

# British Guiana.

## REGULATIONS MADE BY THE GOVERNOR UNDER THE PROVISIONS OF THE EMERGENCY POWERS (DEFENCE) ACT, 1939, AS EXTENDED TO THE COLONY BY THE EMERGENCY POWERS (COLONIAL DEFENCE) ORDER IN COUNCIL, 1939.

1. These Regulations may be cited as the Ships (Transfer Restriction) Regulations, 1939, and shall come into operation on the date of their publication in the *Gazette*. Short title.

2. It shall be unlawful, except under the authority of the Board of Trade, to transfer or mortgage, or to transfer any mortgage of, any British ship, other than a Dominion ship, or any share in such a British ship: and if any person purports to effect any transfer or mortgage which is unlawful by virtue of this regulation, then, in addition to the transfer or mortgage being void, he shall be guilty of an offence against these Regulations. Transfer or mortgage of any British Ship or any share therein unlawful unless authorised by the Board of Trade.

3. Notwithstanding anything in section 53 of the Merchant Shipping Act, 1894, an application made (whether before or after the coming into force of these Regulations) for the transference of the registry of a British ship from a port in British Guiana shall not be granted except with the approval of the Board of Trade. Restriction on transfer of registry of ships. 57 & 58 Vict c. 60.

Structural alterations of ships permissible in certain circumstances. 57 & 58 Vict. c. 60. 6 Edw. 7. c. 48

4. Nothing in section 48 of the Merchant Shipping Act, 1894, as amended by section 53 of the Merchant Shipping Act, 1906, shall apply in relation to any alteration of a British ship registered under the first mentioned Act, which, in pursuance of directions given by or on behalf of the Board of Trade, are made on any occasion for the purpose only of providing in any such ship additional space or accommodation for cargo, stores, passengers or crew, provided such particulars of alterations as may be prescribed by the Board of Trade are, within such time after the completion of the alterations as may be so prescribed, endorsed on the ship's certificate of registry by a registrar of British ships.

Penalties and Legal proceedings.

5. (1) Any person guilty of an offence under these Regulations shall be liable—

(a) on conviction on indictment, to imprisonment for a term not exceeding two years or to a fine not exceeding two thousand five hundred dollars or to both such imprisonment and fine, or

(b) on summary conviction, to imprisonment for a term not exceeding six months or to a fine not exceeding five hundred dollars or to both such imprisonment and fine.

(2) Proceedings against any person for the purposes of these Regulations may be taken before the court having jurisdiction in the place where that person is for the time being.

(3) Any summary proceedings which may be taken against a person for an offence under these Regulations committed by him outside the countries and territories to which these Regulations extend may, notwithstanding any limitation imposed by law on the time for taking proceedings be commenced in any competent court within six months from the date on which he first sets foot within the jurisdiction of that court after the commission of the offence.

(4) In any proceedings a document purporting to state that a sanction or approval has been given under these Regulations, and to be signed on behalf of the Secretary of State or the Board of Trade, as the case may be, or by a person who is empowered by these Regulations to do anything which may be done thereunder by the Board, shall be evidence of the facts stated in the document.

Interpretation.

6. In these Regulations the following expressions have the meanings hereby respectively assigned to them—

“Dominion” means any Dominion within the meaning of the statute of Westminster, 1931, except Newfoundland;

“ship” has the same meaning as in the Merchant Shipping Act, 1894.

22 Geo. 5 c. 4.

*Made this 31st day of August, 1939.*

E. J. WADDINGTON,  
Acting Governor.