(9) CONTROL OF TRADE BY SEA

1953 No. 434

The Control of Trade by Sea (China and North Korea) Order, 1953

Made - - - -	13*th March*, 1953
Laid before Parliament	16*th March*, 1953
Coming into Operation	17*th March*, 1953

The Minister of Transport, in pursuance of the powers conferred upon him by Regulation 46 of the Defence (General) Regulations, 1939, as having effect by virtue of the Supplies and Services (Transitional Powers) Act, 1945(**a**), as extended by the Supplies and Services (Extended Purposes) Act, 1947(**b**), and the Supplies and Services (Defence Purposes) Act, 1951(**c**), and continued in force by the Supplies and Services (Continuance) Order, 1952(**d**), and of all other powers enabling him in that behalf hereby orders as follows:—

1.—(1) This Order shall come into operation on the 17th day of March, 1953, and may be cited as The Control of Trade by Sea (China and North Korea) Order, 1953.

(2) In this Order, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say:—

" Government ship " means any ship which

(*a*) belongs to Her Majesty or is held by any person on behalf of or for the benefit of the Crown, or

(*b*) is at the disposal of Her Majesty whether by virtue of the exercise of any power of requisitioning the ship or otherwise, or

(*c*) is under charter to or for Her Majesty ;

" the Minister " means the Minister of Transport ;

" North Korea " means that part of Korea which is not for the time being occupied by any of the armed forces of the United Nations, or by any armed forces acting on behalf of the United Nations ;

" port " includes any dock, harbour, pier, quay, wharf, mooring, anchorage or other similar place.

2. This Order shall apply to all British ships having a gross tonnage of 500 tons or more other than ships registered in Canada, the Commonwealth of Australia, New Zealand, the Union of South Africa, India, Pakistan, Ceylon, Southern Rhodesia, the Republic of Ireland, or a territory administered by the Government of any of the aforesaid countries, provided that nothing in this Order shall apply to any Government ship.

(a) 9 & 10 Geo. 6. c. 10; and S.R. & O. 1945/1615; 1945 II, p. 45.
(b) 10 & 11 Geo. 6. c. 55.
(c) 14 & 15 Geo. 6. c. 25.
(d) S.I. 1952/2094; 1952 III, p. 3006.

3.—(1) Notwithstanding that there may be in force in respect of the ship a licence granted under the Control of Trade by Sea (No. 2) Order, 1939(**a**), as amended by the Control of Trade by Sea (Amendment) Order, 1940(**b**), no British ship to which this Order applies shall, on and after the 31st day of March, 1953, proceed to sea from any port (whether within or outside the United Kingdom) except under the authority of a licence granted under this Order by the Minister or by a person authorised in that behalf by the Minister.

(2) Any licence granted under this Order may be granted subject to such limitations and conditions as the Minister or person granting the licence thinks fit to impose with respect to:

(*a*) the trades in which the ship may engage and the voyages which may be undertaken by the ship;

(*b*) the class of cargoes or passengers which may be carried in the ship for the purpose of being put off in China or North Korea or within the territorial waters of those countries;

(*c*) the hiring of the ship.

4. Every application for a licence under this Order shall be in a form approved by the Minister and shall be made by or on behalf of the person having the management of the ship in respect of which application for a licence is made.

Given under the Official Seal of the Minister of Transport this 13th day of March, 1953.

(L.S.) *Alan Lennox-Boyd,*
The Minister of Transport.

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

This Order requires British ships to which the Order applies to have a licence granted under the Order (in addition to any other licence which they are required to have) before proceeding to sea and provides that such licence may be granted subject to limitations and conditions, in particular as to the class of cargoes or passengers which may be carried in the ship to China or North Korea.

(a) S.R. & O. 1939/1671; 1939 I, p. 1144. (b) S.R. & O. 1940/90; 1940 II, p. 908.