

CHAPTER XIII

MERCHANT SHIPPING AND SEAMEN

Canada Shipping
Act, 1934

13.01 a. The Canada Shipping Act, 1934, in its present form, does not authorize Canadian Consular Officers to deal with Canadian merchant shipping or seamen.

b. Under the Act the British Consul at a foreign port is the Proper Authority to deal with such matters.

British
Consuls

13.02 a. Until such time as Canadian Consular Officers are instructed to act under the provisions of this Chapter, matters affecting Canadian Merchant Shipping and Seamen are to be referred to the nearest British Consul.

b. The authority for the action of the British Consuls and their Instructions are contained in an addendum dated August 22nd, 1937, to Chapter XIX of the British Consular Instructions which reads as follows:

"The Canada Shipping Act of 1934, as amended in 1936, came into force on the 1st August, 1936. The effect of this Act, in so far as His Majesty's United Kingdom consular officers are concerned, is, in brief, to provide for the validity in Canada of services which consular officers perform under the authority of the Merchant Shipping Acts, provided that the services are of a kind contemplated by the Canadian Act and in a form recognized by it. Consular Officers should therefore, on request perform the usual services for Canadian vessels under the United Kingdom Merchant Shipping Acts, charging the usual consular fees.

Consular officers need not at present familiarize themselves with the provisions of the Canada Shipping Act and its divergencies, if any, from the United Kingdom Act. Responsibility for deciding whether the service requested will be recognized in Canada because it is contemplated by the Canadian Act and is done in