1 S. 547 repealed (E.W.) by County Courts (Amendment) Act 1934 (c. 17), **Sch. 5 Pt. I** so far as it relates to summary determination in a county court of disputes as to salvage

F2 S. 547(2)(3) repealed by Supreme Court of Judicature (Consolidation) Act 1925 (c. 49), s. 226, **Sch. 6** so far as they relate to the High Court in England

F3 S. 547(4)(a) repealed by virtue of County Courts (Amendment) Act 1934 (c. 17), **Sch. 5 Pt. I**

F4 Words substituted by virtue of Interpretation Act 1978 (c. 30), **s. 17(2)(a)**

Modifications etc. (not altering text)

C1 Reference to Ireland to be construed as exclusive of Republic of Ireland: S. R. & O. 1923/405 (Rev. X, p. 298: 1923, p. 400), art. 2

Marginal Citations

M1 1959 c. 52.
M2 1867 c. 114.

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