

At the Court at *Buckingham Palace*, the 17th day of *December*, 1931.

PRESENT,

The KING's Most Excellent Majesty.

Lord President.

Sir Frederick Ponsonby.

Sir Bolton Eyres-Monsell.

Mr. Chancellor of the Duchy of Lancaster.

WHEREAS by Section 102 of the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60) (hereinafter referred to as the principal Act) it is enacted that where the legislature of any British possession provides for the examination of, and grant of certificates of competency to, persons intending to act as masters, mates, or engineers, on board ships, and the Board of Trade report to His Majesty that they are satisfied that the examinations are so conducted as to be equally efficient with the examinations for the same purpose in the United Kingdom under that Act, and that the certificates are granted on such principles as to show the like qualifications and competency as those granted under that Act, and are liable to be forfeited for the like reasons and in the like manner, His Majesty may by Order in Council—

(i) declare that the said certificates shall be of the same force as if they had been granted under that Act; and

(ii) declare that all or any of the provisions of that Act which relate to certificates of competency granted under that Act, shall apply to the certificates referred to in the Order; and

(iii) impose such conditions and make such regulations with respect to the certificates and to the use, issue, delivery, cancellation and suspension thereof, as His Majesty may think fit, and impose fines not exceeding fifty pounds for the breach of those conditions and regulations.

And whereas by the Merchant Shipping (Certificates) Act, 1914 (4-5 Geo. 5. c. 42), the law relating to examinations in the United Kingdom for certificates of competency was amended, and it was enacted that the provisions of that Act should be construed as if they were contained in the principal Act:

And whereas at the time when the principal Act came into operation there was in force an Order in Council (hereinafter referred to as the first recited Order) dated the 9th day of May, 1891, and made under an enactment repealed by the principal Act, and by the said Order it was declared that certain certificates of competency granted in certain British possessions therein named (including the possessions of Bombay and Bengal) by certain authorities therein mentioned, should be of the same force as if granted under the Acts then in force relating to Merchant Shipping:

And whereas by virtue of section 745 of the principal Act the first recited Order continues in force as if it had been made under that Act:

And whereas after the coming into force of the first recited Order the name or constitution of certain of the authorities mentioned therein was from time to time changed, and by an Order in Council (hereinafter referred to as the second recited Order) made on the 22nd

day of October, 1906, it was declared that the first recited Order should be read and construed as if the authority for the time being empowered by the legislature of any British possession named therein to grant certificates of competency in that possession had been originally mentioned therein in the case of that possession in lieu of the authority actually named and described therein:

And whereas by the Indian Merchant Shipping Act, 1923, as amended by the Indian Merchant Shipping (Amendment) Act, 1928 (hereinafter referred to as the Indian Merchant Shipping Acts), the power to grant certificates of competency, successively vested in the authorities in Bombay and Bengal referred to in the second recited Order, was revoked, and as on the 1st day of April, 1929, the Indian Legislature constituted by the Government of India Act provided anew with respect to British India, for the examination of, and grant of certificates of competency to persons intending to act as masters, mates or engineers on board ships:

And whereas the Board of Trade have reported to His Majesty that they are satisfied that the examinations held under the Indian Merchant Shipping Acts are so conducted as to be equally efficient with the examinations for the same purpose in the United Kingdom under the principal Act, and that the certificates granted under those Acts are granted on such principles as to show the like qualifications and competency as those granted under the principal Act and are liable to be forfeited for the like reasons and in the like manner:

And whereas by section 738 of the principal Act, it is provided that where His Majesty has power under that Act to make an Order in Council His Majesty may from time to time by Order in Council revoke, alter or add to any Order so made:

And whereas it is expedient that the first recited Order should be altered by the revocation of so much thereof as relates to certificates of competency granted in Bombay or in Bengal:

And whereas the provisions of section 1 of the Rules Publication Act, 1893, have been complied with:

Now, therefore, His Majesty, in exercise of the powers vested in Him by the principal Act, and by and with the advice of His Privy Council, is pleased to declare as follows, that is to say:—

1. Certificates of competency, as master, first mate, or second mate of a foreign-going ship, as first-class or second-class engineer, or as first-class or second-class motor engineer, granted in British India—

(a) on and after the 11th day of July, 1877, and before the 1st day of April, 1929, by the Governor in Council of Bombay;

(b) on and after the 27th day of June, 1876, and before the 1st day of April, 1912, by the Lieutenant-Governor of Bengal;

(c) on and after the 1st day of April, 1912, and before the 1st day of April, 1929, by the Governor in Council of Bengal; and

(d) on and after the 1st day of April, 1929, under the Indian Merchant Shipping Acts by the proper authority