STATUTORY INSTRUMENTS

1978 No. 1524

MERCHANT SHIPPING

The State Immunity (Merchant Shipping) (Union of Soviet Socialist Republics) Order 1978

Made - - - -	*24th October* 1978
Laid before Parliament	*1st November* 1978
Coming into Operation	*22nd November* 1978

At the Court at Buckingham Palace, the 24th day of October 1978

Present,
The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred on Her by section 15(1) of the State Immunity Act 1978(a), or otherwise in Her Majesty vested, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

1. This Order may be cited as the State Immunity (Merchant Shipping) (Union of Soviet Socialist Republics) Order 1978 and shall come into operation on 22nd November 1978.

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

3. Notwithstanding section 13(4) of the State Immunity Act 1978, no application shall be made for the issue of a warrant of arrest in an action *in rem* against a ship owned by the Union of Soviet Socialist Republics or cargo aboard it until notice has been served on a consular officer of that State in London or in the port at which it is intended to cause the ship to be arrested.

4. Notwithstanding section 13(4) of the State Immunity Act 1978, no ship or cargo owned by the Union of Soviet Socialist Republics shall be subject to any process for the enforcement of a judgment or for the enforcement of terms of settlement filed with and taking effect as a court order.

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

(a) 1978 c. 33.

(b) 1889 c. 63.

EXPLANATORY NOTE

(*This Note is not part of the Order.*)

This Order preserves the immunity from execution of ships and cargoes of the Union of Soviet Socialist Republics which would otherwise have been lost by virtue of section 13(4) of the State Immunity Act 1978, and requires notice to be given to a Soviet consul before a warrant of arrest is issued in an action *in rem* against a ship of that State or cargo on it. It gives effect to Articles 2 and 3 of the Protocol to the Treaty on Merchant Navigation between the United Kingdom of Great Britain and Northern Ireland and the Union of Soviet Socialist Republics which was signed at London on 3rd April 1968.

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