EXPLANATORY NOTE

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

These Regulations provide that a person who completes the cadet petty officers course of the Sea Cadet Corps may, under Regulation 3 of the Merchant Shipping (Certificates of Competency as A.B.) Regulations, 1952, be entitled to a reduction in the period of qualifying service at sea which he is required to perform as a condition of obtaining a certificate of competency as an A.B.

1955 No. 426

The Merchant Shipping (Foreign Deserters) (United States of Mexico) Order, 1955

Made - - - -	17*th March*, 1955
Laid before Parliament	22*nd March*, 1955
Coming into Operation	1*st April*, 1955

At the Court at Buckingham Palace, the 17th day of March, 1955

Present,

The Queen's Most Excellent Majesty in Council

Whereas it appears to Her Majesty that due facilities will be given by the Government of the United States of Mexico for recovering and apprehending seamen who desert from British merchant ships in that country:

Now, therefore, Her Majesty, in pursuance of the powers vested in Her by Section 238 of the Merchant Shipping Act, 1894(a), and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order and declare, and it is hereby ordered and declared, as follows:—

1.—(1) This Order may be cited as the Merchant Shipping (Foreign Deserters) (United States of Mexico) Order, 1955, and shall come into operation on the first day of April, 1955.

(2) In this Order

(*a*) the expressions "Colony" and "British protected person" have respectively the same meanings as they have in or for the purposes of the British Nationality Act, 1948(b); and

(*b*) the expression "the United States of Mexico" means all the integral parts of the Federation of the United States of Mexico, including the

(a) 57 & 58 Vict. c. 60. (b) 11 & 12 Geo. 6. c. 56.

adjacent islands in both the Atlantic and Pacific Oceans, as well as the islands of Guadalupe and those forming the Archipelago of Revillagigedo situated in the Pacific Ocean.

(3) The Interpretation Act, 1889(a), shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

2. Section 238 of the Merchant Shipping Act, 1894, shall apply in the case of the United States of Mexico subject to the following limitations, conditions and qualifications, namely,

(*a*) the said section shall only apply as respects seamen and apprentices who desert from ships registered at any port in the United States of Mexico, and when those ships are within the United Kingdom, any of the Channel Islands, the Isle of Man, or any Colony ; and

(*b*) nothing in the said section shall be taken to confer any power or impose any duty or obligation on any court, justice or officer in relation to the apprehension, or conveyance on board his ship, of a deserter who satisfies that court, justice or officer that he is :—

(i) a citizen of the United Kingdom and Colonies or a Southern Rhodesian citizen or a British protected person ; or

(ii) a person in respect of whom there is reasonable ground for believing that his life or liberty will be endangered, for reasons of race, nationality, political opinion or religion, in any country to which his ship is likely to go.

W. G. Agnew.

EXPLANATORY NOTE

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

Subsection (1) of Section 238 of the Merchant Shipping Act, 1894, provides that where it appears to Her Majesty that due facilities are or will be given by the government of any foreign country for recovering and apprehending seamen who desert from British merchant ships in that country, Her Majesty may by Order in Council, stating that such facilities are or will be given, declare that that Section shall apply in the case of such foreign country, subject to any limitations, conditions and qualifications contained in the Order. Article 28 of the Consular Convention of March 20, 1954, between Her Majesty and the President of the United States of Mexico provides that the facilities in question will be accorded by the Government of the United States of Mexico. This Order provides that the Section shall apply, with certain limitations, in the case of seamen who desert from Mexican ships.

(a) 52 & 53 Vict. c. 63.