Table of Statutes referred to in this Act

Short Title	Session and Chapter
Housing (Scotland) Act, 1935	25 & 26 Geo. 5. c. 41.
Housing Act, 1936	26 Geo. 5. & 1 Edw. 8. c. 51.
Distribution of Industry Act, 1945	8 & 9 Geo. 6. c. 36.
Acquisition of Land (Authorisation Procedure) Act, 1946	9 & 10 Geo. 6. c. 49.
Acquisition of Land (Authorisation Procedure) (Scotland) Act, 1947	10 & 11 Geo. 6. c. 42.
Employment and Training Act, 1948	11 & 12 Geo. 6. c. 46.
Housing Act, 1949	12 & 13 Geo. 6. c. 60.
Housing (Scotland) Act, 1949	12 & 13 Geo. 6. c. 61.

CHAPTER 9

Merchant Shipping Act, 1950

ARRANGEMENT OF SECTIONS

Section
1. Regulations with respect to crew accommodation in fishing boats.
2. Engagement and discharge of crews.
3. Review of punishments imposed by naval courts.
4. Amendment of s. 744 of the Merchant Shipping Act, 1894.
5. Removal of doubts as to meaning of Summary Jurisdiction Acts in relation to Northern Ireland.
6. Payment of fees into the Exchequer.
7. Interpretation.
8. Short title, construction, citation and commencement.

FIRST SCHEDULE.—Provisions of Merchant Shipping Act, 1948, applied with modifications for the purposes of section one of this Act.

SECOND SCHEDULE.—Amendments of Merchant Shipping Act, 1894, relating to engagement and discharge of crews.

An Act to provide for regulating crew accommodation in fishing boats and for amending the Merchant Shipping Acts, 1894 to 1949, with respect to the engagement and discharge of crews, the review of punishments imposed by naval courts, fishing boats engaged in the Newfoundland cod fisheries, and proceedings in summary courts in Northern Ireland; and for purposes connected with the matters aforesaid.

[12th July 1950.]

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:—

Regulations with respect to crew accommodation in fishing boats.

1.—(1) The Minister may, after consultation with such organisation or organisations as appear to him to be representative of owners of British fishing boats and with such organisation or organisations as appear to him to be representative of seamen employed in British fishing boats, make regulations with respect to the crew accommodation to be provided in fishing boats of any class specified in the regulations, being—

(*a*) British fishing boats registered in the United Kingdom, whether under Part I or Part IV of the principal Act and whether so registered before or after the date on which the regulations come into force; or

(*b*) boats which at any time after the said date are being constructed for use as fishing boats, and are being so constructed to the order of any person qualified under the principal Act to be the owner of a British ship, and have not been registered in the United Kingdom or elsewhere:

Provided that, subject to the provisions of any Order in Council made under the First Schedule to this Act, such regulations shall not apply to any fishing boat under construction which is being constructed at any place in His Majesty's dominions outside the United Kingdom, in India, in the Republic of Ireland or in any protectorate, protected state, trust territory or mandated territory within the meaning of the British Nationality Act, 1948, or is intended on her first registration to be registered at any such place.

(2) Without prejudice to the generality of the preceding subsection, regulations made thereunder may, in particular—

(*a*) prescribe the minimum space per man which must be provided in any fishing boat to which the regulations apply by way of sleeping accommodation for seamen and apprentices, and the maximum number of persons by whom any specified part of such accommodation may be used;

(*b*) regulate the position in any such fishing boat in which the crew accommodation or any part thereof may be located, and the standards to be observed in the construction, equipment and furnishing of any such accommodation;

(*c*) require the submission to a surveyor of ships of plans and specifications of any works proposed to be carried

out for the purpose of the provision or alteration of any such accommodation, and authorise the surveyor to inspect any such works;

(*d*) provide for the maintenance and repair of any such accommodation, and prohibit or restrict the use of any such accommodation for purposes other than those for which it is designed;

and may make different provision in respect of different classes of fishing boats and in respect of crew accommodation provided for different classes of persons.

(3) If the provisions of any regulations made under this section are contravened in the case of any fishing boat, the owner or skipper of the fishing boat shall be liable to a fine not exceeding one hundred pounds.

(4) Regulations made under this section may provide that any store rooms comprised in the crew accommodation of a fishing boat shall, to such extent as may be prescribed under the regulations, be disregarded in estimating the space to be deducted from the tonnage of the fishing boat under section seventy-nine of the principal Act in respect of crew accommodation.

(5) The provisions of the First Schedule to this Act (being provisions contained in sections two, three, four, nine and eleven of the Merchant Shipping Act, 1948, set out with modifications) shall have effect in relation to fishing boats to which regulations made under this section apply.

(6) The power of the Minister to make regulations under this section shall be exercisable by statutory instrument, and any such statutory instrument shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Engagement and discharge of crews.

2. The amendments specified in the Second Schedule to this Act shall be made in the provisions of Part II of the principal Act therein specified, being amendments made for the purpose of extending to home trade ships having a gross tonnage of two hundred tons or more (not being ships engaged exclusively on the work of any harbour, pilotage or local authority), certain provisions relating to the engagement and discharge of crews of foreign-going ships, and for making certain modifications of those provisions.

Review of punishments imposed by naval courts.

3.—(1) Where a naval court summoned under Part VI of the principal Act imposes on any person any one or more of the following punishments, that is to say:—

(*a*) sentences him to imprisonment;

(*b*) imposes on him any fine or forfeiture of wages;

(*c*) removes or discharges him from his ship ; or

(*d*) in the case of a certificated officer, cancels or suspends his certificate ;

the order of the court, so far as it imposes any such punishment, shall be subject to review by the senior naval or consular officer (hereafter in this section referred to as " the reviewing officer ") present at the place where the court is held :

Provided that, if the senior naval or consular officer present at the said place is a member of the naval court, the functions of the reviewing officer under this section shall be exercised in relation to that court by the naval commander-in-chief or the naval officer within whose command the said place is situated.

(2) The reviewing officer may, in reviewing any such order, confirm or refuse to confirm the order so far as it imposes on any person any such punishment, or vary the order, as respects any such punishment imposed thereby, as follows :—

(*a*) in the case of imprisonment, reduce the term thereof or substitute a fine, forfeiture of wages or removal or discharge from his ship ;

(*b*) in the case of a fine or forfeiture of wages, reduce the amount thereof or substitute removal or discharge from his ship ;

(*c*) in the case of any other punishment, being a punishment imposed on a certificated officer, substitute any punishment which is lower in the following scale :—

cancellation of certificate,
suspension of certificate,
removal or discharge from his ship ; or

(*d*) in the case of suspension of certificate, reduce the period thereof :

Provided that the reviewing officer shall not substitute under this subsection any punishment which the naval court could not have imposed.

(3) Where any such order imposes two or more such punishments as are referred to in subsection (1) of this section, whether of the same kind or different kinds, the reviewing officer may, in exercising his powers under the last foregoing subsection, deal separately with each such punishment.

(4) Where any such naval court imposes a sentence of imprisonment and directs the offender to be sent to the United Kingdom or any other place under section sixty-seven of the Merchant Shipping Act, 1906, the reviewing officer may revoke that direction.

(5) The place of imprisonment, whether on land or on board ship, of any person sentenced by any such naval court shall,

unless he is sent to the United Kingdom or any other place under the said section sixty-seven, be a place approved in writing by the reviewing officer as a proper place for the purpose.

(6) Where any order reviewed under this section requires the offender to pay the costs of the proceedings or any part thereof, the reviewing officer may also revoke that requirement or may vary it, but not so as to increase the amount payable by the offender in respect of those costs.

(7) The reviewing officer shall, on reviewing an order under this section, record his decision in writing, and if he refuses to confirm the order (so far as it imposes any such punishment as aforesaid), the order shall to that extent cease to have effect and if he varies the order, it shall thereafter have effect as if it had been made by the court as so varied.

(8) Proviso (i) to paragraph (*h*) of subsection (1) of section four hundred and eighty-three of the principal Act (which provides for the confirmation of sentences of imprisonment and the approval of the place of imprisonment) shall cease to have effect.

Amendment of s. 744 of the Merchant Shipping Act, 1894.

4. A ship shall not be deemed to be a foreign-going ship for the purposes of the principal Act by reason only that she is engaged in the Newfoundland cod fisheries, and accordingly section seven hundred and forty-four of that Act shall have effect with the substitution for the words "whale, seal, walrus or Newfoundland cod fisheries" of the words "whale, seal or walrus fisheries" and with the omission of the words "of ships engaged in the Newfoundland cod fisheries which belong to ports in Canada or Newfoundland and".

Removal of doubts as to meaning of Summary Jurisdiction Acts in relation to Northern Ireland.

5. It is hereby declared for the removal of doubts that, in the application of the Merchant Shipping Acts, 1894 to 1949, and this Act to Northern Ireland, the expression "the Summary Jurisdiction Acts" includes any Act of the Parliament of Northern Ireland amending the Petty Sessions (Ireland) Act, 1851.

Payment of fees into the Exchequer.

6. Any fees received by the Minister under or by virtue of this Act or regulations made thereunder shall be paid into the Exchequer.

Interpretation.

7.—(1) In this Act, the following expressions have the meanings hereby respectively assigned to them, that is to say:—

"crew accommodation" includes sleeping rooms, mess rooms, sanitary accommodation, hospital accommodation, recreation accommodation, store rooms and catering accommodation provided for the use of seamen and apprentices;

"fishing boat" has the same meaning as in Part IV of the principal Act, except that it includes a vessel which is being constructed for the purpose of being employed in sea fishing or in the sea-fishing service;

"local authority" means the Common Council of the City of London, the council of a metropolitan borough, the council of any county, county borough or county district in England and Wales or Northern Ireland, and, in Scotland, any county, town or district council;

"the Minister" means the Minister of Transport;

"owner", in relation to a fishing boat under construction, means the person to whose order she is being constructed;

"pilotage authority" has the same meaning as in the Pilotage Act, 1913;

"the principal Act" means the Merchant Shipping Act, 1894;

and any reference in this Act to the re-registration of a fishing boat shall not include a reference to a re-registration which is only required in consequence of a change in the ownership of the boat.

(2) Except so far as the context otherwise requires, any reference in this Act to any other enactment shall be construed as a reference to that enactment as amended, extended, or applied by or under any other enactment, including this Act.

Short title, construction, citation and commencement.

8.—(1) This Act may be cited as the Merchant Shipping Act, 1950.

(2) This Act shall be construed as one with the Merchant Shipping Acts, 1894 to 1949, and, without prejudice to the generality of this provision, references in those Acts to the Merchant Shipping Acts shall be construed as including references to this Act; and the said Acts and this Act may be cited together as the Merchant Shipping Acts, 1894 to 1950.

(3) This Act shall come into operation on such date as the Minister may by order appoint, and different dates may be appointed for the purpose of different provisions of this Act, and the power of the Minister to make orders under this subsection shall be exercisable by statutory instrument.

SCHEDULES

FIRST SCHEDULE

Section 1.

PROVISIONS OF MERCHANT SHIPPING ACT, 1948, APPLIED WITH MODIFICATIONS FOR THE PURPOSES OF SECTION ONE OF THIS ACT

Application of regulations to fishing boats already registered, under construction &c. (s. 2 (2) to (5) of 1948 Act)

1. Where any fishing boat to which regulations made under section one of this Act apply was registered in the United Kingdom under Part I or Part IV of the principal Act immediately before the date on which those regulations came into force, then, unless and until, after that date, the fishing boat is re-registered in the United Kingdom or undergoes substantial structural alterations or repairs (not being repairs carried out in consequence of damage or in an emergency)—

(*a*) any requirements of the regulations (including any subsequent regulations amending or substituted for those regulations) relating to matters specified in paragraph (*a*) or paragraph (*b*) of subsection (2) of section one of this Act (in this Schedule referred to as "the construction requirements") shall—

(i) in the case of a fishing boat to which corresponding requirements under the law in force immediately before that date were applicable, be deemed to be complied with if those requirements are complied with;

(ii) in any other case, not apply; and

(*b*) any requirements of any such regulations relating to matters specified in paragraph (*c*) of the said subsection (2) (in this Schedule referred to as "the survey requirements") shall not apply to any works other than works proposed to be carried out for the purpose of any such alterations or repairs as aforesaid.

2. Where regulations made under section one of this Act become applicable—

(*a*) to a fishing boat under construction of which the keel was laid before the date on which those regulations came into force;

(*b*) to a fishing boat registered in the United Kingdom under Part I or Part IV of the principal Act after that date, not being a fishing boat to which such regulations applied while she was under construction,

or where any such fishing boat as is mentioned in the preceding paragraph is re-registered, altered or repaired as mentioned in that paragraph, then, if, upon application made to him by the owner of the fishing boat, the Minister is satisfied, after consultation with the owner of the fishing boat or an organisation or organisations appearing to the Minister to be representative of owners of British fishing boats, and with an organisation or organisations appearing to the Minister to be representative of seamen employed in British fishing boats, that such steps, if any, as are reasonable and practicable have been taken for securing compliance with the construction requirements

1ST SCH. —*cont.*

of the regulations in the case of the fishing boat, he shall certify accordingly.

3. In determining for the purposes of the last preceding paragraph what steps for securing compliance with the construction requirements of any regulations are reasonable and practicable, the Minister shall have regard to the age of the fishing boat, to the purpose for which she is or is intended to be used and to the nature of any alterations or repairs which are carried out, or to the extent to which the construction of the fishing boat had been completed before the date on which the regulations came into force, as the case may be.

4. Where any such certificate is issued by the Minister as aforesaid, then, subject to compliance with such conditions, if any, as may be specified in the certificate—

(*a*) the construction requirements of the regulations (including any subsequent regulations amending or substituted for those regulations) shall be deemed to be complied with in the case of the fishing boat; and

(*b*) the survey requirements of any such regulations shall not apply to any works other than works proposed to be carried out for the purpose of any such alterations or repairs as are mentioned in paragraph 1 of this Schedule:

Provided that on the occurrence of any such event as is mentioned in the said paragraph 1, the provisions of this paragraph shall cease to have effect in relation to the fishing boat, but without prejudice to the issue of a further certificate under paragraph 2 of this Schedule.

Inspection of crew accommodation (*s.* 3 *of* 1948 *Act*)

5. Whenever a fishing boat to which regulations made under section one of this Act apply is registered or re-registered in the United Kingdom under Part I or Part IV of the principal Act and whenever a complaint in respect of crew accommodation in any such fishing boat is duly made in accordance with the regulations, and on such other occasions as may be prescribed by the regulations, a surveyor of ships shall inspect the crew accommodation.

6. If, upon any such inspection, the surveyor is satisfied that the crew accommodation complies with the regulations, he shall (except where the inspection is made in consequence of a complaint) give to the registrar of British ships a certificate specifying as space deductible under section seventy-nine of the principal Act the whole of the space comprised in that accommodation, except any part thereof required by the regulations to be disregarded in estimating the space so to be deducted.

7. If, upon any such inspection, it appears to the surveyor that the accommodation does not comply in all respects with the regulations, he may give to the registrar a certificate specifying as space deductible as aforesaid such part of the space comprised in the accommodation as he considers appropriate having regard to the extent to which it complies with the regulations, but if he does not

give such a certificate he shall report to the registrar that no space is deductible as aforesaid:

Provided that the surveyor shall not be required to make such a report as aforesaid—

(*a*) if the inspection is made on the occasion of the registration or re-registration of the fishing boat; or

(*b*) if it appears to him that the failure to comply with the regulations is not substantial and will be remedied within a reasonable time.

8. Where any certificate is given or report made under either of the two last preceding paragraphs in respect of a fishing boat already registered, any certificate previously given thereunder in respect of that fishing boat shall cease to have effect, and the register tonnage of the fishing boat shall be altered accordingly.

9. In respect of any inspection of a fishing boat carried out by a surveyor for the purposes of this Schedule, there shall be paid such fees as may be prescribed by regulations made under section one of this Act.

10. Regulations made under section one of this Act may require the skipper of any fishing boat to which the regulations apply, or any officer authorised by him for the purpose, to carry out such inspections of the crew accommodation as may be prescribed by the regulations, and to record, in such manner as may be so prescribed, such particulars of any such inspection as may be so prescribed.

Consequential amendments of principal Act (Section 4 of 1948 Act)

11. In relation to fishing boats to which regulations made under section one of this Act apply, section seventy-nine of the principal Act (which authorises certain deductions in ascertaining the register tonnage of ships) shall have effect as if in sub-paragraph (*a*) (i) of subsection (1) for the words "any space occupied by seamen or apprentices and appropriated to their use, which is certified under the regulations scheduled to this Act with regard thereto" there were substituted the words "any space provided by way of crew accommodation which is certified under the Merchant Shipping Act, 1950, to be space deductible under this section".

12. In relation to a fishing boat of any foreign country, being a fishing boat to which regulations made under section one of this Act would apply if she were a British fishing boat and were registered in the United Kingdom under Part I or Part IV of the principal Act, subsection (1) of section eighty-four of the principal Act (which as amended by section fifty-five of the Merchant Shipping Act, 1906, provides for the ascertainment of the tonnage of certain foreign ships) shall have effect subject to the following modifications, that is to say:—

(*a*) for the words "shall be deemed to have been certified under this Act and to comply with the provisions of this Act which apply to such a space in the case of British ships" there shall be substituted the words "shall be deemed to

1ST SCH. —*cont.*

have been specified in a certificate issued under the Merchant Shipping Act, 1950, and to comply with regulations made under section one of that Act";

(*b*) for the words "the standard required under this Act in the case of a British ship" there shall be substituted the words "the standard which would be required under or for the purposes of those regulations if she were a British fishing boat registered in the United Kingdom under Part I or Part IV of this Act".

13. Section two hundred and ten of the principal Act and the Sixth Schedule to that Act shall not apply to any fishing boat to which regulations made under section one of this Act apply (but without prejudice to the provisions of paragraph 1 of this Schedule):

Provided that any certificate given in relation to any such fishing boat as aforesaid, under paragraph (3) of the said Sixth Schedule before the date on which the regulations apply thereto shall have effect for the purposes of this Act and of the principal Act as if it had been given under paragraph 6 of this Schedule.

Application to certain countries and territories (*Sections* 9 *and* 11 (2) *of* 1948 *Act*)

14. His Majesty may by Order in Council direct that any of the provisions of section one of this Act or of this Schedule (including any enactments for the time being in force amending or substituted for the said provisions) shall extend, with such exceptions, adaptations and modifications, if any, as may be specified in the Order, to the Isle of Man, any of the Channel Islands or any colony.

15. The Foreign Jurisdiction Act, 1890, shall have effect as if the provisions of section one of this Act and of this Schedule were included among the enactments which, by virtue of section five of that Act, may be extended by Order in Council to countries in which for the time being His Majesty has jurisdiction.

16. His Majesty may by Order in Council direct that any of the provisions of section one of this Act or of this Schedule shall apply, subject to such exceptions, adaptations and modifications, if any, as may be specified in the Order, to fishing boats registered in any country or territory to which the said provisions can be extended by virtue of either of the two last preceding paragraphs, or under construction in any such country or territory, or to be registered on first registration in any such country or territory, as it applies to fishing boats registered in the United Kingdom under Part I or Part IV of the principal Act, under construction in the United Kingdom or to be so registered on first registration, as the case may be.

17. Any Order in Council made under the preceding provisions of this Schedule shall be subject to annulment in pursuance of a resolution of either House of Parliament.

SECOND SCHEDULE

Section 2.

AMENDMENTS OF MERCHANT SHIPPING ACT, 1894, RELATING TO ENGAGEMENT AND DISCHARGE OF CREWS

1. For paragraph (6) of section one hundred and fifteen (which relates to agreements with the crews of foreign-going ships) there shall be substituted the following paragraph:—

"(6) A running agreement shall not extend beyond the expiration of the period of six months from the date of the agreement, or the first arrival of the ship at her port of destination in the United Kingdom after the expiration of that period, or the discharge of cargo consequent on that arrival:

Provided that this paragraph shall not apply in relation to a running agreement under which the number of the crew is five hundred or more, but the time for which a seaman is engaged under such an agreement shall be limited so as not to extend beyond the expiration of the period of six months from the date of his engagement, or the first arrival of the ship at her port of destination in the United Kingdom after the expiration of that period, or the discharge of cargo consequent on that arrival."

2. After the said section one hundred and fifteen, the following section shall be inserted:—

"Special provisions as to agreements with crew of certain home trade ships.

115A.—The following provisions shall have effect with respect to the agreements with the crew made in the United Kingdom in the case of home trade ships having a gross tonnage of two hundred tons or more (not being ships engaged exclusively on the work of any harbour, pilotage or local authority):—

(1) the agreement shall (subject to the provisions of this Act as to substitutes) be signed by each seaman in the presence of a superintendent:

(2) the superintendent shall cause the agreement to be read over and explained to each seaman, or otherwise ascertain that each seaman understands the same before he signs it, and shall attest each signature:

(3) when the crew is first engaged the agreement shall be signed in duplicate, and one part shall be retained by the superintendent, and the other shall be delivered to the master, and shall contain a special place or form for the descriptions and signatures of substitutes or persons engaged subsequently to the first departure of the ship:

(4) where a substitute is engaged in the place of a seaman who duly signed the agreement, and whose services are within twenty-four hours of the ship's putting to sea lost by death, desertion, or other unforeseen cause, the engagement shall, when practicable, be made before a superintendent, and, when not practicable, the master shall, before the ship puts to sea, if practicable, and if not, as soon afterwards as possible, cause

2ND SCH. —*cont.*

the agreement to be read over and explained to the substitute, and the substitute shall thereupon sign the same in the presence of a witness and the witness shall attest the signature:

(5) agreements may be made either for service in a particular ship or for service in two or more ships belonging to the same owner, but in the latter case the names of the ships and the nature of the service shall be specified in the agreement:

(6) an agreement for service in two or more ships belonging to the same owner may be made by the owner instead of by the master; and the provisions of this Act with respect to the making of the agreement shall apply accordingly:

(7) an agreement with the crew of the ship shall not extend beyond the expiration of the period of six months from the date of the agreement, or the time at which the ship first arrives at her final port of destination in the United Kingdom after the expiration of that period, or the discharge of cargo consequent on that arrival:

Provided that, if there is no superintendent at the said final port of destination, the agreement may extend until the first arrival of the ship after that time at a port in the United Kingdom at which there is a superintendent, or the discharge of cargo consequent on that arrival:

(8) on every return to a port in the United Kingdom before the final termination of an agreement, the master shall, if any engagements or discharges of seamen have been made, make on the agreement an endorsement that they have all been made as required by law, and if a master wilfully makes a false statement in any such endorsement or if he omits to make an endorsement which he is required to make under this paragraph, he shall for each offence be liable to a fine not exceeding twenty pounds:

(9) the duplicate agreement retained by the superintendent on the first engagement of the crew shall either be transmitted to the Registrar-General of Shipping and Seamen immediately, or kept by the superintendent until the expiration of the agreement, as the Minister of Transport directs."

3. In section one hundred and sixteen (which relates to agreements with the crews of home trade ships), after the words "home trade ships for which an agreement with the crew is required under this Act" there shall be inserted the words "other than ships to which the last preceding section applies".

4. In subsection (1) of section one hundred and seventeen (which requires changes in the crews of foreign-going ships to be reported) after the words "foreign-going ship" there shall be inserted the words "and every home trade ship to which section one hundred and

2ND SCH. —*cont.*

fifteen A of this Act applies, being in each case a ship ", for the words " before finally leaving the United Kingdom " where they first occur, there shall be substituted the words " before leaving any port in the United Kingdom ", and for the said words, where they secondly occur, there shall be substituted the words " before leaving that port, and, if the ship has previously left any port in the United Kingdom, since leaving the last such port."

5. After section one hundred and eighteen, there shall be inserted the following section:—

" Certificate as to agreements with certain home trade ships.

118A.—(1) On the due execution of an agreement with the crew in accordance with this Act, the superintendent shall grant the master of a home trade ship to which section one hundred and fifteen A of this Act applies a certificate to that effect, and the master shall, before proceeding to sea, produce to the office of customs that certificate, and the ship may be detained until the certificate is produced.

(2) The master or owner of every such home trade ship shall upon the discharge of the crew deliver the agreement with the crew to the superintendent before whom the crew is discharged, and the superintendent shall give the master or owner a certificate of that delivery, and the ship may be detained until the certificate is produced to the proper officer of the customs.

(3) If the master or owner fails without reasonable cause to comply with this section, he shall for each offence be liable to a fine not exceeding five pounds."

6. In section one hundred and nineteen (which relates to certificates as to agreements with crews of home trade ships) after the words " home trade ship of more than eighty tons burden " there shall be inserted the words " other than a ship to which section one hundred and fifteen A of this Act applies."

7.—(1) In section one hundred and twenty-seven (which requires crews of foreign-going ships to be discharged before a superintendent), after subsection (2) there shall be inserted the following subsection:—

" (2A) Where a seaman serving in a home trade ship to which section one hundred and fifteen A of this Act applies is discharged on the termination of his engagement, he shall be discharged in the manner provided by this Act in the presence of a superintendent:

Provided that this subsection shall not apply where—

(*a*) a seaman is discharged from a ship, under an agreement made in accordance with the said section for service in two or more ships, for the purpose of being engaged in another ship to which the agreement relates; or

(*b*) a seaman is proceeding on temporary leave while remaining in the service of the owner of the ship."

(2) In subsection (3) of the said section one hundred and twenty-seven after the words " home trade ship " there shall be inserted " other than a ship to which the last preceding subsection applies."

2ND SCH. —*cont.*

8. In subsection (2) of section one hundred and thirty-one (which requires wages to be paid before a superintendent), after the words "home trade ship" there shall be inserted the words "other than a ship to which section one hundred and fifteen A of this Act applies."

9. For subsection (1) of section one hundred and thirty-five (which relates to time of payment of wages for home trade ships), there shall be substituted the following subsection:—

"(1) The master or owner of every home trade ship shall pay every seaman his wages—

(*a*) if the seaman is discharged before a superintendent, at the time when he is so discharged;

(*b*) in any other case, within two days after the termination of his engagement."

10. In section one hundred and thirty-seven (which provides for decision of wages questions by superintendents), after the words "foreign-going ship" there shall be inserted the words "or a home trade ship to which section one hundred and fifteen A of this Act applies."

11.—(1) In section two hundred and forty-two (which requires logs to be delivered to superintendents), after subsection (1), the following subsection shall be inserted:—

"(1A) The master or owner of every home trade ship to which section one hundred and fifteen A of this Act applies and for which an official log is required to be kept, shall, upon the discharge of the crew, deliver the official log book to the superintendent before whom the crew is discharged."

(2) In subsection (2) of the said section after the word "every" there shall be inserted the word "other".

12.—(1) In subsection (2) of section two hundred and fifty-three (which relates to lists of the crew), after paragraph (*a*) there shall be inserted the following paragraph:—

"(*aa*) in the case of a home trade ship to which section one hundred and fifteen A of this Act applies, shall be delivered by the master, upon the discharge of the crew, to the superintendent before whom the crew is discharged; and"

and in paragraph (*b*) of that subsection for the word "a" there shall be substituted the words "any other".

(2) In subsection (3) of the said section, after the words "foreign-going ship" there shall be inserted the words "or home trade ship to which section one hundred and fifteen A of this Act applies", and for the words "a home trade ship" there shall be substituted the words "any other home trade ship".

Table of Statutes referred to in this Act

Short Title	Session and Chapter
Petty Sessions (Ireland) Act, 1851	14 & 15 Vict. c. 93.
Foreign Jurisdiction Act, 1890	53 & 54 Vict. c. 37.
Merchant Shipping Act, 1894	57 & 58 Vict. c. 60.
Merchant Shipping Act, 1906	6 Edw. 7. c. 48.
Pilotage Act, 1913	2 & 3 Geo. 5. c. 31.
Merchant Shipping Act, 1948	11 & 12 Geo. 6. c. 44.
British Nationality Act, 1948	11 & 12 Geo. 6. c. 56.

CHAPTER 10

Royal Patriotic Fund Corporation Act, 1950

An Act to make further provision as respects the application of certain funds under the management of the Royal Patriotic Fund Corporation.

[12th July 1950.]

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 objects of soldiers' effects fund. 56 & 57 Vict. c. 5.

1.—(1) The objects of the fund constituted in pursuance of subsection (2) of section ten of the Regimental Debts Act, 1893 (which provides for the application of the undisposed residue of soldiers' effects to the creation or maintenance of a fund for the benefit of widows or children, or other near relatives, of soldiers dying on service or within six months after discharge) shall, to such extent as may be provided by Royal Warrant under that Act and subject to the provisions of any such Warrant, include the widows, children and other near relatives of persons dying at any time who have been soldiers.

(2) The foregoing subsection shall apply in relation to the air force, but with the substitution—

(*a*) for the reference to the said Act of 1893 of a reference to that Act as applied to the air force;

(*b*) for the references to soldiers of references to airmen.

Certain funds applicable as well for air force as for naval and military dependants.

2. Any provision contained in an enactment or other instrument, however worded, passed or made before the commencement of this Act which defines the purposes for which the Royal Patriotic Fund Corporation may apply any of their property or otherwise exercise any of their powers, being a provision which apart from this section relates in the same way to the naval and