

Carriage of Goods by Sea (Amendment) Bill

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Bill No: 4/1995

Read the first time: 23rd January 1995

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Carriage of Goods by Sea (Amendment) Bill

Bill No. 4/1995

Read the first time on 23rd January 1995.

An Act to amend the Carriage of Goods by Sea Act (Chapter 33 of the 1985 Revised Edition).

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

Short title and commencement

1.—(1) This Act may be cited as the Carriage of Goods by Sea (Amendment) Act 1995 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

(2) This Act shall apply to any contract of carriage entered into on or after the commencement of this Act.

Repeal and re-enactment of section 3

2. Section 3 of the Carriage of Goods by Sea Act is repealed and the following section substituted therefor:

“Application of Rules

3.—(1) The provisions of the Rules, as set out in the Schedule to this Act, shall have the force of law.

(2) Without prejudice to subsection (1), the provisions of the Rules shall also have effect (and have the force of law) in relation to and in connection with the carriage of goods by sea in ships where the port of shipment is a port in Singapore, whether or not the carriage is between ports in two different States within the meaning of Article X of the Rules.

(3) Subject to subsection (4), nothing in this section shall be construed as applying anything in the Rules to any contract for the carriage of goods by sea, unless the contract expressly or by implication provides for the issue of a bill of lading or any similar document of title.

(4) Without prejudice to paragraph (c) of Article X of the Rules, the Rules shall have the force of law in relation to —

- (a) any bill of lading if the contract contained in or evidenced by it expressly provides that the Rules shall govern the contract; and
- (b) any receipt which is a non-negotiable document marked as such if the contract contained in or evidenced by it is a contract for the carriage of goods by sea which expressly provides that the Rules are to govern the contract.

(5) Where subsection (4)(b) applies, the Rules shall apply —

- (a) as if the receipt referred to therein were a bill of lading; and
- (b) subject to any necessary modifications and in particular with the omission of the second sentence of paragraph 4 and of paragraph 7 in Article III of the Rules.