CHAPTER 55.

An Act to amend the Law with respect to the Charges on and Payments to the Mercantile Marine Fund, and to Expenses of Prosecutions for Offences committed at Sea. [18th August 1882.]

A.D. 1882.

WHEREAS with a view to the adjustment of the receipts and expenditure under the Merchant Shipping Acts between the Mercantile Marine Fund and moneys provided by Parliament it is expedient to make the provision herein-after mentioned:

Be it therefore enacted by the Queen'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:

Short title and construction.

1. This Act may be cited as the Merchant Shipping (Expenses) Act, 1882.

17 & 18 Vict. c. 104, &c.

This Act shall be construed as one with the Merchant Shipping Acts, 1854 to 1880, and together with those Acts may be cited as the Merchant Shipping Acts, 1854 to 1882.

Commencement of Act.

2. This Act (save as is in this Act otherwise expressly provided) shall come into operation on the first day of April, one thousand eight hundred and eighty-three, which day is in this Act referred to as the commencement of this Act.

Charges on Mercantile Marine Fund.

3. There shall be charged on and payable out of the Mercantile Marine Fund the following sums, so far as they are not paid by any private person:—

(*a.*) The salaries of all surveyors and officers appointed, and all expenses incurred in connection with the survey and measurement of ships under the Merchant Shipping Acts, 1854 to 1876.

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(*b.*) The salaries and expenses of persons employed under the Passengers Act, 1855, as amended by the Merchant Shipping Act, 1872:

18 & 19 Vict. c. 119. 35 & 36 Vict. c. 73.

(*c.*) The superannuation allowances, gratuities, pensions, and other allowances granted either before or after the passing of this Act to any of the said surveyors or persons:

(*d.*) The expenses of obtaining depositions, reports and returns respecting wrecks and casualties:

(*e.*) The allowances and expenses paid for the relief of distressed British seamen and apprentices, including the expenses declared by any of the Merchant Shipping Acts, 1854 to 1882, to be payable as such expenses, and any contributions to seamen's refuges and hospitals:

(*f.*) Any sums which the Board of Trade, in their discretion, think fit to pay in respect of claims to moneys carried to the Mercantile Marine Fund on account of the wages and effects of deceased seamen, or on account of the proceeds of wreck:

45 & 46 Vict. c. 22.

(*g.*) All costs and expenses incurred by the Board of Trade under the Boiler Explosions Act, 1882 (so far as not otherwise provided for) including any remuneration paid in pursuance of section seven of that Act, and any costs and expenses ordered by the court in pursuance of that Act to be paid by the Board of Trade.

Payments to the Mercantile Marine Fund.

4. There shall be accounted for and paid to the Mercantile Marine Fund—

(*a.*) All fees, charges, and expenses payable in respect of the survey or measurement of ships under the Merchant Shipping Acts, 1854 to 1876:

(*b.*) All fees and other sums payable in respect of any services performed by any person employed under the authority of the Passengers Act, 1855, as amended by the Merchant Shipping Act, 1872:

(*c.*) The net proceeds of wreck which otherwise would be payable into the Exchequer under section four hundred and seventy-five of the Merchant Shipping Act, 1854, as amended by section fifty-three of the Merchant Shipping Act Amendment Act, 1862:

25 & 26 Vict. c. 63.

(*d.*) The moneys arising from the unclaimed wages and effects of deceased seamen, except where the same are required to be paid as directed by the Accountant General of Her Majesty's navy:

(*e.*) All such sums in respect of expenses incurred with respect to distressed seamen and apprentices as are recovered by the Board of Trade under section two hundred and thirteen of the Merchant Shipping Act, 1854, and the enactments amending the same.

(*f.*) All costs and expenses ordered by the court to be paid to the Board of Trade in pursuance of the Boiler Explosions Act, 1882.

All the fees in this section mentioned shall be paid at such times and in such manner as the Board of Trade from time to time direct.

Subsidy out of moneys provided by Parliament to the Mercantile Marine Fund.

5. There shall be paid to the Mercantile Marine Fund out of moneys provided by Parliament an annual sum of forty thousand pounds, or after the expiration of five years from the commencement of this Act such other sum as may be from time to time determined by the Commissioners of Her Majesty's Treasury, with the concurrence of the Board of Trade, having regard to the receipts and expenditure of the Mercantile Marine Fund under sections three and four of this Act.

Suspension of fees on engagements and discharges under 17 & 18 Vict. c. 104. s. 125.

6. The Board of Trade may, if they think fit, at any time after the passing of this Act, abolish or suspend the fees payable upon engagements and discharges effected before shipping masters in pursuance of section one hundred and twenty-five of the Merchant Shipping Act, 1854, and in the event of such abolition, or pending such suspension, no deduction shall be made in pursuance of section one hundred and twenty-six of the said Act from the wages of any person engaged or discharged.

Audit of accounts of Mercantile Marine Fund. 29 & 30 Vict. c. 39.

7. The accounts of the Mercantile Marine Fund shall be deemed to be public accounts within the meaning of section thirty-three of the Exchequer and Audit Departments Act, 1866, and shall be examined and audited accordingly.

Grant of pension to existing officers. 39 & 40 Vict. c. 80.

8. Where a surveyor appointed under the Merchant Shipping Acts, 1854 to 1876, or a person employed under the Passengers Act, 1855, has in pursuance of section thirty-nine of the Merchant Shipping Act, 1876, received during part of his term of service his salary out of moneys provided by Parliament, his service during the period that his salary was paid out of moneys provided by Parliament, and his service during the period that his salary was paid out of the Mercantile Marine Fund shall be reckoned indifferently as the same service for the purpose of entitling him to any superannuation allowance, gratuity, pension, or other allowance, out of the Mercantile Marine Fund.

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Costs of prosecution for offences committed at sea.

9. Such costs and expenses of and incidental to any prosecution for a felony or misdemeanour as are by law payable out of any county or other local rate shall, where such felony or misdemeanour was committed within the jurisdiction of the Admiralty of England, be paid in the same manner and subject to the same regulations as if such felony or misdemeanour had been committed in the county in which the same is heard and determined, or when the same is heard and determined at the Central Criminal Court as if the same had been committed in the county of Middlesex, and all sums properly paid out of any county or other local rate in respect of the said costs and expenses shall be repaid out of moneys provided by Parliament.

The expenses under section two hundred and sixty-eight of the Merchant Shipping Act, 1854, of imprisoning any such offender as therein mentioned, and of conveying him and the witnesses to the United Kingdom, or to such British possession as mentioned in that section, in any manner other than in the ship to which they respectively belong, shall, where not paid as part of the costs of the prosecution, be paid out of moneys provided by Parliament.

Repeal.

10. The Acts in the Schedule to this Act shall be repealed to the extent in the third column of that Schedule mentioned, without prejudice to anything done or suffered, or any right acquired or accrued in pursuance of the enactments hereby repealed.

SCHEDULE.

Enactments Repealed.

A description or citation of a portion of an Act in this Schedule is inclusive of the word section or other part first and last mentioned, or otherwise referred to as forming the beginning or as forming the end of the portion described in the description or citation.

Session and Chapter.	Title.	Extent of Repeal.
7 Geo. 4. c. 64. -	An Act for improving the administration of criminal justice in England.	Section twenty-seven.
4 & 5 Will. 4. c. 36.	An Act for establishing a new court for the trial of offences committed in the metropolis and parts adjoining.	Section twenty-two from "and that it shall and may "be lawful for any three" to the end of the section.
7 & 8 Vict. c. 2. -	An Act for the more speedy trial of offences committed on the high seas.	Section one from "and it shall "be lawful for the court "to order," to the end of the section.
17 & 18 Vict. c. 104.	The Merchant Shipping Act, 1854.	Section two hundred and two from "and subject to the "provision herein-after "contained" to the end of the section. Section two hundred and eleven from "out of any "moneys applicable" to "for the purpose." Section two hundred and sixty-eight from "and the "expense of imprisoning" to the end of the section. Section four hundred and twenty-eight.
39 & 40 Vict. c. 80.	The Merchant Shipping Act, 1876.	Section thirty-nine from the beginning down to "vested "in the Board of Trade," and the words "there may "be paid out of moneys "provided by Parliament "all costs and compensa- "tion payable by the Board "of Trade in pursuance of "this Act."
40 & 41 Vict. c. 44.	The Superannuation (Mercantile Marine Fund Officers) Act, 1877.	The whole Act.

LONDON: Printed by George E. B. Eyre and William Spottiswoode, Printers to the Queen's most Excellent Majesty. 1882.