

32 and 33 Vict., c. 11.<sup>1</sup>

32 & 33 Vict.,  
c. 11.

“*The Merchant Shipping (Colonial) Act, 1869.*”

AN ACT for amending the Law relating to the Coasting Trade  
and Merchant Shipping in British Possessions.

[13th May, 1869.]

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*Preliminary.*

2. In this Act, unless the context otherwise requires,—

The term “British possession” means any territory or

Definition of  
terms :  
“British pos-  
session :”

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<sup>1</sup> Proclaimed 4th May, 1870.

place situate within Her Majesty's dominions, and not forming part of the United Kingdom, or of the Channel Islands, or Isle of Man; and all territories and places under one Legislature as hereinafter defined are deemed to be one British possession for the purposes of this Act:

"Legislature."

The term "Legislature" includes any person or persons who exercise legislative authority in the British possession, and, where there are local Legislatures as well as a central Legislature, means the central Legislature only.

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*Coasting Trade.*

Regulation of  
coasting trade  
by Colonial  
Legislature.

4. After the commencement of this Act the Legislature of a British possession, by any Act or Ordinance, from time to time, may regulate the coasting trade of that British possession, subject in every case to the following conditions:—

- (1.) The Act or Ordinance shall contain a suspending clause, providing that such Act or Ordinance shall not come into operation until Her Majesty's pleasure thereon has been publicly signified in the British possession in which it has been passed :
- (2.) The Act or Ordinance shall treat all British ships (including the ships of any British possession) in exactly the same manner as ships of the British possession in which it is made :
- (3.) Where, by treaty made before the passing of this Act, Her Majesty has agreed to grant to any ships of any foreign State any rights or privileges in respect of the coasting trade of any British possession, such rights and privileges shall be enjoyed by such ships for so long as Her Majesty has already agreed or may hereafter agree to grant the same, anything in the Act or Ordinance to the contrary notwithstanding.

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*Merchant Shipping.*

Registrars of  
British ships  
in British  
possessions.

6. It shall be lawful for Her Majesty, by Order in Council, from time to time to declare, with respect to the British possession mentioned in the Order, the description of persons who are to be Registrars of British Ships in that British possession, and to revoke any Order so made.

After the date specified in the Order, or, if no date is specified, after the date of the proclamation of the Order in the British possession, the Order shall have effect as if it were contained in section thirty of "The Merchant Shipping Act, 1854."

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8. Where the Legislature of any British possession provides <sup>32 & 33 Vict.,</sup> for the examination of, and grant of certificates of competency <sup>c. 11.</sup> to, persons intending to act as masters, mates, or engineers on board British ships, and the Board of Trade reports to Her Majesty that they are satisfied that the examinations are so conducted as to be equally efficient as the examinations for the same purpose in the United Kingdom under the Acts relating to merchant shipping, and that the certificates are granted on such principles as to show the like qualifications and competency as those granted under the said Acts, and are liable to be forfeited for the like reasons and in the like manner, it shall be lawful for Her Majesty, by Order in Council—

Colonial certificates to masters, mates, and engineers.

- (1.) To declare that the said certificates shall be of the same force as if they had been granted under the said Acts :
- (2.) To declare that all or any of the provisions of the said Acts which relate to certificates of competency granted under those Acts shall apply to the certificates referred to in the said Order :
- (3.) To impose such conditions and to make such regulations with respect to the said certificates, and to the use, issue, delivery, cancellation, and suspension thereof, as to Her Majesty may seem fit, and to impose penalties not exceeding fifty pounds for the breach of such conditions and regulations.

Upon the publication in the *London Gazette* of any such Order in Council as last aforesaid, the provisions therein contained shall, from a date to be mentioned for the purpose in such Order, take effect as if they had been contained in this Act.

It shall be lawful for Her Majesty in Council to revoke any Order made under this section.

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