STATUTORY INSTRUMENTS

1987 No. 719 (C.18)

MERCHANT SHIPPING

The Merchant Shipping Act 1979 (Commencement No. 12) Order 1987

Made - - - - *10th April 1987*

The Secretary of State for Transport, in exercise of powers conferred on him by section 52(2) of the Merchant Shipping Act 1979(a) and of all other powers enabling him in that behalf hereby makes the following Order:–

1. This Order may be cited as the Merchant Shipping Act 1979 (Commencement No. 12) Order 1987.

2. Section 35(2) of the Merchant Shipping Act 1979, except so far as it applies in relation to fishing vessels, shall come into force on 30th April 1987.

Michael Spicer
Parliamentary Under Secretary of State,
Department of Transport

Signed by authority of the Secretary of State
10th April 1987

EXPLANATORY NOTE

(This note is not part of the Order)

The Order brings into force on 30th April 1987 section 35(2) of the Merchant Shipping Act 1979, except for fishing vessels. Section 35(2) prevents any person limiting his liability under section 17 of the Act for loss of life or personal injury or other damage caused to a person on a ship who is employed in connection with the ship or with salvage operations. By virtue of section 17 shipowners and salvors can limit their liability in accordance with the Convention on Limitation of Liability for Maritime Claims 1976 (set out in Schedule 4 to the 1979 Act).

(a) 1979 c.39.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Merchant Shipping Act 1979 have been or are being brought into force by commencement orders made before the date of this Order:–

Provision	*Date of Commencement*	*S.I. No.*
ss. 1 to 6, Sch. 1	1.8.79	1979/807
ss. 7,8(1), (2), (4) and that part of (6) which relates to s. 14 of the Pilotage Act 1913, 9 to 11	4.7.80 and 1.9.80	1980/923
ss. 12, 13(1) in relation to Sch. 2, paras. 1 to 4, 5(2), 6, 7, 10(2), 11, 12, 14 to 19, 20(1), the former part of 20(2), 21 to 27	1.8.79 1.10.79 and 1.1.80	1979/807
s. 13(1) in relation to Sch. 2, paras. 5(1), 8, 9, 10(1), 13(3), and the latter part of 20(2)	1.1.80 4.7.80 and 1.9.80	1979/807 1980/923
s. 13(2) to (5)	1.8.79	1979/807
s. 14(1), (2), (4), (5), (6) (except in its application to s. 5(3)) and (7)	30.4.87	1987/635
s. 15(1)	17.12.79	1979/1578
s. 15(2)	17.12.79 and 30.4.87	1979/1578 and 1987/635
s. 16	1.8.79	1979/807
ss. 17, 18 and 19(1) and (4)	1.12.86	1986/1052
s. 19(2), (3)	17.12.79	1979/1578
ss. 20 to 22, 26 to 30, 32(1), 33, 34, 35(1) except in relation to fishing vessels and 36(1)	1.8.79 1.10.79 and 1.1.80	1979/807
s. 23(7)	31.12.85	1985/1827
s. 31	3.5.83	1983/440
s. 32(2) and (3)	1.7.83	1982/1616
s. 36(2)	1.4.80	1980/354
s. 36(3), 37(1) to (3), (5), (7) and (8)	1.8.79	1979/807
s. 37(4)	1.1.83	1982/1616
s. 38(5)	17.12.79	1979/1578
s. 38(1), (2), (3) and (6)	8.4.81	1981/405
ss. 39 to 45, 46 (partially), Sch. 6	1.8.79 and 1.1.80	1979/807
s. 46 (remainder)	4.7.80	1980/923
s. 47(1), (2) (partially) and (3)	1.8.79, 1.10.79 and 1.1.80	1979/807
s. 47(2)	17.12.79 and 14.9.83	1979/1578 and 1983/1312
ss. 48, 49, 50(1) and (2)	1.8.79	1979/807

Provision	*Date of Commencement*	*S.I. No.*
s. 50(3)	4.7.80	1980/923
s. 50(4) and Sch. 7 (partially)	1.8.79	
	1.10.79 and	
	1.1.80	1979/807
	1.4.80	1980/354
	4.7.80 and	
	1.9.80	1980/923
	8.4.81	1981/405
	3.5.83	1983/440
	31.12.85	1985/1827
	1.12.86	1986/1052
ss. 51(1), (3) and 52	1.8.79	1979/807
s. 51(2) (partially)	1.1.83	1982/1616
Schedule 3, Parts I and II	30.4.87	1987/635
Schedules 4 and 5	1.12.86	1986/1052.

Note

1. Sections 1 to 13, Schedule 2, paragraph 2 of Schedule 5 and the entries relating to the Pilotage Act 1913 (c.31 (2 & 3 Geo.5)) in Part II of Schedule 7 have been repealed by and re-enacted in the Pilotage Act 1983 (c.21) (a consolidated Act).
2. Section 35(1) has ceased to have effect.
3. Schedule 3, Part I, was given the force of law on 1.1.81 for some purposes, with modification, by the Carriage of Passengers and their Luggage (Interim Provisions) Order 1980 (S.I. 1980/1092) made under powers in section 16(1), (2) and (5). That Order ceases to have effect (except for transitional purposes) at the date this Order comes into force.