



GOVERNMENT DEPARTMENTS ACT 1987

TRANSFER OF FUNCTIONS (MARINE ADMINISTRATION) ORDER 1997

*Coming into operation on : 1 July 1997.*

*Approved by Tynwald on : 17th June, 1997*

In exercise of the powers conferred on the Governor in Council by paragraphs 1 and 3 of Schedule 2 to the Government Departments Act 1987(a), and of all other enabling powers, the following Order is hereby made :-

Citation and commencement

1. (1) This Order may be cited as the Transfer of Functions (Marine Administration) Order 1997.

(2) Subject to paragraph 4(4) of Schedule 2 to the Government Departments Act 1987, this Order shall come into operation on 1 July 1997.

Transfer of functions

2. The functions of the Department of Transport under the statutory provisions specified in Schedule 1 are transferred to the Department of Trade and Industry.

Consequential amendments and repeals

3. (1) The enactments specified in Schedule 2 are amended in accordance with that Schedule.

(2) The enactments mentioned in Schedule 3 are repealed to the extent specified in column 3 of that Schedule.

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(a) 1987 c.13; para.1 subs. by Council of Ministers Act 1990.

STATUTORY PROVISIONS CONFERRING FUNCTIONS ON THE DEPARTMENT OF  
TRANSPORT WHICH ARE TRANSFERRED TO THE DEPARTMENT  
OF TRADE AND INDUSTRY

PART I

ACTS OF TYNWALD

Fishing Vessels (Safety Provisions) (Isle of Man) Act 1974  
[c.3].

Carriage of Goods by Sea Act 1974 [c.26].

Mineral Workings (Offshore Installations) (Isle of Man) Act  
1974 [c.33].

Merchant Shipping (Passenger Ship's Survey) Act 1979 [c.11].

Merchant Shipping (Detention of Ships) Act 1979 [c.13].

Merchant Shipping (Masters and Seamen) Act 1979 [c.14].

Shipping Casualties (Inquiries, Investigations and Reports) Act  
1979 [c.18].

Anchors and Chain Cables Act 1979 [c.20].

Merchant Shipping (Load Lines) Act 1981 [c.24].

Merchant Shipping (Registration) Act 1984 [c.15].

Merchant Shipping Act 1985 [c.3].

Oil Pollution Act 1986 [c.12], sections 9A and 10, 11 (in  
relation to the functions transferred), 14 and 15, 16 (in  
relation to the functions transferred), 20 and 21.

Petroleum Act 1986 [c.47].

Merchant Shipping Registration Act 1991 [c.15].

Merchant Shipping (Miscellaneous Provisions) Act 1996 [c.20].

PART II

ACTS OF PARLIAMENT

Merchant Shipping (Oil Pollution) Act 1971.

Merchant Shipping Act 1974.

Merchant Shipping Act 1988.

In this Part, a reference to an Act of Parliament is a reference to that Act as it has effect in the Island.

PART III

PUBLIC DOCUMENTS

Any enactment contained in a public document made or having effect as if made under, or made for the purposes of, any of the enactments specified in Part I.

CONSEQUENTIAL AMENDMENTS

PART I

ACTS OF TYNWALD

*Fishing Vessels (Safety Provisions) (Isle of Man)  
Act 1974 [c.3]*

1. In section 9(1), in the definition of "the Department", for "the Department of Transport" substitute "the Department of Trade and Industry".

*Carriage of Goods by Sea Act 1974 [c.26]*

2. In section 2, for "Department of Transport" substitute "Department of Trade and Industry".

*Mineral Workings (Offshore Installations) (Isle of Man) Act  
1974 [c.33]*

3. In section 12, for the definition of "Department" substitute -

"Department" means the Department of Trade and Industry;".

*Merchant Shipping (Passenger Ships' Survey) Act 1979 [c.11]*

4. (1) In section 2(2)(b), for "Department of Transport" substitute "Department of Trade and Industry".

- (2) In section 25, in the definition of "the Department", for "Department of Transport" substitute "Department of Trade and Industry".

*Merchant Shipping (Detention of Ships) Act 1979 [c.13]*

5. (1) In section 1(1)(a), for "Department of Transport" substitute "Department of Trade and Industry".

(2) In section 6, in the definition of "the Department", for "Department of Transport" substitute "Department of Trade and Industry".

*Merchant Shipping (Masters and Seamen) Act 1979 [c.14]*

6. (1) In section 1(2), for "Department of Transport" substitute "Department of Trade and Industry".

(2) In section 68(1), in the definition of "the Department" for "Department of Transport" substitute "Department of Trade and Industry".

*Shipping Casualties (Inquiries, Investigations and Reports) Act*

*1979 [c.18]*

7. (1) In section 1(1), for "Department of Transport" substitute "Department of Trade and Industry".

(2) In section 11, in the definition of "the Department", for "Department of Transport" substitute "Department of Trade and Industry".

*Anchors and Chain Cables Act 1979 [c.20]*

8. In section 2(1), for "Department of Transport" substitute "Department of Trade and Industry".

*Merchant Shipping (Registration) Act 1984 [c.15]*

9. In section 3(1), for "Department of Transport" substitute "Department of Trade and Industry".

*Merchant Shipping Act 1985 [c.3]*

10. In section 7, for "Department of Transport" substitute "Department of Trade and Industry".

*Oil Pollution Act 1986 [c.12]*

11. (1) In sections 9A and 10, after "Department", wherever occurring, insert "of Trade and Industry".

- (2) In section 11 -
- (a) in subsection (1), after "Department" insert "or, as the case may be, the Department of Trade and Industry,";
  - (b) in subsection (2), after "Department" insert "of Trade and Industry";
  - (c) in subsection (5), after "Department" insert "or, as the case may be, the Department of Trade and Industry,".
- (3) In sections 14 and 15, after "Department", wherever occurring, insert "of Trade and Industry".
- (4) In section 16, after "Department " insert "or, as the case may be, the Department of Trade and Industry,";
- (5) In section 18, after "Department", wherever occurring, insert "or the Department of Trade and Industry";
- (6) In sections 20 and 21, after "Department", wherever occurring, insert "of Trade and Industry".

*Petroleum Act 1986 [c.47]*

12. In section 6(1) and 7, for "the appropriate Department", wherever occurring, substitute "the Department of Trade and Industry".

*Merchant Shipping Registration Act 1991 [c.15]*

13. In section 78, for the definition of "Department" substitute -

"Department" means the Department of Trade and Industry;".

*Merchant Shipping (Miscellaneous Provisions) Act 1996 [c.20]*

14. (1) In sections 1(5), 16, 17 and 23 for "Department of Transport", wherever occurring, substitute "Department of

Trade and Industry".

(2) In Part II of Schedule 1, in paragraph 5(2), for "Department of Transport" substitute "Department of Trade and Industry".

## PART II

### ACTS OF PARLIAMENT

Where in any Act of Parliament referred to in Part II of Schedule 1, the Department of Transport is referred to by name there is substituted the name "the Department of Trade and Industry".

## PART III

### PUBLIC DOCUMENTS

Where in any public document referred to in Part III of Schedule 1, the Department of Transport is referred to by name there is substituted the name "the Department of Trade and Industry".

article 3(2)

SCHEDULE 3  
CONSEQUENTIAL REPEALS  
PART I  
ACTS OF TYNWALD

Volume/Chapter	Short title	Extent of repeal
1986 c.47	Petroleum Act 1986	In section 9, the definition of "appropriate Department".

PART II  
PUBLIC DOCUMENTS

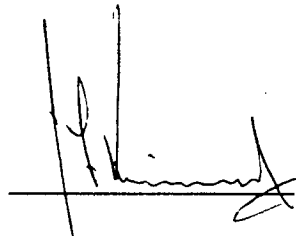
GC/SD Number	Title	Extent of repeal
190/86	Department of Highways, Ports and Properties Order 1986.	In Schedule 2, the entries which relate to the statutory provisions specified in Parts I and II of Schedule 1 to this Order.  In Schedule 5 - (a) entry 28(2); (b) entry 35.
155/91	Transfer of Functions (Governor in Council) Order 1991.	In Part 5 of Schedule 1, the entry relating to the Carriage of Goods by Sea Act 1974.  In Schedule 2, the entry relating to the Carriage of Goods by Sea Act 1974.



Made

27<sup>th</sup> May

1997



Chief Secretary

**EXPLANATORY NOTE**

(This note is not part of the Order)

The Order is made under the Government Departments Act 1987.

It transfers functions from the Department of Transport to the Department of Trade and Industry. The transferred functions relate to the registration of ships, the safety of ships and offshore installations and persons on them, the investigation of marine accidents, the prevention of pollution from vessels and offshore installations and the regulation of merchant shipping and offshore installations.