Now therefore the Minister of Agriculture and Fisheries, the Secretary of State for the Home Department and the Secretary of State for Scotland, acting jointly, in pursuance of the powers conferred upon them by Section 3 of the said Act, hereby direct as follows:—

1. The provisions of the Merchandise Marks (Imported Goods) No. 1 Order, 1932, shall cease to apply to butter during the period of twelve months from the date of this Direction.

2. This Direction may be cited as the Merchandise Marks (Imported Goods) Exemption Direction (No. 1), 1952.

In witness whereof the Official Seal of the Minister of Agriculture and Fisheries is hereunto affixed this twenty-fourth day of May, nineteen hundred and fifty-two.

(L.S.) *Tom Dugdale.*

Given under the Hand of the Secretary of State for the Home Department, this twenty-fourth day of May, nineteen hundred and fifty-two.

David Maxwell Fyfe.

Given under the Seal of the Secretary of State for Scotland, this twenty-fourth day of May, nineteen hundred and fifty-two.

(L.S.) *James Stuart.*

MERCHANT SHIPPING

1. *Ships and Shipowners.* | 2. *Masters and Seamen*, p. 1711.

3. *Safety*—(1) *Load line*, p. 1726.
(2) *Safety Convention*, p. 1729.

1. SHIPS AND SHIPOWNERS

1952 No. 1863

The Nyasaland Protectorate Maritime Order in Council, 1952

Made - - - -	21*st October*, 1952
Laid before Parliament	22*nd October*, 1952
Coming into Operation	24*th October*, 1952

At the Court at Buckingham Palace, the 21st day of October, 1952.

Present,

The Queen's Most Excellent Majesty in Council.

Whereas by section 88 of the Merchant Shipping Act, 1894(**a**), it is enacted as follows:—

"Where in accordance with the Foreign Jurisdiction Act, 1890(**b**), Her Majesty exercises jurisdiction within any port, it shall be lawful for Her Majesty by Order in Council to declare that port a Port of Registry and

(a) 57 & 58 Vict. c. 60. (b) 53 & 54 Vict. c. 37.

by the same or any subsequent Order in Council to declare the description of persons who are to be Registrars of British ships at that Port of Registry and to make regulations with respect to the Registry of British ships thereat" :

And whereas by treaty, grant, usage, sufferance and other lawful means Her Majesty the Queen has jurisdiction in and over the Protectorate of Nyasaland, and within all the ports thereof in accordance with the said Foreign Jurisdiction Act, 1890 :

And whereas it has been made to appear to Her Majesty that it is expedient to declare the port of Fort Johnston in the said Protectorate a Port of Registry, and to declare the description of persons who shall be Registrars of British ships thereat, and to make regulations with respect to the registry of British ships thereat:

Now therefore, Her Majesty, by virtue of the powers vested in Her in this behalf by the hereinbefore recited Acts or some or one of them and by and with the advice of Her Privy Council, is pleased to declare and order as follows:—

1. This Order may be cited as the Nyasaland Protectorate Maritime Order in Council, 1952, and shall come into operation on the 24th day of October, 1952.

2. The Port of Fort Johnston in the Protectorate of Nyasaland shall be a Port of Registry for British ships.

3. The Registrar of British ships at the said port shall be such officer in the public service of the Protectorate of Nyasaland as the Governor may from time to time appoint by writing signed by him.

4. The Governor of Nyasaland may from time to time in case of the absence or intended absence from Fort Johnston or in case of the illness of the Registrar appoint by writing under his hand a fit person to be the deputy of the Registrar for the time therein mentioned and every such appointment shall be revocable at pleasure by the Governor by writing under his hand.

The person so appointed shall during the continuance of his appointment have all the power and authority of the Registrar.

5. The Registrar shall have and use a seal bearing such style and device as the Governor shall from time to time direct.

6. Every signature or seal affixed to any document purporting to be the signature or seal as the case may be of the Registrar shall for all purposes under this Order without any proof thereof be presumed to be genuine and shall be taken as genuine until the contrary is proved.

7. The Registrar of British ships at Fort Johnston shall have the same powers as any Registrar of British ships appointed under the Merchant Shipping Act, 1894, and for the purpose of enforcing the provisions of the said Act and of this Order the said Registrar shall have the same powers as by the said Act are conferred for the purposes of registration and measurement on any officer of Customs or any officer of the Ministry of Transport.

8. The Governor shall with regard to the performance of any act or thing relating to the registry of a ship registered at Fort Johnston, or of any interest therein, be considered as in all respects occupying the place of the Commissioners of Customs.

9. In cases where it appears to the Commissioners of Customs or to the Governor or other person administering the Government of any British possession, that, by reason of special circumstances, it would be desirable that permission should be granted to any British ship to pass without being previously registered from any port or place in Her Majesty's dominions to the port of Fort Johnston in the Protectorate of Nyasaland, it shall be lawful for such Commissioners or Governor or other person to grant a pass accordingly, and such pass shall for the time and within the limits therein mentioned have the same effect as a certificate of registry.

10. Where it appears to the Governor that by reason of special circumstances it would be desirable that permission should be granted to any British ship to pass without being previously registered from the port of Fort Johnston to any port within Her Majesty's dominions the Governor may grant a pass accordingly and such pass shall for the time and within the limits therein mentioned have the same effect as a Certificate of Registry.

11. Fees not exceeding the amounts named in the Schedule to this Order shall be taken in respect of the matters mentioned in the said Schedule, but the Governor in Council shall have power to prescribe for lower fees being taken.

12. All fees authorized to be taken under this Order shall be applied to general revenue.

F. J. Fernau.

SCHEDULE

Table of Maximum Fees to be paid on Registration, Transfer and Mortgage of Ships

1. *Registration*

1. On Initial Registry—

	£	s.	d.
Vessels under 50 tons gross	1	0	0
„ 50 to 100 „ „	1	10	0
„ 100 to 200 „ „	2	0	0

with 10s. for every additional 100 tons or fraction of a 100.

2. *Transfer and Mortgage*

2. On Transfer, Transmission, Registry anew, Transfer of Registry, Mortgage and Transfer of Mortgage.

According to the gross tonnage represented by the ships or shares of ships transferred, etc. (e.g. the transfer of a 1/64th share in a ship of 6,400 tons to be reckoned as the transfer of 100 tons).

	£	s.	d.
Under 10 tons		2	6
10 tons and under 20 tons		5	0
20 „ „ „ 30 „		7	6
30 „ „ „ 40 „		10	0
40 „ „ „ 50 „		12	6
50 „ „ „ 75 „		15	0
75 „ „ „ 100 „		17	6
100 „ „ „ 125 „	1	0	0

and a further fee of 2s. 6d. for every additional 50 tons or part of 50 tons, up to 500 tons, after which 2s. 6d. for every 100 tons, or part of 100 tons.

But the above fees for registration, transfer and mortgage shall not be payable in respect of vessels not exceeding 10 tons gross register employed solely in fishing.

	£	s.	d.
Inspection of Register Book		2	0
For a certified copy of the particulars entered in the register book on the registry of a ship, together with a certified statement showing the ownership of the ship at the time being		5	0
For a certified copy of any declaration or document a copy of which is made evidence by the (Merchant Shipping) Act		5	0
Provisional Certificate of Registry	1	0	0
Pass for ship	1	0	0
Change of Master		10	0
For annexing the seal of office and signature to any document not mentioned in or otherwise provided for by this table		4	0
For measurement of tonnage as under:—			
Vessels of 50 tons gross and under	1	0	0
Vessels of over 50 tons gross and under 100 tons ...	2	0	0
For each additional 100 tons or part of 100 tons		10	0
For the inspection of the berthing or sleeping accommodation of the crew:—			
For each visit to the ship	1	0	0
Provided as follows:—			
(*a*) The aggregate amount of the fees for any such inspection shall not exceed £4 whatever be the number of separate visits.			
(*b*) When the accommodation is inspected at the same time with the measurement of the tonnage no separate fee shall be charged for the inspection.			
For the inspection of light and fog signals:—			
For each visit made to the ship on the application of the owner and for each visit made where the lights or fittings are found defective	1	0	0
Provided that the aggregate amount of fees for any such inspection shall not exceed £4 whatever be the number of separate visits.			
For the inspection of the marking of a ship on the application of the owner, or where the provisions of the Merchant Shipping Acts with respect thereto have not been complied with	1	0	0
Provided that when the marking of a ship is inspected at the same time with the measurement of the tonnage no separate fee shall be charged for the inspection.			

EXPLANATORY NOTE

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

The purpose of this Order in Council is to declare Fort Johnston a Port of Registry, to define who are to be Registrars and the powers of such persons, and to prescribe the maximum fees to be paid on the registration, transfer and mortgage of British ships.