

No. 604.

THE SHIPS AND AIRCRAFT (TRANSFER RESTRICTION)
ACT, 1939.

GENERAL SANCTION FOR THE TRANSFER AND MORTGAGE OF CERTAIN SHIPS.

HUGH FOOT,
Governor.

The Governor in exercise of the powers delegated to him under the provisions of the Ships and Aircraft (Transfer Restriction) Act, 1939 (hereinafter referred to as "the Act") hereby gives his sanction for the purposes of sub-section (1) of section 1 of the Act to the transfer of any ship to which the Act applies or of any share in such a ship, the mortgage of any such ship or share and the transfer of any such mortgage :

Provided that this sanction shall not apply to : —

- (a) any ship of the description set forth in Part I of the First Schedule hereto, or any share in such a ship, if the transferee or mortgagee, as the case may be, or any of the transferees or mortgagees, is of a description set forth in Part II of that Schedule ; or
- (b) any ship of a description set forth in Part I of the Second Schedule hereto, or any share in such a ship, if the transferee or mortgagee, as the case may be, or any of the transferees or mortgagees, is of a description set forth in Part II of that Schedule.

2. Nothing herein contained shall be construed as exempting any person from any of the requirements of the Exchange Control Laws, 1952 to 1957.

3. The general sanction for the transfer of certain ships published as Public Instrument No. 22 of 1959, as amended by Public Instrument No. 81 of 1959, is hereby revoked.

30 of 1952
51 of 1954
36 of 1957.

FIRST SCHEDULE.

PART I.

Any ship which has at any time been a ship of war in the service of any Government or authority, otherwise than when under requisition by any Government or authority ; and for the purposes of this part of this Schedule "requisition" shall have the meaning assigned to it by section 2 (1) of the Compensation (Defence) Law.

Cap. 207
9 of 1959.

PART II.

Any person, Government or authority, other than—

- (a) Her Majesty in right of the United Kingdom ;
- (b) a person qualified to own a British ship and resident in, or in the case of a body corporate, having its principal place of business in, the United Kingdom, any of the Channel Islands, or the Isle of Man.

SECOND SCHEDULE.

PART I.

- (1) Any icebreaker of 10,000 shaft horse power and more.
- (2) Any tanker designed for a speed of more than 18 knots when in fully loaded condition.
- (3) Any fishing boat designed for a speed of 17 knots or over when in fully loaded condition.
- (4) Any other ship, being a ship designed for a speed of 20 knots or over when in fully loaded condition.
- (5) Any ship with hull and propelling machinery made wholly or primarily of non-magnetic materials.

- (6) Any ship provided with any of the following : —
- (a) Arms and munitions of war ;
 - (b) Buoyant electric conducting cable suitable for sweeping magnetic mines ;
 - (c) Marine radar equipment, other than those normal equipments designed for pulse operation at frequencies between 3,000 Mc/s and 3,246 Mc/s, or 9,320 Mc/s and 9,500 Mc/s, having a peak output power to the aerial system of 75 KW or less ;
 - (d) Marine equipment for use with airborne navigation equipment utilising the constant velocity and/or the rectilinear propagation characteristics of electro-magnetic waves ;
 - (e) Communications and detection equipment of a kind using infra-red radiation or ultrasonic waves ; or specialised parts therefor ;
 - (f) Any arrangement for the demagnetisation of the ship ;
 - (g) North-seeking gyro compasses, with any of the following characteristics : —
 - (1) Automatic correction (other than manually set mechanical corrective devices) for the effects on compass accuracy of changes in ship's speed, acceleration, or latitude ;
 - (2) Provision for accepting ship's data as an electrical input ;
 - (3) Provision for setting in corrections for current set and drift ;
 - (4) Utilisation of accelerameter, rate gyro, rate integrating gyros, or electrolytic levels as sensing devices ;
 - (5) Provisions for determining and electrically transmitting ship's level reference data (roll, pitch) in addition to ship's own course data ;
 - (h) Pressure proof ship's course indicator designed for a submarine ;
 - (i) Transmitting magnetic compasses designed for a submarine.

For the purposes of this Part of this Schedule : —

- (i) "fishing boat" means a ship constructed or adapted for sea fishing ;
- (ii) "tanker" means a vessel constructed or adapted for carrying a liquid cargo in bulk ;
- (iii) the estimated speed of a ship shown in the ship's certificate of registry in force under the Merchant Shipping Acts, 1894-1958, shall be taken to be the speed in fully loaded condition for which the ship was designed.

PART II.

- (i) The Government or any authority of any of the following countries or territories : —

Albania	Czecho-Slovakia
Bulgaria	Hungary
China	North Korea
North Viet Nam	Soviet Zone of Germany
Poland	Tibet
Roumania	Union of Soviet Socialist Republics.
- (ii) Any national or resident of any of the countries or territories named in the preceding paragraph.
- (iii) Any body corporate established under the laws of, or having its principal place of business in, any such country or territory.

Given this 4th day of December, 1959.

(M.C. & W. 610/59.)