

2. The Registrar, on receiving such application in respect of a Burma Government ship shall—

(i) enter the ship in the Register Book as belonging to "His Majesty, represented by the Government of Burma" and shall also enter therein—

(ii) the name of the port to which she belongs:

(iii) the particulars stated in the application for registration:

(iv) the details comprised in the Surveyor's Certificate.

3. On the registry of a Burma Government ship the Registrar shall retain in his possession the Surveyor's Certificate and the application for registry and any documents of title mentioned in such application.

4. Upon the transfer of a registered Burma Government ship by Bill of Sale, the Governor of Burma shall be the transferor, and the Bill of Sale shall be in Form A in the proper form prescribed under the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60) (hereinafter called the Principal Act), omitting the covenant therein contained. Any such Bill of Sale shall be executed on behalf of the Governor by such person and in such manner as he may direct or authorise.

5. The application for a Certificate of Sale referred to in Sections 39 to 42 and Sections 44 to 46 of the Principal Act, may be made in respect of a Burma Government ship by a Secretary to the Government of Burma or other officer nominated by that Government.

6. The person to whom the management of any Burma Government ship is entrusted by the Government of Burma shall be registered as provided by Section 59 (2) of the Principal Act.

7. Where any provision of the Merchant Shipping Acts which by virtue of the Merchant Shipping Act, 1906, and this Order in Council is applicable to Burma Government ships 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 power shall, subject always to the other provisions of this Order in Council, be carried out, borne, or exercised by the Government of Burma on behalf of His Majesty.

8. The term "seaman" in Section 113 of the Principal Act shall not be deemed to mean or include any seaman in His Majesty's Navy or the Royal Indian Navy.

9. 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 Burma Government ships.

10. The following sections and provisions of the Merchant Shipping Acts shall not apply to Burma Government ships registered in pursuance of this Order namely:—

(i) The Merchant Shipping Act, 1894, Sections 1, 2, 3, 8 to 12, 427 to 431.

The provisions of Part II of the Act relating to the requirement of officers to hold certificates of competency and the production of those Certificates.

(ii) The Merchant Shipping (Mercantile Marine Fund) Act, 1898 (61 & 62 Vict. c. 44), Sections 3 and 5.

(iii) The Merchant Shipping Act, 1906, Sections 25 and 27.

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

11. Save as otherwise provided by this Order or by the Government of Burma Act, 1935 (26 Geo. 5. c. 3) anything required or authorised by this Order in Council to be done by the Government of Burma may be done by a Secretary to that Government or other officer nominated by that Government.

12. This Order may be cited as the Merchant Shipping (Registration of Burma Government Ships) Order, 1937.

M. P. A. Hankey.

At the Court at *Buckingham Palace*, the 8th day of *June*, 1937.

PRESENT,

The KING's Most Excellent Majesty in Council.

WHEREAS by Section 4 of the Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60) (hereinafter referred to as the principal Act), it is (amongst other things) enacted that His Majesty may by Order in Council declare, with respect to any British possession named in the Order, not being the Channel Islands or the Isle of Man, the description of persons who are to be registrars of British ships in that possession:

And whereas there is in force an Order in Council namely the Merchant Shipping (Registrars of British Ships in India) Order, 1931 (S.R. & O. 1931, No. 672), whereby the description of persons who are to be registrars of British ships in British India are declared:

And whereas on the commencement, on the 1st April, 1937, of Part III of the Government of India Act, 1935 (26 Geo. 5. c. 2), Burma ceased to be part of India in accordance with the provision of sub-section (2) of section forty-six of that Act, and it is expedient to declare the description of persons who are to be registrars of British ships in British Burma:

And whereas the provisions of Section 1 of the Rules Publication Act, 1893 (56 & 57 Vict. c. 66), have been complied with:

Now, therefore, His Majesty, by virtue 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:—

1. At any port of registry in British Burma, the Principal Officer, Mercantile Marine Department, or where there is no such officer, the Port Officer, shall be the registrar of British ships.

2. This Order may be cited as the Merchant Shipping (Registrars of British Ships in Burma) Order, 1937.

M. P. A. Hankey.