

**High Court (Admiralty Jurisdiction) Act
(CHAPTER 123)**

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**HIGH COURT (ADMIRALTY JURISDICTION) ACT
(CHAPTER 123)**

(Original Enactment: Ordinance 32 of 1961)

An Act relating to admiralty jurisdiction, legal proceedings in connection with ships and aircraft and the arrest of ships and other property and for purposes connected therewith.

[15th January 1962]

Short title

1. This Act may be cited as the High Court (Admiralty Jurisdiction) Act.

Interpretation

2. In this Act, unless the context otherwise requires —

“goods” includes baggage;

“master” has the same meaning as in the Merchant Shipping Act (Cap. 179) and accordingly includes every person (except a pilot) having command or charge of a ship;

“ship” includes any description of vessel used in navigation;

“towage and pilotage”, in relation to an aircraft, mean towage and pilotage while the aircraft is waterborne.

Admiralty jurisdiction of High Court

3.—(1) The admiralty jurisdiction of the High Court shall be as follows, that is to say, jurisdiction to hear and determine any of the following questions or claims:

- (a) any claim to the possession or ownership of a ship or to the ownership of any share therein;
- (b) any question arising between the co-owners of a ship as to possession, employment or earnings of that ship;
- (c) any claim in respect of a mortgage of or charge on a ship or any share therein;
- (d) any claim for damage done by a ship;
- (e) any claim for damage received by a ship;
- (f) any claim for loss of life or personal injury sustained in consequence of any defect in a ship or in her apparel or equipment, or of the wrongful act, neglect or default of the owners, charterers or persons in possession or

control of a ship or of the master or crew thereof or of any other person for whose wrongful acts, neglects or defaults the owners, charterers or persons in possession or control of a ship are responsible, being an act, neglect or default in the navigation or management of the ship, in the loading, carriage or discharge of goods on, in or from the ship or in the embarkation, carriage or disembarkation of persons on, in or from the ship;

- (g) any claim for loss of or damage to goods carried in a ship;
- (h) any claim arising out of any agreement relating to the carriage of goods in a ship or to the use or hire of a ship;
- (i) subject to section 168 of the Merchant Shipping Act (Cap. 179) (which requires salvage disputes to be determined summarily by a District Court in certain cases), any claim in the nature of salvage (including any claim arising under section 11 of the Air Navigation Act (Cap. 6) relating to salvage to aircraft and their apparel and cargo);
- (j) any claim in the nature of towage in respect of a ship or an aircraft;
- (k) any claim in the nature of pilotage in respect of a ship or an aircraft;
- (l) any claim in respect of goods or materials supplied to a ship for her operation or maintenance;
- (m) any claim in respect of the construction, repair or equipment of a ship or dock charges or dues;
- (n) any claim by a master or member of the crew of a ship for wages and any claim by or in respect of a master or member of the crew of a ship for any money or property which, under any of the provisions of the Merchant Shipping Act (Cap. 179) is recoverable as wages or in the Court and in the manner in which wages may be recovered;
- (o) any claim by a master, shipper, charterer or agent in respect of disbursements made on account of a ship;
- (p) any claim arising out of an act which is or is claimed to be a general average act;
- (q) any claim arising out of bottomry;
- (r) any claim for the forfeiture or condemnation of a ship or of goods which are being or have been carried, or have been attempted to be carried, in a ship, or for the restoration of a ship or any such goods after seizure, or for droits of admiralty,

together with any other jurisdiction connected with ships or aircraft which may be vested

in the Court apart from this section.

(2) The jurisdiction of the High Court under subsection (1)(b) includes power to settle any account outstanding and unsettled between the parties in relation to the ship, and to direct that the ship, or any share thereof, shall be sold, and to make such other order as the Court thinks fit.

(3) The reference in subsection (1)(i) to claims in the nature of salvage includes a reference to such claims for services rendered in saving life from a ship or an aircraft or in preserving cargo, apparel or wreck as, under sections 166 and 167 of the Merchant Shipping Act or any regulations made under section 11 of the Air Navigation Act (Cap. 6), are authorised to be made in connection with a ship or an aircraft.

(4) Subsections (1) to (3) shall apply —

- (a) in relation to all ships or aircraft, whether of Singapore or not and whether registered or not and wherever the residence or domicile of their owners may be;
- (b) in relation to all claims, wheresoever arising (including, in the case of cargo or wreck salvage, claims in respect of cargo or wreck found on land); and
- (c) so far as they relate to mortgages and charges, to all mortgages or charges, whether registered or not and whether legal or equitable, including mortgages and charges created under foreign law.

(5) Nothing in subsection (4) shall be construed as extending the cases in which money or property is recoverable under any of the provisions of the Merchant Shipping Act (Cap. 179).

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Mode of exercise of admiralty jurisdiction

4.—(1) Subject to section 5, the admiralty jurisdiction of the High Court may in all cases be invoked by an action in personam.

(2) The admiralty jurisdiction of the High Court may in the cases mentioned in section 3(1)(a), (b), (c) and (r) be invoked by an action in rem against the ship or property in question.

(3) In any case in which there is a maritime lien or other charge on any ship, aircraft or other property for the amount claimed, the admiralty jurisdiction of the High Court may be invoked by an action in rem against that ship, aircraft or property.

(4) In the case of any such claim as is mentioned in section 3(1)(d) to (q), being a claim arising in connection with a ship, where the person who would be liable on the