STATUTORY INSTRUMENTS

1975 No. 2183

MERCHANT SHIPPING

The Merchant Shipping Act 1974 (Isle of Man) Order 1975

Made - - - -	19*th December* 1975
Laid before Parliament	6*th January* 1976
Coming into Operation	1*st February* 1976

At the Court at Buckingham Palace, the 19th day of December 1975

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred upon Her by section 20(1) of the Merchant Shipping Act 1974**(a)**, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

1. This Order may be cited as the Merchant Shipping Act 1974 (Isle of Man) Order 1975 and shall come into operation on 1st February 1976.

2. The Interpretation Act 1889**(b)** shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

3. Part I and sections 22, 23 and 24 of and Schedule 1 to the Merchant Shipping Act 1974 shall extend to the Isle of Man subject to the exceptions, adaptations and modifications specified in the Schedule to this Order.

N. E. Leigh.

(a) 1974 c. 43. **(b)** 1889 c. 63.

SCHEDULE

EXCEPTIONS, ADAPTATIONS AND MODIFICATIONS IN THE EXTENSION OF THE MERCHANT SHIPPING ACT 1974 TO THE ISLE OF MAN

1. Unless the context otherwise requires, any reference to the Merchant Shipping Act 1974 or any other enactment shall be to that enactment as it has effect in the Isle of Man.

2. Unless the context otherwise requires or except in any reference to Her Majesty's Government in the United Kingdom, for any reference to the United Kingdom there shall be substituted a reference to the Isle of Man.

3. Unless the context otherwise requires, for any reference to the Secretary of State there shall be substituted a reference to the Governor.

4. In section 1(7)—

(*a*) before the words "Secretary of State" there shall be inserted the words "Isle of Man Finance Board after consultation with the";

(*b*) the words "made by statutory instrument" shall be omitted.

5. For section 2(8) there shall be substituted the following provision:—

"(8) Applied regulations may impose on persons who are or may be liable to pay contributions under this section obligations to give security to the Treasurer of the Isle of Man, or to the Fund.

In this subsection, "applied regulations" means regulations made by the Secretary of State under this subsection as it has effect in the United Kingdom and applied, with any necessary modifications or adaptations, or both, to the Isle of Man by order made by the Governor, but so that no such order shall have effect until it has been approved by Tynwald.".

6. In section 2(9), for the definition of "group" there shall be substituted the following definition:—

'"group", in relation to companies, means a holding company and its subsidiaries as defined in section 1 of the Companies Act 1974 (an Act of Tynwald), subject, in the case of a company incorporated outside the Isle of Man, to any necessary modification of those definitions;'.

7. For section 2(10) there shall be substituted the following provision:—

"(10) In this section, "sea" does not include any waters on the landward side of the baselines from which the territorial sea of the British Islands adjacent to the Isle of Man is measured.".

8. In section 5(4), for paragraph (*a*) there shall be substituted the following paragraph:—

"(*a*) the ship did not comply with the prescribed requirements, and".

9. For section 5(5) and (6) there shall be substituted the following provision:—

"(5) In subsection (4) above, "prescribed requirements" means requirements prescribed by an order made by the Secretary of State under that subsection as it has effect in the United Kingdom and applied, with any necessary modifications or adaptations, or both, to the Isle of Man by the Governor, but so that no order under this subsection shall have effect until it has been approved by Tynwald.".

10. Section 6(1) shall be omitted.

11. In section 6(4), for the words, "Foreign Jurisdiction (Reciprocal Enforcement) Act 1933" there shall be substituted the words "Judgments (Reciprocal Enforcement) (Isle of Man) Act 1968 (an Act of Tynwald)".

12. In section 6(4) and 6(5) for the words "Act of 1933" there shall be substituted in each case the words "Act of 1968".

13. For section 23(1) there shall be substituted the following subsections:—

"(1) This Act shall at any time be construed as one which such provisions of the Merchant Shipping Acts 1894 to 1971 as at that time have effect in the Isle of Man.

(1A) In this Act, "Governor" has the meaning assigned to it by section 2 of the Interpretation Act 1970 (an Act of Tynwald).".

14. In section 24(2)—

(*a*) at the beginning there shall be inserted the words "Except for sections 3, 9, 22 and 23 which shall come into operation forthwith,";

(*b*) the words "made by statutory instrument" shall be omitted.

15. In section 24, subsections (4) and (5) shall be omitted.

EXPLANATORY NOTE

(*This Note is not part of the Order.*)

This Order extends Part I and part of Part V of and Schedule 1 to the Merchant Shipping Act 1974 to the Isle of Man with specified exceptions, adaptations and modifications.

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