STATUTORY INSTRUMENTS

1982 No. 1538

MERCHANT SHIPPING

MASTERS AND SEAMEN

The Merchant Shipping (Foreign Deserters) (Revocation) Order 1982

Made - - - -	*27th October* 1982
Laid before Parliament	*4th November* 1982
Coming into Operation	*25th November* 1982

At the Court of Saint James, the 27th day of October 1982

Present,

The Counsellors of State in Council

Whereas Her Majesty, in pursuance of the Regency Acts 1937 to 1953, was pleased, by Letters Patent dated the 30th day of September 1982, to delegate to the six Counsellors of State therein named or any two or more of them full power and authority during the period of Her Majesty's absence from the United Kingdom to summon and hold on Her Majesty's behalf Her Privy Council and to signify thereat Her Majesty's approval for anything for which Her Majesty's approval in Council is required:

And whereas notwithstanding the repeal of the Foreign Deserters Act 1852 (**a**) Orders in Council made under section 1 of that Act shall by virtue of section 745 of the Merchant Shipping Act 1894 (**b**) (hereinafter referred to as "the Act") continue in force as if they had been made under the Act:

And whereas it is expedient that one such Order in Council and certain other Orders in Council made under section 238 of the Act should be revoked:

Now, therefore, Her Majesty Queen Elizabeth The Queen Mother and Her Royal Highness The Princess Margaret, Countess of Snowdon, being authorised thereto by the said Letters Patent, and in pursuance of the powers conferred by section 738 of the Act and all other powers enabling Her Majesty, and by and with the advice of Her Majesty's Privy Council, do on Her Majesty's behalf order, and it is hereby ordered, as follows:—

1. This Order may be cited as the Merchant Shipping (Foreign Deserters) (Revocation) Order 1982 and shall come into operation on 25th November 1982.

2. The following are hereby revoked:—

(a) the provisions of the Order in Council relating to seamen who desert from merchant ships belonging to subjects of the Republic of Peru made on the 18th day of August 1852 (**c**) , to the extent to which

(**a**) 1852 c.26. (**b**) 1894 c.60. (**c**) S.R. & O. Rev. XIV, p. 154.

those provisions relate to seamen who when within any of the Channel Islands or any Colony desert from merchant ships belonging to subjects of the Republic of Peru;

(b) the provisions of the Deserters from Foreign Ships Order 1934 (**a**), to the extent to which those provisions relate to seamen and apprentices who desert from merchant ships belonging to subjects of Finland;

(c) the Merchant Shipping (Foreign Deserters) (Kingdom of Norway) Order 1951 (**b**);

(d) the Merchant Shipping (Foreign Deserters) (United States of Mexico) Order 1955 (**c**);

(e) the Merchant Shipping (Foreign Deserters) (Spanish State) Order 1963 (**d**);

(f) the Merchant Shipping (Foreign Deserters) (Kingdom of Belgium) Order 1964 (**e**).

N. E. Leigh,
Clerk of the Privy Council.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order, which is made pursuant to the Merchant Shipping Act 1894, revokes the specified Orders to the extent to which they had provided for the apprehension and return to their ships of deserters from merchant ships of Belgium, Finland, Mexico, Norway, Peru and Spain at ports in the Channel Islands or any Colony. The provisions of section 89 of the Merchant Shipping Act 1970 (c.36), which supersede the specified Orders as far as the United Kingdom is concerned, cease to apply to Belgium, Finland, Mexico, Norway, Peru and Spain by virtue of the Merchant Shipping (Foreign Deserters) (Disapplication) Order 1982 (S.I. 1982/1525), which comes into operation on 25th November 1982. A similar effect is achieved in the Isle of Man by virtue of local legislation.

(**a**) S.R. & O. 1934/893. (**b**) S.I. 1951/1942. (**c**) S.I. 1955/426.
(**d**) S.I. 1963/617. (**e**) S.I. 1964/1403.

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