EXPLANATORY NOTE

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

Under section 369 of the Merchant Shipping Act, 1894, the Minister of Transport has power to exempt any class of trawler or trawlers from the requirements of Part IV of the Act and to extend those requirements to any fishing boats. Section 413 of the Act requires trawlers of 25 tons tonnage or upwards to carry a duly certificated skipper and a duly certificated second hand, and by orders made under section 369 that requirement has subsequently been extended to all steam or motor fishing boats of 50 tons gross tonnage or upwards being liners or drifters or boats engaged in Seine net fishing.

This Order (1) exempts from that requirement in certain circumstances trawlers up to 50 tons tonnage, and (2) extends that requirement and the provisions of section 414, 415 and 416, which deal with the granting of certificates of competency, the issue of certificates of service and the keeping of registers of certificated skippers and second hands respectively, to steam or motor fishing boats of 25 tons gross tonnage or upwards, being liners or drifters or boats engaged in Seine net or Ring net fishing, and provides, in the case of such vessels not exceeding 50 tons gross tonnage, for the same exemptions as in the case of trawlers.

The purpose of the Order is to provide that trawlers of between 25 and 50 tons tonnage operating within the specified limits shall carry one certificated officer in place of two required at present, and that as from 1st July, 1949, a similar requirement shall apply to fishing boats of the other classes specified in the Order of between 25 and 50 gross tons, which are not at present required to carry certificated officers; vessels of these classes going beyond the specified limits will be required to carry a skipper and second hand, both duly certificated.

The Merchant Shipping (Fishing Boats Agreements) Order, 1948

1948 No. 1853

Made - - - - 5th August, 1948

57 & 58 Vict. c. 60.

The Minister of Transport (hereinafter referred to as " the Minister ") in exercise of his powers under section 369 of the Merchant Shipping Act, 1894, (hereinafter referred to as " the Act ") and of all other powers him enabling hereby makes the following Order:—

1. On and after the 19th day of August, 1948, fishing boats being trawlers of twenty-five tons tonnage and upwards registered under Part IV of the Act at any port in the United Kingdom shall be exempt from so much of the provisions of sections 401 and 402 of the Act as require the skipper or the owner (or if there are several owners, the registered managing owner) to cause a fishing boat's agreement to be read over and explained to each seaman, or otherwise ascertain that

each seaman understands the same before he signs it, and to attest each signature, in cases where those requirements are performed by a person approved by the Minister and duly authorised in that behalf by the owner or registered managing owner as the case may be.

2. The Interpretation Act, 1889, shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament. 52 & 53 Vict. c. 63.

3. This Order may be cited as the Merchant Shipping (Fishing Boats Agreements) Order, 1948.

Given under the Official Seal of the Minister of Transport this fifth day of August, 1948.

(L.S.)

N. A. Guttery,
An Under-Secretary of the Ministry of Transport.

EXPLANATORY NOTE

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

Under section 369 of the Merchant Shipping Act, 1894, the Minister of Transport has power by order to exempt any class of trawler or trawlers of 25 tons tonnage and upwards belonging to any port from the whole or any portion of Part IV of that Act. This Order exempts, subject to certain conditions, trawlers of that tonnage registered at any port in the United Kingdom from so much of Part IV of the Act as requires the skipper or owner to read over and explain the fishing boat's agreement to each seaman and to attest his signature thereto.

2. LIGHT DUES

The Merchant Shipping (Light Dues) Order, 1948

1948 No. 1340

Made - - - - 22nd June, 1948

*Coming into Operation upon the date of publication in the London Gazette**

At the Court at Buckingham Palace, the 22nd day of June, 1948

Present,

The King's Most Excellent Majesty in Council

Whereas by Section 5 of the Merchant Shipping (Mercantile Marine Fund) Act, 1898 (hereinafter referred to as "the said Section"), it is amongst other things enacted as follows: 61 & 62 Vict. c 44.

"5.—(1) On and after the commencement of this Act the general lighthouse authorities shall levy light dues with respect to the voyages made by ships or by way of periodical payment, and not with respect to the lights which a ship passes or from which it derives benefit, and the dues so levied shall take the place of the dues now levied by those authorities.

* 25th June, 1948.