

of the principal Act may be held either by the Board of Trade or the Admiralty as may be arranged between them, and in the event of such inquiry or investigation being held by the Admiralty, they shall have all the jurisdiction conferred by the Act on the Board of Trade with reference to the same.

12. The power to remove or appoint a master conferred by section 483 of the principal Act shall in the case of a Government ship in the service of the Admiralty not be exercised in the United Kingdom without the consent of the Admiralty, nor elsewhere without the consent of the senior naval officer on the station if obtainable with reasonable despatch.

13. For the purposes of this Order, section 517 (2) of the principal Act shall be read as if the last seventeen words thereof were omitted, and the word "Admiralty" were substituted therefor.

14. The powers conferred by sections 530 to 534 of the principal Act shall not be exercised in the case of Government ships in the service of the Admiralty without the consent of the Admiralty except in regard to lights, buoys, and other matters or things necessary for the immediate protection of the traffic.

15. Nothing in this Order in Council shall be construed as excluding Government ships in the service of the Admiralty from the category of ships belonging to His Majesty within the meaning of sections 557 to 564 of the principal Act.

16. Where any section of the Merchant Shipping Acts which by virtue of the Merchant Shipping Act, 1906, and this Order in Council is applicable to Government ships in the service of the Admiralty imposes any duty or liability or confers any right or power upon or contemplates any act being performed by the owner of a ship, such duty, liability, right, or powers shall, subject always to the other provisions of this Order in Council, be carried out, borne, or exercised by the Lords Commissioners of the Admiralty on behalf of His Majesty.

17. No provision of the Merchant Shipping Acts imposing on the owners of a ship any liability to any penalty, debt, damages, costs, or proceedings shall, in the case of a Government ship in the service of the Admiralty, have any application to His Majesty or to the Lords Commissioners of the Admiralty: Provided always that where expenses are incurred in respect of seamen belonging to a Government ship in the service of the Admiralty under Part IV of the Merchant Shipping Act, 1906, and the Distressed Seamen Regulations, made in pursuance of section 40 of the said Act which would under the said Act or regulations be payable by the owners of such vessel, any such expenses will be repaid by the Admiralty.

18. No provision in the Merchant Shipping Acts shall render His Majesty or the Lords Commissioners of the Admiralty liable to pay salvage where no such liability at present exists.

19. No provision contained in the Merchant Shipping Acts providing for the forfeiture or detention of a ship by reason of non-compliance with any enactment therein contained shall have any application to a Government ship in the service of the Admiralty.

20. Notwithstanding anything contained in the Merchant Shipping Acts and this Order in Council, the master of a Government ship in the service of the Admiralty shall not be liable for any penalty, debt, or damages under any provision of any of the Merchant Shipping Acts in respect of anything done or omitted in pursuance of the order of the Admiralty or of any officer of His Majesty's navy.

21. Nothing in the Merchant Shipping Acts or this Order in Council shall render the master or any other persons in charge of or on board a Government ship in the service of the Admiralty liable for displaying any signal authorized by any regulations of the Admiralty.

22. In this Order in Council the term "Merchant Shipping Acts" shall mean and include any of the Merchant Shipping Acts, any provision of which is by virtue of the Merchant Shipping Act, 1906, and this Order applicable to Government ships.

23. The following sections and provisions of the Merchant Shipping Acts shall not apply to Government ships in the service of the Admiralty registered in pursuance of the provisions of this Order in Council, namely:—

- (i.) The Merchant Shipping Act, 1894: Sections 1, 2, 3, 7 (3) and (5), 8 to 12, 16, 23, 27 to 38, 39 to 42 so far as they relate to mortgages, 43, 44 to 46 so far as they relate to mortgages, 48, 49, 50, 52, 54 to 58, 59 (2) and (3), 62, 68 to 71, 72, 74, 76, 84, 85, 87, 103 (4), 105 to 109, 131 to 147, 155 to 158, 162 to 168, 171 (2), 174, 182 to 184, 210, 224 (2), 262 to 264, 267 to 431, 435, 439, 441 (2) and (3), 442, 443 (3) and (4), 444 to 450, 452 to 457, 459 to 461, 468, 472, 492 to 509, 520 (b), 567, 568, 572 to 665, 667 to 679, 689 (2), (3), and (4), 692, 693, 729 (1) (d), and (3), so far as they may relate to any papers or documents belonging to or in the possession of the Crown.
- (ii.) The Merchant Shipping Act, 1897: The whole Act.
- (iii.) The Merchant Shipping (Exemption from Pilotage) Act, 1897: The whole Act.
- (iv.) The Merchant Shipping (Liability of Shipowners) Act, 1898: The whole Act.
- (v.) The Merchant Shipping (Mercantile Marine Fund) Act, 1898: The whole Act.
- (vi.) The Merchant Shipping (Liability of Shipowners) Act, 1900: The whole Act.
- (vii.) The Merchant Shipping Act, 1906: Sections 1 to 4, 6, 9, to 11, 13 to 24, 25 (3), 26, 35, 38 (2), so much thereof as is subsequent to the word "master" where it first occurs, (3), 48, except subsections (2) and (4), 51 to 53, 57, 60 to 64, 65 (1), 69 to 71, 76, 77, 81, 83.

Provided always that no provision of the Merchant Shipping Acts which, according to a reasonable construction, would not apply in the case of Government ships in the service of the Admiralty shall be deemed to apply to such ships by reason only that its application is not hereby expressly excluded.

ALMERIC FITZROY.