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GOVERNMENT GAZETTE

STAATSKOERANT

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No. 8891

OFFICE OF THE PRIME MINISTER

KANTOOR VAN DIE EERSTE MINISTER

No. 2027. 12 September 1983

No. 2027. 12 September 1983

It is hereby notified that the State President has assented to the following Act which is hereby published for general information:—

Hierby word bekend gemaak dat die Staatspresident sy goedkeuring geheg het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—

No. 105 of 1983: Admiralty Jurisdiction Regulation Act, 1983.

No. 105 van 1983: Wet op die Reëling van Admiraliteits-jurisdiksie, 1983.

Act No. 105, 1983

ADMIRALTY JURISDICTION REGULATION ACT, 1983

GENERAL EXPLANATORY NOTE:

Words underlined with solid line indicate insertions in existing enactments.

ACT

To provide for the vesting of the powers of the admiralty courts of the Republic in the provincial and local divisions of the Supreme Court of South Africa, and for the extension of those powers; for the law to be applied by, and the procedure applicable in, those divisions; for the repeal of the Colonial Courts of Admiralty Act, 1890, of the United Kingdom, in so far as it applies in relation to the Republic; and for incidental matters.

*(Afrikaans text signed by the State President.)
(Assented to 8 September 1983.)*

BE IT ENACTED by the State President and the House of Assembly of the Republic of South Africa, as follows:—

Definitions.

1. (1) In this Act, unless the context indicates otherwise—
 - (i) "admiralty action" means proceedings in terms of this Act for the enforcement of a maritime claim; (i) 5
 - (ii) "maritime claim" means—
 - (a) any claim relating to the ownership or possession of a ship;
 - (b) any claim relating to the ownership of a share in a ship or to any dispute between co-owners of a ship as to the ownership, possession, employment or earnings of that ship; 10
 - (c) any claim in respect of a mortgage, hypothecation, right of retention or pledge of, or charge on, a ship; 15
 - (d) any claim for damage caused by a ship, whether by collision or otherwise;
 - (e) any claim for damage done to a ship, whether by collision or otherwise;
 - (f) any claim for loss of life or personal injury caused by a ship or any defect in a ship, or occurring in connection with the employment of a ship; 20
 - (g) any claim for loss of or damage to goods (including the baggage and personal belongings of the master or crew of a ship) carried or which ought to have been carried in a ship, including a claim in terms of section 311 of the Merchant Shipping Act, 1951 (Act No. 57 of 1951); 25
 - (h) any claim arising out of any agreement for or relating to the carriage of goods in a ship; 30
 - (i) any claim relating to any charterparty or the use or hire of a ship;

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- (j) any claim for or in the nature of salvage, including any claim relating to the sharing or apportionment of salvage and any claim by any person having a right in respect of property salvaged or which would, but for the negligence or default of the salvor or would-be salvor, have been salvaged; 5
- (k) any claim in the nature of towage or pilotage;
- (l) any claim in respect of goods supplied or services rendered to a ship for the employment or maintenance thereof; 10
- (m) any claim in respect of the design, construction, repair or equipment of any ship or any dock or harbour dues or any similar dues;
- (n) any claim by a master or member of the crew of a ship arising out of his employment; 15
- (o) any claim by a master, shipper, charterer or agent in respect of payments or disbursements made for or on behalf or on account of a ship or any ship-owner;
- (p) any claim relating to general average or arising out of any act claimed to be a general average act; 20
- (q) any claim arising out of bottomry or any respondentia bond;
- (r) any claim relating to marine insurance or any policy of marine insurance, including any claim by or against any association, society or mutual insurance organization concerned mainly with the protection and indemnity of its members in respect of any maritime claim; 25
- (s) any claim with regard to the forfeiture of any ship or any goods carried therein or for the restoration of any ship or any such goods forfeited; 30
- (t) any claim relating to the limitation of the liability of the owner of a ship or of any other person entitled to any similar limitation of liability; 35
- (u) any claim with regard to the distribution of a fund or any portion of a fund paid or to be paid into or to or held or to be held by a court in the exercise of its admiralty jurisdiction or an officer of such a court; 40
- (v) any claim relating to any maritime lien, whether or not falling under any of the preceding paragraphs;
- (w) any claim relating to the pollution of the sea or the seashore by oil or any other similar substance, whether in terms of the Prevention and Combating of Pollution of the Sea by Oil Act, 1981 (Act No. 6 of 1981), or otherwise, and any claim for a refund under that Act; 45
- (x) any claim for the enforcement of, or arising out of, any judgment or arbitration award relating to a maritime claim, whether given or made in the Republic or elsewhere; 50
- (y) any claim to an indemnity with regard to or arising out of any of the aforesaid claims and any claim in respect of any matter ancillary to or arising out of any of the aforesaid claims, including the attachment of property to found or to confirm jurisdiction, the giving or release of security, and the payment of interest; 55
- (z) any claim not falling under any of the previous paragraphs which a court of admiralty of the Republic referred to in the Colonial Courts of Admiralty Act, 1890 (53 and 54 Victoria, C.27), of the 60

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United Kingdom, could have heard and determined immediately before the commencement of this Act, or relating to any matter in respect of which any court of the Republic is empowered to exercise admiralty jurisdiction; (iii) 5

(iii) "Minister" means the Minister of Justice; (iv)

(iv) "rules" means the rules made under section 4 or in force thereunder; (v)

(v) "ship" means any vessel used or capable of being used on the sea or internal waters, and includes any hovercraft, power boat, yacht, fishing boat, submarine vessel, barge, crane barge, floating crane, floating dock, oil or other floating rig, floating mooring installation or similar floating installation, whether self-propelled or not; (vi) 10 15

(vi) "this Act" includes the rules. (ii)

(2) For the purposes of any law, whether of the Republic or not, relating to the prescription of or the limitation of time for the commencement of any action, suit, claim or proceedings, an admiralty action shall be deemed to have commenced— 20

(a) by the making of an application for the attachment of property to found jurisdiction if the application is granted and the attachment carried into effect;

(b) by the issue of any process for the institution of an action *in rem* if that process is thereafter served; 25

(c) by the service of any process by which that action is instituted.

Admiralty
jurisdiction of
Supreme Court.

2. (1) Subject to the provisions of this Act each provincial and local division, including a circuit local division, of the Supreme Court of South Africa shall have jurisdiction (hereinafter referred to as admiralty jurisdiction) to hear and determine any maritime claim (including, in the case of salvage, claims in respect of ships, cargo or goods found on land), irrespective of the place where it arose, of the place of registration of the ship concerned or of the residence, domicile or nationality of its owner. 30 35

(2) For the purposes of this Act the area of jurisdiction of a court referred to in subsection (1) shall be deemed to include that portion of the territorial waters of the Republic adjacent to the coastline of its area of jurisdiction.

Form of
proceedings.

3. (1) Subject to the provisions of this Act any maritime claim may be enforced by an action *in personam*. 40

(2) An action *in personam* may only be instituted against a person—

(a) resident or carrying on business at any place in the Republic; 45

(b) whose property within the court's area of jurisdiction has been attached to found or to confirm jurisdiction;

(c) who has consented or submitted to the jurisdiction of the court;

(d) in respect of whom any court in the Republic has jurisdiction in terms of Chapter IV of the Insurance Act, 1943 (Act No. 27 of 1943); 50

(e) in the case of a company, if the company has a registered office in the Republic.

(3) An action *in personam* may not be instituted in a court of which the area of jurisdiction is not adjacent to the territorial waters of the Republic unless— 55

(a) in the case of a claim contemplated in paragraph (a), (b), (i) or (r) of the definition of "maritime claim", the claim arises out of an agreement concluded within the area of jurisdiction of that court; 60

(b) in the case of a claim contemplated in paragraph (g) or (h) of that definition, the goods concerned are or were shipped under a bill of lading to or from a place within the area of jurisdiction of that court; 65

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- (c) the maritime claim concerned relates to a fund within, or freight payable in, the area of jurisdiction of that court.
- (4) Without prejudice to any other remedy that may be available to a claimant or to the rules relating to the joinder of causes of action a maritime claim may be enforced by an action *in rem*—
- (a) if the claimant has a maritime lien over the property to be arrested; or
 - (b) if the owner of the property to be arrested would be liable to the claimant in an action *in personam* in respect of the cause of action concerned.
- (5) An action *in rem* shall be instituted by the arrest within the area of jurisdiction of the court concerned of property of one or more of the following categories against or in respect of which the claim lies:
- (a) The ship, with or without its equipment, furniture, stores or bunkers;
 - (b) the whole or any part of the equipment, furniture, stores or bunkers;
 - (c) the whole or any part of the cargo;
 - (d) the freight.
- (6) Subject to the provisions of subsection (9) an action *in rem*, other than such an action in respect of a maritime claim contemplated in paragraph (a), (b) or (c) of the definition of "maritime claim", may be brought by the arrest of an associated ship instead of the ship in respect of which the maritime claim arose.
- (7) (a) For the purposes of subsection (6) an associated ship means a ship, other than the ship in respect of which the maritime claim arose—
- (i) owned by the person who was the owner of the ship concerned at the time when the maritime claim arose; or
 - (ii) owned by a company in which the shares, when the maritime claim arose, were controlled or owned by a person who then controlled or owned the shares in the company which owned the ship concerned.
- (b) For the purposes of paragraph (a)—
- (i) ships shall be deemed to be owned by the same persons if all the shares in the ships are owned by the same persons;
 - (ii) a person shall be deemed to control a company if he has power, directly or indirectly, to control the company.
- (c) If a charterer or subcharterer of a ship by demise, and not the owner thereof, is alleged to be liable in respect of a maritime claim, the charterer or subcharterer, as the case may be, shall for the purposes of subsection (6) and this subsection be deemed to be the owner.
- (8) Property shall not be arrested and security therefor shall not be given more than once in respect of the same maritime claim by the same claimant.
- (9) The Minister may, by notice in the *Gazette* and subject to such conditions as he may prescribe, exclude from the provisions of subsection (6) any ship owned by a company named in the notice or by a company in which the shares are owned or controlled by a company so named.
- (10) (a) Property shall be deemed to have been arrested or attached and to be under arrest or attachment if at any time, whether before or after the arrest or attachment, security or an undertaking has been given to prevent the arrest or attachment of the property or to obtain the release thereof from arrest or attachment.

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- (b) That security shall for the purposes of sections 9 and 10 be deemed to be the freight or the proceeds of the sale of the property.

Procedure and rules of court.

4. (1) Subject to the provisions of this Act the provisions of the Supreme Court Act, 1959 (Act No. 59 of 1959), and the rules made under section 43 of that Act shall *mutatis mutandis* apply in relation to proceedings in terms of this Act except in so far as those rules are inconsistent with the rules referred to in subsection (2).

(2) The rules of the courts of admiralty of the Republic in force in terms of the Colonial Courts of Admiralty Act, 1890, of the United Kingdom, immediately before the commencement of this Act, shall be deemed to be rules made under section 43 (2) (a) of the Supreme Court Act, 1959, and shall apply in respect of proceedings in terms of this Act.

(3) The power of the Chief Justice to make rules under section 43 of the Supreme Court Act, 1959, shall include the power to make rules prescribing the following:

- (a) The appointment of any person or body for the assessment of fees and costs and the manner in which such fees and costs are to be assessed;
- (b) measures aimed at avoiding circuitry or multiplicity of actions;
- (c) the practice and procedure for referring to arbitration any matter arising out of proceedings relating to a maritime claim, and the appointment, remuneration and powers of an arbitrator.

(4) (a) Notwithstanding anything to the contrary in any law relating to attachment to found or confirm jurisdiction, a court in the exercise of its admiralty jurisdiction may make an order for the attachment of the property concerned although the claimant is not an *incola* either of the area of jurisdiction of that court or of the Republic.

(b) A court may make an order for the attachment of property not within the area of jurisdiction of the court at the time of the application or of the order, and such an order may be carried into effect when that property comes within the area of jurisdiction of the court.

Powers of court.

5. (1) A court may in the exercise of its admiralty jurisdiction permit the joinder in proceedings in terms of this Act of any person from whom any party to those proceedings is entitled to claim a contribution or an indemnification, or in respect of whom any question or issue in the action is substantially the same as a question or issue which has arisen or will arise between the party and the person to be joined and which should be determined in such a manner as to bind that person, whether or not the claim against the latter is a maritime claim and notwithstanding the fact that he is not otherwise amenable to the jurisdiction of the court, whether by reason of the absence of attachment of his property or otherwise.

(2) A court may in the exercise of its admiralty jurisdiction—

- (a) consider and decide any matter arising in connection with any maritime claim, notwithstanding that any such matter may not be one which would give rise to a maritime claim;
- (b) order any person to give security for costs or for any claim;
- (c) order that any arrest or attachment made or to be made or that anything done or to be done in terms of this Act or any order of the court be subject to such conditions as to the court appears just, whether as to the furnishing of security or the liability for costs, expenses, loss or damage caused or likely to be caused, or otherwise;

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- (d) order that any security given be increased, reduced or discharged subject to such conditions as to the court appears just and, for the purpose of an increase of security, authorize the arrest of property notwithstanding the provisions of section 3 (8); 5
- (e) order that any matter pending or arising in proceedings before it be referred to an arbitrator or referee for decision or report and provide for the appointment, remuneration and powers of the arbitrator or referee and for the giving of effect to his decision or report; 10
- (f) make such order as to interest, the rate of interest in respect of any sum awarded by it and the date from which interest is to accrue, whether before or after the date of the commencement of the action, as to it appears just; 15
- (g) subject to the provisions of any law relating to exchange control, order payment to be made in such currency other than the currency of the Republic as in the circumstances of the case appears appropriate, and make such order as seems just as to the date upon which the calculation of the conversion from any currency to any other currency should be based. 20
- (3) (a) A court may in the exercise of its admiralty jurisdiction order the arrest of any property if—
- (i) the person seeking the arrest has a claim enforceable by an action *in rem* against the property concerned or which would be so enforceable but for an arbitration or proceedings contemplated in subparagraph (ii); 25
- (ii) the claim is or may be the subject of an arbitration or any proceedings contemplated, pending or proceeding either in the Republic or elsewhere and whether or not it is subject to the law of the Republic. 30
- (b) Unless the court orders otherwise any property so arrested shall be deemed to be property arrested in an action in terms of this Act. 35
- (c) A court may order that any security for or the proceeds of any such property shall be held as security for any such claim or pending the outcome of the arbitration or proceedings. 40
- (4) Any person who makes an excessive claim or requires excessive security or without good cause obtains the arrest of property or an order of court, shall be liable to any person suffering loss or damage as a result thereof for that loss or damage. 45
- (5) (a) A court may in the exercise of its admiralty jurisdiction at any time on the application of any interested person or of its own motion—
- (i) make an order for the examination, testing or inspection by any person of any ship, cargo, documents or any other thing, if it appears to the court to be necessary or desirable for the purpose of determining any maritime claim which has been or may be brought, or any defence thereto; 50
- (ii) order that any record, notes or recording, whether then in existence or not, be transcribed or translated. 55
- (b) The provisions of this Act shall not affect any privilege relating to any document in the possession of, or any communication to or the giving of any evidence by, any person. 60
6. (1) Notwithstanding anything to the contrary in any law or the common law contained a court in the exercise of its admiralty jurisdiction shall—
- (a) with regard to any matter in respect of which a court of admiralty of the Republic referred to in the Colonial Courts of Admiralty Act, 1890, of the United King- 65

Law to be applied
and rules of
evidence.

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dom, had jurisdiction immediately before the commencement of this Act, apply the law which the High Court of Justice of the United Kingdom in the exercise of its admiralty jurisdiction would have applied with regard to such a matter at such commencement, in so far as that law can be applied; 5

(b) with regard to any other matter, apply the Roman-Dutch law applicable in the Republic.

(2) The provisions of subsection (1) shall not derogate from the provisions of any law of the Republic applicable to any of the matters contemplated in paragraph (a) or (b) of that subsection.

(3) A court may in the exercise of its admiralty jurisdiction receive as evidence statements which would otherwise be inadmissible as being in the nature of hearsay evidence, subject to such directions and conditions as the court thinks fit. 15

(4) The weight to be attached to evidence contemplated in subsection (3) shall be in the discretion of the court.

(5) The provisions of subsection (1) shall not supersede any agreement relating to the system of law to be applied in the event of a dispute. 20

Disputes as to
venue or
jurisdiction.

7. (1) (a) A court may decline to exercise its admiralty jurisdiction in any proceedings instituted or to be instituted, if it is of the opinion that the action can more appropriately be adjudicated upon by another court in the Republic or by any other court, tribunal or body elsewhere. 25

(b) A court may stay any proceedings in terms of this Act if it is agreed by the parties concerned that the matter in dispute be referred to arbitration in the Republic or elsewhere, or if for any other sufficient reason the court is of the opinion that the proceedings should be stayed. 30

(2) When in any proceedings before a provincial or local division, including a circuit local division, of the Supreme Court of South Africa the question arises as to whether a matter pending or proceeding before that court is one relating to a maritime claim, the court shall forthwith decide that question, and if the court decides that— 35

(a) the matter is one relating to a maritime claim, it shall be proceeded with in a court competent to exercise its admiralty jurisdiction, and any property attached to found jurisdiction shall be deemed to have been attached in terms of this Act; 40

(b) the matter is not one relating to a maritime claim, the action shall proceed in the division having jurisdiction in respect of the matter: Provided that if jurisdiction was conferred by the attachment of property by a person other than an *incola* of the court, the court may order the action to proceed as if the property had been attached by an *incola*, or may make such other order, including an order dismissing the action for want of jurisdiction, as to it appears just. 45 50

(3) The provisions of subsection (2) shall not affect any other objection to the jurisdiction of any court.

(4) No appeal shall lie against any decision or order made under subsection (2). 55

(5) The Minister may, on the recommendation of the judge president of any provincial division of the Supreme Court of South Africa, submit the question as to whether or not a particular matter gives rise to a maritime claim, to the Appellate Division of the Supreme Court of South Africa and may cause that question to be argued before that Division so that it may decide the question for future guidance. 60

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Arrests.

8. (1) Where property has been attached to found or to confirm jurisdiction at common law, that property may nevertheless be arrested in connection with a maritime claim, subject to such directions as the court thinks fit.

(2) Where property has been attached to found or to confirm jurisdiction relating to a maritime claim, sections 9, 10 and 11 of this Act shall apply as if the property had been arrested in an action *in rem*, whether or not the property has been arrested in terms of this Act.

Sale of arrested property.

9. A court may in the exercise of its admiralty jurisdiction at any time order that any property which has been arrested in terms of this Act be sold and the proceeds thereof be held as a fund in the court or otherwise dealt with.

Vesting of property in trustee, liquidator or judicial manager excluded in certain cases.

10. Any property arrested in respect of a maritime claim or any security given in respect of any property, or the proceeds of any property sold in execution or under an order of a court in the exercise of its admiralty jurisdiction, shall not, except as provided in section 11 (10), vest in a trustee in insolvency and shall not form part of the assets to be administered by a liquidator or judicial manager of the owner of the property or of any other person who might otherwise be entitled to such property, security or proceeds, and no proceedings in respect of such property, security or proceeds, or the claim in respect of which that property was arrested, shall be stayed by or by reason of any sequestration, winding-up or judicial management with respect to that owner or person.

Ranking of claims.

11. (1) Claims with regard to a fund in a court in terms of this Act or security given in respect of property in connection with a maritime claim or the proceeds of property sold pursuant to an order or in the execution of a judgment of a court in terms of this Act shall be paid in the following order:

- (a) Claims in respect of costs and expenses incurred to preserve the property or to procure its sale, and in respect of the distribution of the proceeds of the sale;
- (b) claims to a preference based on possession, whether by way of a right of retention or otherwise;
- (c) claims which arose within one year before the commencement of the proceedings, in respect of—
 - (i) wages and other sums due to or payable in respect of the master, officers and other members of the ship's complement, in connection with their employment on the ship;
 - (ii) port, canal and other waterways dues and pilotage dues;
 - (iii) loss of life or personal injury, whether occurring on land or on water, directly connected with the employment of the ship;
 - (iv) loss of or damage to property, whether occurring on land or on water, resulting from delict and not capable of being based on contract, directly connected with the operation of the ship;
 - (v) the repair of a ship or the supply of goods or the rendering of services to a ship for the employment or maintenance thereof;
 - (vi) salvage, removal of wreck and contribution in respect of a general average act or sacrifice;
- (d) claims in respect of mortgages, hypothecations, rights of retention of, and other charges on, the ship, effected in accordance with the law of the flag of the ship;
- (e) claims in respect of any maritime lien not falling under any category mentioned in any of the preceding paragraphs;
- (f) all other claims.

(2) The claims referred to in paragraphs (b) to (f) of subsec-

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tion (1) shall rank after any claim referred to in paragraph (a) of that subsection in accordance with the following rules:

- (a) A claim referred to in the said paragraph (b) shall rank before any claim accruing after it, other than a claim referred to in paragraph (c) (vi) of subsection (1); 5
- (b) a claim referred to in paragraph (c) (vi) of that subsection, whether or not arising within the period of one year referred to in that subsection, shall take priority over any claim arising before that claim;
- (c) otherwise claims referred to in any of the subparagraphs of the said paragraph (c) shall rank *pari passu* with claims mentioned in the same subparagraph, irrespective of when such claims arose; 10
- (d) claims referred to in paragraph (d) of subsection (1) shall rank according to the law of the flag of the ship; 15
- (e) claims referred to in paragraph (e) of subsection (1) shall rank among themselves in their priority according to law;
- (f) claims referred to in paragraph (f) of subsection (1) shall rank in the order of preference according to the law of insolvency; 20
- (g) save as otherwise provided in this subsection, claims shall rank in the order set forth in subsection (1).

(3) For the purposes of subsection (2) a claim in connection with salvage or the removal of wreck shall be deemed to have accrued when the salvage operation or the removal of the wreck, as the case may be, terminated, and a claim in connection with contribution in respect of general average, when the general average act was performed. 25

(4) A court may in the exercise of its admiralty jurisdiction, on the application of any interested person, make an order declaring how any claim against the proceeds of any sale of property shall rank. 30

(5) Any person who has at any time paid any claim or any part thereof which, if not paid, would have ranked under subsection (1), shall be entitled to all the rights, privileges and preferences to which the person paid would have been entitled if the claim had not been paid. 35

(6) A judgment or an arbitration award shall rank in accordance with the claim in respect of which it was given or made. 40

(7) Interest on any claim and the costs of enforcing a claim shall for the purposes of this section be deemed to form part of the claim.

(8) Where the fund arises by reason of an action *in rem* against an associated ship, the ranking of claims set out in this section shall, notwithstanding the provisions of section 3 (6), apply with regard to claims in respect of the associated ship, and claims in respect of the ship concerned shall be paid thereafter in the order set out in this section. 45

(9) Notwithstanding the provisions of this section any undertaking or security given with respect to a particular claim shall be applied in the first instance in satisfaction of that claim. 50

(10) Any balance remaining after all claims referred to in paragraphs (a) to (e) of subsection (1) have been paid shall be paid over to the trustee, liquidator or judicial manager who, but for the provisions of section 10, would have been entitled thereto. 55

Appeals.

12. A judgment or order of a court in the exercise of its admiralty jurisdiction shall be subject to appeal as if such judgment or order were that of a provincial or local division of the Supreme Court of South Africa in civil proceedings. 60

Amendment of section 2 of Act 57 of 1951, as amended by section 3 of Act 30 of 1959,

13. Section 2 of the Merchant Shipping Act, 1951 (Act No. 57 of 1951), is hereby amended by the substitution in subsection (2) for the definition of "superior court" of the following definition: 65

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section 31 of Act 69 of 1962, section 1 of Act 40 of 1963, section 1 of Act 13 of 1965, section 1 of Act 42 of 1969, section 1 of Act 24 of 1974, section 1 of Act 5 of 1976 and section 1 of Act 3 of 1981.

“‘superior court’ means a division of the Supreme Court of South Africa, save in sections 43, 45, 89, 292, 330 and 356 (1) (xxxv), where it means a court exercising its admiralty jurisdiction under the Admiralty Jurisdiction Regulation Act, 1983;”

5

Jurisdiction of magistrates' courts not affected.

14. This Act shall not derogate from the jurisdiction which a magistrate's court has under sections 131, 136 and 151 of the Merchant Shipping Act, 1951.

Act to bind the State.

15. This Act shall bind the State.

Repeal of laws.

16. (1) The laws mentioned in the Schedule are hereby repealed to the extent set out in the third column of the Schedule.
 (2) Proceedings instituted before the commencement of this Act shall be proceeded with as if this Act had not been enacted.
 (3) For the purposes of subsection (2) proceedings shall be deemed to have commenced upon service of the writ of summons.

Short title and commencement.

17. This Act shall be called the Admiralty Jurisdiction Regulation Act, 1983, and shall come into operation on a date fixed by the State President by proclamation in the *Gazette*.

Schedule

Number and year of law	Title of law	Extent of repeal
	UNITED KINGDOM	
Chapter 27, 1890	Colonial Courts of Admiralty Act, 1890	The whole, in so far as it applies in relation to the Republic, except in so far as it relates to prize matters.
	REPUBLIC OF SOUTH AFRICA	
Act No. 57 of 1951	Merchant Shipping Act, 1951	Sections 51A, 329 and 332
Act No. 5 of 1972	Admiralty Jurisdiction Regulation Act, 1972	The whole