

Extension of duty to report dangers to navigation

16. The matters of which information is to be sent by the master of a ship in accordance with rules under section 24 of the Merchant Shipping (Safety and Load Line Conventions) Act 1932 as applied to Hong Kong by the Merchant Shipping Safety Convention (Hong Kong) No. 1 Order 1935 shall include—

- (a) air temperatures below freezing point associated with gale force winds causing severe ice accretion on the superstructure of ships; and
- (b) winds of force 10 or above on the Beaufort Scale for which no storm warning has been received.

*Supplementary**Transitional provisions*

18.—(1) Nothing in section 5 of this Act or section 17(1) of the Act of 1949 shall prohibit a ship from proceeding to sea without such a certificate as is required, or is equivalent to one required, under the said section 5, until the expiry of two years from the commencement of this Act.

(2) Nothing in section 15(a) of this Act or section 12(1)(b)(ii) or 17(1) of the Act of 1949 shall prohibit a ship of less than five hundred tons gross tonnage from proceeding to sea without such a certificate as is required, or is equivalent to one required, under the said section 12(1)(b)(ii), until the expiry of one year from the commencement of this Act.

(3) The Board of Trade may by regulations provide that for such purposes, for such a period and subject to such conditions as may be specified by or under the regulations—

- (a) any country to which the Safety Convention applies shall be treated for the purposes of this Act as if it were a country to which the Convention applies; and
- (b) any certificate which immediately before the commencement of this Act was an accepted Safety Convention certificate within the meaning of the Act of 1949 as originally enacted may be treated as if it were an accepted Safety Convention certificate within the meaning of that Act as amended by this Act;

and those regulations shall have effect for the colony of Hong Kong as for the United Kingdom.

Construction

19.—(2) In the Act of 1949 "the Merchant Shipping Acts" shall mean the Merchant Shipping Acts 1894 to 1958 and this Act; and this Act shall be construed as one with those Acts.

SCHEDULE 2

AMENDMENT OF THE MERCHANT SHIPPING SAFETY CONVENTION (HONG KONG) NO. 1 ORDER 1953

1. In Article 1 of the Order, for the figure "33" there shall be substituted the word and figures "33(2) and (4)".

2. In the First Schedule to the Order—

(1) the following shall be inserted after section 32:

"33.—(1) There shall be paid in respect of any certificate issued by the Governor under this Act, including a certificate issued by him under subsection (1) of section fourteen of this Act, and in respect of any inspection of a ship under this Act for the purpose of seeing that she is properly provided with a radio installation and radio officers or operators in conformity with the radio rules, such fees as may be prescribed by regulations made by the Governor in Council.

(3) Any fees payable under subsection (1) of this section shall be paid to the Government of Hong Kong."

(2) the following shall be omitted:

in section 14(1), the words "the preceding provisions of";

in section 18(2), the words from "and shall be based" to the end of the subsection;

in section 36 (1), the definition of "The Merchant Shipping Acts";

In "The First Schedule to the Merchant Shipping (Safety Convention) Act 1949, Transitional Provisions", paragraphs 2 to 4.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order extends to Hong Kong the provisions of the Merchant Shipping Act 1964 subject to a number of modifications and exceptions. The Act enables effect to be given to the International Convention for the Safety of Life at Sea 1960. In particular, it includes provisions which empower the making of cargo ship construction and survey rules and require such ships to have cargo ship safety construction certificates. The Act as extended to Hong Kong is set out in Schedule 1 to this Order.

The Order also amends the Merchant Shipping Safety Convention (Hong Kong) No. 1 Order 1953, by which provisions of the Merchant Shipping (Safety Convention) Act 1949 (which gave effect to the Safety Convention of 1948, now replaced by the 1960 Convention) were extended to the colony.

STATUTORY INSTRUMENTS

1965 No. 2012

MERCHANT SHIPPING

SAFETY

The Merchant Shipping (Safety Convention Countries) (Various) (No. 3) Order 1965

Made - - - - 29th November 1965

Laid before Parliament 3rd December 1965

Coming into Operation 7th December 1965

At the Court at Buckingham Palace, the 29th day of November 1965.

PRESENT,

The QUEEN'S Most Excellent Majesty in Council
Whereas by section 31 of the Merchant Shipping (Safety Convention) Act 1949 (12, 13 & 14 Geo. 6. c. 43) as amended by section 1 of the Merchant Shipping Act 1964 (1964 c. 47) it is enacted that Her Majesty, if satisfied that the government of any country has accepted the International Convention for the Safety of Life at Sea 1960 (hereinafter referred to as "the 1960 Convention") or that that Convention extends to any territory, may, by Order in Council, make a declaration to that effect:

And Whereas Her Majesty is satisfied that the governments of the countries specified in Part I of the Schedule to this Order have accepted the 1960 Convention:

And Whereas Her Majesty is satisfied that the 1960 Convention extends to the territory specified in Part II of the said Schedule:

Now, therefore, Her Majesty, in pursuance of the powers conferred upon Her by the aforesaid sections and of all other powers enabling Her in that behalf, by and with the advice of Her Privy Council, is pleased to order, and doth hereby order, as follows:

1. It is hereby declared that the governments of the countries specified in Part I of the Schedule to this Order have accepted the 1960 Convention.

2. It is hereby declared that the 1960 Convention extends to the territory specified in Part II of the said Schedule.

3. This Order may be cited as the Merchant Shipping (Safety Convention Countries) (Various) (No. 3) Order 1965, and shall come into operation on the 7th December 1965.

W. G. Agnew.

SCHEDULE

PART I

Union of Burma
Republic of Cyprus
United Arab Republic
Union of Soviet Socialist Republics
Republic of the Philippines
Malaysia

PART II

Hong Kong

EXPLANATORY NOTE

(This Note is not part of the Order)

This Order declares that the governments of the countries specified in Part I of the Schedule to the Order have accepted the International Convention for the Safety of Life at Sea 1960, and that the Convention has been extended to the territory specified in Part II of the said Schedule.