SUPPLIED FOR THE PUBLIC SERVICE



CHAPTER 42.

An Act to amend and extend the British Ships (Transfer Restriction) Act, 1915. [23rd August 1916.]

A.D. 1916.

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Extension of the British Ships (Transfer Restriction) Act, 1915.

1.—(1) The British Ships (Transfer Restriction) Act, 1915 (in this Act referred to as the principal Act), is hereby extended so as to apply to mortgages (including transfers of mortgages) of ships made after the tenth day of August nineteen hundred and sixteen as it applies to transfers of ships, and shall apply to mortgages (including transfers of mortgages) and transfers of ships to foreign controlled companies made after the tenth day of August nineteen hundred and sixteen as it applies to transfers of ships to persons not qualified to own a British ship.

5 Geo. 5. c. 21.

(2) The expression "foreign controlled company" means any corporation—

(*a*) where the majority of the directors, or persons occupying the position of directors by whatever name called, are not British subjects; or

(*b*) where the majority of the voting power is in the hands of persons who are not British subjects, or who exercise their voting powers directly or indirectly on behalf of persons who are not British subjects; or

(*c*) where the control is by any other means whatever in the hands of persons who are not British subjects; or

(*d*) where the executive is a foreign controlled company, or where the majority of the executive are appointed by a foreign controlled company.

A corporation shall not be deemed to be a British subject for the purposes of this section unless it is established in and subject to the laws of some part of His Majesty's Dominions or of some British Protectorate, and has its principal place of business therein.

A.D. 1916.

(3) The Board of Trade may require any person who is the owner or mortgagee of a British ship, or who applies to be registered as the owner or mortgagee of a British ship, to furnish to the Board such particulars as appear necessary to the Board for the purpose of ascertaining whether or not that person is, or is a trustee for, or otherwise represents, a foreign controlled company, and, in the case of a corporation, may also require the secretary, or any other officer of the corporation performing the duties of secretary to furnish those particulars.

If any person fails to supply such particulars as it is in his power to give when required, or furnishes particulars which are false in any material particular, he shall be guilty of a misdemeanour.

Forfeiture of a ship in certain circumstances.

2. Where, after the passing of this Act, any person who is the owner or mortgagee of a British ship ceases to be a British subject or becomes a foreign controlled company, that ship, or, in the case of a mortgagee of a ship, the interest of the mortgagee, shall be subject to forfeiture under Part I. of the Merchant Shipping Act, 1894.

57 & 58 Vict. c. 60.

Interpretation, duration, construction, and short title.

3.—(1) In this Act, unless the context otherwise requires, any reference to a ship shall include a reference to a share in a ship.

(2) The principal Act and this Act shall have effect during the continuance of the present war and a period of three years thereafter, and subsection (2) of section three of the principal Act is hereby extended accordingly.

(3) This Act may be cited as the British Ships (Transfer Restriction) Act, 1916, and shall be read as one with the principal Act, and the principal Act and this Act may be cited together as the British Ships (Transfer Restriction) Acts, 1915 and 1916.

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