

英國 1981 年最高法院法 (海事管轄部分)

(法律編號第 54 號)

第二部分 管轄權 — 高等法院 — 海事管轄權

Supreme Court Act 1981

(c. 54)

Part II JURISDICTION - The High Court - Admiralty jurisdiction

1981 UK SCA

20. Admiralty jurisdiction of High Court.

(1) The Admiralty jurisdiction of the High Court shall be as follows, that is to say—

- (a) jurisdiction to hear and determine any of the questions and claims mentioned in subsection (2);
- (b) jurisdiction in relation to any of the proceedings mentioned in subsection (3);
- (c) any other Admiralty jurisdiction which it had immediately before the commencement of this Act; and
- (d) any jurisdiction connected with ships or aircraft which is vested in the High Court apart from this section and is for the time being by rules of court made or coming into force after the commencement of this Act assigned to the Queen's Bench Division and directed by the rules to be exercised by the Admiralty Court.

(2) The questions and claims referred to in subsection (1)(a) are—

- (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 received by a ship;
- (e) any claim for damage done 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 in consequence of the wrongful act, neglect or default of—
 - i. the owners, charterers or persons in possession or control of a ship; or
 - ii. the master or crew of a ship, or any other person for whose wrongful acts, neglects or defaults the owners, charterers or persons in possession or control of a ship are responsible,

20 高等法院海事管轄權

(1) 高等法院海事管轄權如下：

- (a) 對第 2 項所述任何問題及求償為審訊及裁判之管轄權；
- (b) 與第 3 項所述任何訴訟程序有關之管轄權；
- (c) 緊接於本法生效實施前，所具有的任何其他海事管轄權；及
- (d) 除本條規定外，且為法院暫行規定或於本法生效實施後，移轉給皇后分院及直接由海事法院所行使之規則下，與船舶或飛航器有關之任何管轄權。

(2) 第(1)(a)項所述問題及求償如下—

- (a) 有關船舶之占有或所有或其共有之任何求償；
- (b) 有關船舶之共同所有人間關於該船舶之占有、使用或營收所生之任何爭議；
- (c) 有關某船舶或其任何部分之抵押或負擔之任何求償；
- (d) 船舶受損之任何求償；
- (e) 船舶所致損害之任何求償；
- (f) 因船舶、其屬具或設備之任何缺陷所致之人命損失或人身傷害所提出之任何求償，或就下列之人之疏失作為、過失或過錯所致之人命損失或人身傷害而提出之任何求償—
 - (i) 船舶所有人、租傭船人，或占有或控制船舶之人；或
 - (ii) 船舶之船長或船員，或船舶所有人、租傭船人或占有或控制船舶之人應對其疏失作為、過

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) ...
 - (j) any claim—
 - i. under the Salvage Convention 1989;
 - ii. under any contract for or in relation to salvage services; or
 - iii. in the nature of salvage not falling within (i) or (ii) above;or any corresponding claim in connection with an aircraft;
 - (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 in respect of dock charges or dues;
 - (n) any claim by a master or member of the crew of a ship for wages (including any sum allotted out of wages or adjudged by a superintendent to be due by way of wages);
 - (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.
- (3) The proceedings referred to in subsection (1)(b) are—
- (a) any application to the High Court under the Merchant Shipping Acts 1894 to 1979 other than an application under [the Merchant Shipping Act 1995];
 - (b) any action to enforce a claim for damage, loss of life or personal injury arising out of—
 - i. a collision between ships; or
 - ii. the carrying out of or omission to carry out a manoeuvre in the case of one or more of two or more ships; or
 - iii. non-compliance, on the part of one or more of two or more ships, with the collision regulations;

失或疏失負責之任何其他人，而該作為、過失或疏失為船舶航行或管理所生，或為船舶裝載、運送或卸載貨物而生，或因任何人登上或離開船舶或船舶運送任何人所生；

- (g) 船舶運送貨物之滅失或毀損之任何求償；
 - (h) 與船舶為貨物運送或船舶之使用或租用有關之任何協議所生之任何求償；
 - (i) ...
 - (j) 下列任何求償：
 - (i) 依據 1989 年救助公約；
 - (ii) 依據救助服務所訂立之合約或有關救助服務合約；或
 - (iii) 不屬第(i)或(ii)款範圍然本質上屬救助；或任何相應有關航空器之求償；
 - (k) 屬船舶或航空器拖帶性質之任何求償；
 - (l) 屬船舶或航空器引水性質之任何求償；
 - (m) 供應船舶作為操作或維護用途之貨物或物料所提出之任何求償；
 - (n) 船舶之建造、修理或設備或塢費或應繳費用所提出之任何求償；
 - (o) 船舶之船長或船員之工資(包括從工資中撥出之任何款項，或經監督調整而須為工資予以支付之任何款項)所提出之任何求償；
 - (p) 船長、託運人、租傭船人或代理人就船舶墊付費用所提出之任何求償；
 - (q) 因一屬或被聲稱屬共同海損行為之作為所致生之任何求償；
 - (r) 因船舶押借所致生之任何求償；
 - (s) 船舶之沒收或充公或就現正或曾經或曾企圖由船舶運送之貨物的沒收或充公、或就船舶或任何該等貨物扣押後之歸還、或就海軍特權下之財產所提出之任何求償。
- (3) 第(1)項(b)款所述及之訴訟程序為：
- (a) 依 1894 年至 1979 年商船法向高等法院所提出之任何申請，但依 1995 年商船法所提出之申請除外；
 - (b) 為強制執行下列事項所生之毀損、滅失或人命喪失或人身傷害求償之任何訴訟：
 - i. 船舶間碰撞；或
 - ii. 2 艘或多於 2 艘之船舶中有 1 艘或多於 1 艘進行或未進行船舶操縱；或
 - iii. 2 艘或多於 2 艘之船舶中有 1 艘或多於 1 艘不遵從避碰規則；

- (c) any action by shipowners or other persons under the [Merchant Shipping Act 1995] for the limitation of the amount of their liability in connection with a ship or other property.
- (4) The jurisdiction of the High Court under subsection (2)(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.
- (5) Subsection (2)(e) extends to—
- (a) any claim in respect of a liability incurred under the [Chapter III of Part VI of the Merchant Shipping Act 1995]; and
- (b) any claim in respect of a liability falling on the [International Oil Pollution Compensation Fund, or on the International Oil Compensation Fund 1984, under Chapter IV of Part VI of the Merchant Shipping Act 1995.].
- (6) In subsection (2)(j)—
- (a) the “Salvage Convention 1989” means the International Convention on Salvage, 1989 as it has effect under [section 224 of the Merchant Shipping Act 1995];
- (b) the reference to salvage services includes services rendered in saving life from a ship and the reference to any claim under any contract for or in relation to salvage services includes any claim arising out of such a contract whether or not arising during the provision of the services;
- (c) the reference to a corresponding claim in connection with an aircraft is a reference to any claim corresponding to any claim mentioned in sub-paragraph (i) or (ii) of paragraph (j) which is available under section 87 of the Civil Aviation Act 1982.]
- (7) The preceding provisions of this section apply—
- (a) in relation to all ships or aircraft, whether British or not and whether registered or not and wherever the residence or domicile of their owners may be;
- (b) in relation to all claims, wherever 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:
Provided that nothing in this subsection shall be construed as extending the cases in which money or property is recoverable under any of the provisions of the [Merchant Shipping Act 1995].
- (c) 船東或其他人依據 1995 年商船法所提出之任何訴訟，用以限制其在與船舶或其他財產有關之責任。
- (4) 高等法院依據第(2)項(b)款之司法管轄權，包括解決各方間與船舶有關之任何未清及未結算帳目之權力，指示須將船舶或船舶任何部分出售之權力，及作出法院認為適合之其他命令之權力。
- (5) 第(2)項(e)款擴大適用於：
- (a) 依據 1995 年商船法第六部分第三章所生有關責任之求償；及
- (b) 依據 1995 年商船法第六部分第四章之國際油污染補償基金或 1984 年國際油污補償基金之有關責任之任何求償。
- (6) 於第(2)項(j)款：
- (a) “1989 年救助公約”指業已依 1995 年商船法第 224 條年生效之 1989 年海難救助國際公約；
- (b) 凡述及救助服務者，包括從船上援助生命所提供之服務，而述及任何依據救助服務所訂立之契約或有關救助服務契約所提出之求償，包括任何來自該契約之求償，不論其是否發生於服務期間；
- (c) 凡述及有關航空器相對應之求償，即為述及與第(j)款(i)或(ii)目所述求償相對應之求償，而該求償係依據 1982 年民航法第 87 條為適用者。
- (7) 前述各項適用於—
- (a) 所有船舶或航空器，不論其是否為屬英國籍的船舶或航空器，亦不論其是否已經註冊及其船舶所有人之住所或居所為何地；
- (b) 所有求償，不論其於何處發生(如屬貨物或沈船之救助時，包括於陸地上發現的貨物或沈船而提出之求償)；及
- (c) 與抵押或物權負擔有關時，所有抵押或物權負擔，不論其是否已經登記，亦不論其是法律上或衡平法之之抵押或物權負擔，並包括根據外國法律所設定之抵押或物權負擔。然本款規定不應解為擴大適用於依 1995 年商船法各項規定可請求回復之金錢或財產。

21. Mode of exercise of Admiralty jurisdiction.

- (1) Subject to section 22, an action in personam may be brought in the High Court in all cases within the Admiralty jurisdiction of that court.

21. 行使海事司法管轄權的方式

- (1) 於適用第 22 條規定之前提下，屬於高等法院海事司法管轄權範圍內之所有案件，仍得於高等法院提出對人訴訟。

- (2) In the case of any such claim as is mentioned in section 20(2)(a), (c) or (s) or any such question as is mentioned in section 20(2)(b), an action in rem may be brought in the High Court against the ship or property in connection with which the claim or question arises.
- (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, an action in rem may be brought in the High Court against that ship, aircraft or property.
- (4) In the case of any such claim as is mentioned in section 20(2)(e) to (r), where—
- the claim arises in connection with a ship; and
 - the person who would be liable on the claim in an action in personam (“the relevant person”) was, when the cause of action arose, the owner or charterer of, or in possession or in control of, the ship, an action in rem may (whether or not the claim gives rise to a maritime lien on that ship) be brought in the High Court against—
 - that ship, if at the time when the action is brought the relevant person is either the beneficial owner of that ship as respects all the shares in it or the charterer of it under a charter by demise; or
 - any other ship of which, at the time when the action is brought, the relevant person is the beneficial owner as respects all the shares in it.
- (5) In the case of a claim in the nature of towage or pilotage in respect of an aircraft, an action in rem may be brought in the High Court against that aircraft if, at the time when the action is brought, it is beneficially owned by the person who would be liable on the claim in an action in personam.
- (6) Where, in the exercise of its Admiralty jurisdiction, the High Court orders any ship, aircraft or other property to be sold, the court shall have jurisdiction to hear and determine any question arising as to the title to the proceeds of sale.
- (7) In determining for the purposes of subsections (4) and (5) whether a person would be liable on a claim in an action in personam it shall be assumed that he has his habitual residence or a place of business within England or Wales.
- (8) Where, as regards any such claim as is mentioned in section 20(2)(e) to (r), a ship has been served with a writ or arrested in an action in rem brought to enforce that claim, no other ship may be served with a writ or arrested in that or any other action in rem brought to enforce that claim; but this subsection does not prevent the issue, in respect of any one such claim, of a writ naming more than one ship or of two or more writs each naming a different ship.
- (2) 屬第 20 條(2)項(a)、(c)或(s)款所述之任何求償或第 20 條(2)項(b)款所述任何爭議，得於高等法院就與致生該求償或爭議有關之船舶或財產提出對物訴訟。
- (3) 任何案件所求償之款額於任何船舶、航空器或其他財產上享有海事優先權或其他抵押權，則可於高等法院就該船舶、航空器或財產提出對物訴訟。
- (4) 屬第 20 條(2)項(e)至(r)款所述之任何求償，而—
- 該求償與某船舶有關所致；及
 - 於對人訴訟中，會對該求償負有法律責任之人(“利害關係人”)為訴因發生時為該船舶之所有人或租傭船人，或是占有或控制該船舶之人，則對物訴訟(不論該求償是否導致對該船舶享有海事優先權)可在高等法院就下列船舶提出—
 - 該船舶(如在該訴訟提出時之利害關係人為該船舶的所有持份之利益船東，或依據轉責租約之船舶承租人)；或
 - 就任何其他船舶，於該訴訟提出時之利害關係人為該其他船舶之全部持份之利益船東。
- (5) 有關性質屬航空器之拖帶或引水之求償，如於提出對物訴訟時，有關航空器係由若該求償是在對人訴訟中提出則會負擔法律責任的人所實益擁有者，則可在高等法院針對該航空器提出對物訴訟。
- (6) 凡高等法院於行使其海事司法管轄時，命令將任何船舶、航空器或其他財產拍賣，法院對因拍賣所得收入之所有權所發生之任何問題，有進行聽審並作出裁定的司法管轄權。
- (7) 就第(4)及(5)項而言，於決定某人是否於對人訴訟所提出之求償負擔法律責任時，應假定該人之慣居地或營業地於英國或威爾斯。
- (8) 關於第 20 條(2)項(e)至(r)款所述之任何求償，凡某船舶已接獲一份為強制執行該求償所提出之對物訴訟之令狀送達時，或已在該訴訟中被扣押，則任何其他船舶均不得被送達該訴訟或其他為強制執行該求償所提出之對物訴訟令狀，或於該訴訟或任何其他為強制執行該求償所提出之對物訴訟中被遭受扣押；但本項規定並不阻止就任何該等求償而發出一份指名超過 1 艘船舶之令狀，或發出 2 份或多於 2 份分別指名不同船舶之令狀。

22. Restrictions on entertainment of actions in personam in collision and other similar cases.

- (1) This section applies to any claim for damage, loss of life

22. 於碰撞及其他類似案件中受理對人訴訟之限制

- (1) 本條適用於就以下情況所產生的損壞、

or personal injury arising out of—

- (a) a collision between ships; or
 - (b) the carrying out of, or omission to carry out, a manoeuvre in the case of one or more of two or more ships; or
 - (c) non-compliance, on the part of one or more of two or more ships, with the collision regulations.
- (2) The High Court shall not entertain any action in personam to enforce a claim to which this section applies unless—
- (a) the defendant has his habitual residence or a place of business within England or Wales; or
 - (b) the cause of action arose within inland waters of England or Wales or within the limits of a port of England or Wales; or
 - (c) an action arising out of the same incident or series of incidents is proceeding in the court or has been heard and determined in the court.

In this subsection—

“ inland waters ” includes any part of the sea adjacent to the coast of the United Kingdom certified by the Secretary of State to be waters falling by international law to be treated as within the territorial sovereignty of Her Majesty apart from the operation of that law in relation to territorial waters;

“ port ” means any port, harbour, river, estuary, haven, dock, canal or other place so long as a person or body of persons is empowered by or under an Act to make charges in respect of ships entering it or using the facilities therein, and “ limits of a port ” means the limits thereof as fixed by or under the Act in question or, as the case may be, by the relevant charter or custom;

“ charges ” means any charges with the exception of light dues, local light dues and any other charges in respect of lighthouses, buoys or beacons and of charges in respect of pilotage.

- (3) The High Court shall not entertain any action in personam to enforce a claim to which this section applies until any proceedings previously brought by the plaintiff in any court outside England and Wales against the same defendant in respect of the same incident or series of incidents have been discontinued or otherwise come to an end.
- (4) Subsections (2) and (3) shall apply to counterclaims (except counterclaims in proceedings arising out of the same incident or series of incidents) as they apply to actions, the references to the plaintiff and the defendant being for this purpose read as references to the plaintiff on the counterclaim and the defendant to the counterclaim respectively.
- (5) Subsections (2) and (3) shall not apply to any action or counterclaim if the defendant thereto submits or has agreed to submit to the jurisdiction of the court.
- (6) Subject to the provisions of subsection (3), the High Court shall have jurisdiction to entertain an action in personam to enforce a claim to which this section applies whenever any of the conditions specified in subsection (2)(a) to (c) is satisfied, and the rules of court relating to the service of

人命損失或人身傷害而提出的任何求償

- (a) 船舶間碰撞；或
 - (b) 2 艘或 2 艘以上船舶中之 1 艘或多於 1 艘進行或未進行船舶操縱；或
 - (c) 2 艘或 2 艘以上船舶中之 1 艘或多於 1 艘未遵守避碰規則。
- (2) 除符合下列條件外，高等法院不得受理任何為強制執行本條所適用之求償而提出之對人訴訟—
- (a) 被告人慣居地或營業地在英國或威爾斯；或
 - (b) 訴訟原因係於英國或威爾斯水域內發生；或
 - (c) 因同一事件或同一系列事件所發生之訴訟，現正在法院進行聽審或已在法院聽審並已裁定者。

於本項規定：

“內水”包括與經國務院確認，並屬於國際法所認定屬於女皇陛下領域主權範圍內之英國海岸緊鄰水域之任何部分，不包括有關領水任何法律所適用之範圍；

“港口”包括任何人或機關法人得依法授權或依某法律就有關船舶進入或使用其內設施收取費用之任何港口、港埠、河流、入海口、避風塘、碼頭、運河或其他任何處所；且“港界”意指由或依相關法律，或依相關許可或習慣所劃定之界線；

“費用”係指除燈塔稅、當地燈塔稅及任何有關燈塔、浮筒或信號塔及有關引水費用以外之任何費用。

- (3) 於原告先前在英國或威爾斯以外的任何法院就同一事件或同一系列事件就同一被告所提起之訴訟程序已中止或以其他方式終結之前，高等法院不得受理任何用以強制執行本條所適用之求償之對人訴訟。
- (4) 第(2)及(3)項適用於反訴(因同一事件或同一系列事件所生之訴訟程序之反訴除外)，一如其適用於訴訟，就此目的而言，凡述及原告及被告者，須分別解釋為述及反訴之原告及反訴之被告。
- (5) 如任何訴訟或反訴之被告願受或已同意願受法院之司法管轄者，第(2)及(3)項規定不適用於該訴訟或反訴。
- (6) 除第(3)項另有規定外，凡符合第(2)(a)至(c)款所規定之任何條件，高等法院即具有司法管轄權以受理用以強制執行本條所適用之求償之對人訴訟，關於在高等法院之司法管轄權範圍外之文書送

process outside the jurisdiction shall make such provision as may appear to the rule-making authority to be appropriate having regard to the provisions of this subsection.

- (7) Nothing in this section shall prevent an action which is brought in accordance with the provisions of this section in the High Court being transferred, in accordance with the enactments in that behalf, to some other court.
- (8) For the avoidance of doubt it is hereby declared that this section applies in relation to the jurisdiction of the High Court not being Admiralty jurisdiction, as well as in relation to its Admiralty jurisdiction.

23. High Court not to have jurisdiction in cases within Rhine Convention.

The High Court shall not have jurisdiction to determine any claim or question certified by the Secretary of State to be a claim or question which, under the Rhine Navigation Convention, falls to be determined in accordance with the provisions of that Convention; and any proceedings to enforce such a claim which are commenced in the High Court shall be set aside.

24. Supplementary provisions as to Admiralty jurisdiction.

- (1) In sections 20 to 23 and this section, unless the context otherwise requires—
- “ collision regulations” means [safety regulations under section 85 of the Merchant Shipping Act 1995];
 - “ goods” includes baggage;
 - “ master” has the same meaning as in the [Merchant Shipping Act 1995], and accordingly includes every person (except a pilot) having command or charge of a ship;
 - “ the Rhine Navigation Convention” means the Convention of the 7th October 1868 as revised by any subsequent Convention;
 - “ ship” includes any description of vessel used in navigation and (except in the definition of “ port” in section 22(2) and in subsection (2)(c) of this section) includes, subject to section 2(3) of the Hovercraft Act 1968, a hovercraft;
 - “ towage” and “ pilotage” , in relation to an aircraft, mean towage and pilotage while the aircraft is water-borne.
- (2) Nothing in sections 20 to 23 shall—
- (a) be construed as limiting the jurisdiction of the High Court to refuse to entertain an action for wages by the master or a member of the crew of a ship, not being a British ship;
 - (b) affect the provisions of section 226 of the Merchant Shipping Act 1995 (power of a receiver of wreck to detain a ship in respect of a salvage claim); or
 - (c) authorise proceedings in rem in respect of any claim against the Crown, or the arrest, detention or sale of

達程序之法院規則，則須依第 55 條所規定之委員會經考慮本款條文後所制訂其認為適當之規定。

- (7) 本條並不妨礙將依照本條條文於高等法院所提出之訴訟，依照為移交目的而制定之明文規範，移交其他法院審理。
- (8) 為免生爭議，謹此聲明本條不僅適用於高等法院之不屬海事司法管轄權之司法管轄權，亦適用於高等法院之海事司法管轄權。

23. 高等法院對在萊茵河航行公約範圍內的案件無司法管轄權

高等法院對於應依據萊茵河航行公約規定為裁判之任何求償或爭議無司法管轄權；而任何用以強制執行該求償而在高等法院所提出之任何法律程序，應予以作廢。

24. 關於海事司法管轄權的補充條文

- (1) 於第 20 至 23 條及本條，除本法另有規定外—
- “避碰規則”意指 1995 年商船法第 85 條所規定之安全規則；
 - “貨物”包括行李；
 - “船長”與 1995 年商船法具同樣意義，且包括任一指揮或掌管船舶之人(引水人除外)；
- “萊茵河航行公約”指於 1868 年 10 月 7 日之公約及其後續之任何修正；
- “船舶”包括用於航行之任何類型之船舶，且(第 22 條第 2 項及本條第 2 項 c 款之“港口”定義除外)包括 1968 年氣墊船法第 2(3)條之氣墊船；
- “拖帶”及“引水”與航空器有關時，指航空器於水上時之拖帶及引水；
- (2) 第 20 至 23 條不得
- (a) 解釋為對高等法院拒絕受理由並非英國船舶亦非在香港註冊的船舶的船長或船員就工資提出訴訟的司法管轄權有所限制；
 - (b) 影響 1995 年商船法令第 226 條之規定(殘骸接管人就救助之求償而扣留船舶之權利)；或
 - (c) 授權就任何針對王國提出之求償進行對物訴訟程序，或授權假扣

any of Her Majesty' s ships or Her Majesty' s aircraft, or, subject to section 2(3) of the Hovercraft Act 1968, Her Majesty' s hovercraft, or of any cargo or other property belonging to the Crown.

(3) In this section—

“ Her Majesty' s ships” and “ Her Majesty' s aircraft” have the meanings given by section 38(2) of the Crown Proceedings Act 1947;

“ Her Majesty' s hovercraft” means hovercraft belonging to the Crown in right of Her Majesty' s Government in the United Kingdom or Her Majesty' s Government in Northern Ireland.

押、扣留或出售任何女皇陛下之船舶、女皇陛下之航空器或女皇陛下之氣墊船，或授權假扣押、扣留或出售屬於王國之任何船舶、航空器、氣墊船、貨物或其他財產。

(3) 於本條中—

“女皇陛下之船舶”及“女皇陛下之航空器”具有 1947 年王國程序法第 38(2) 條給予該兩名詞之涵義；

“女皇陛下之氣墊船”係依據聯合王國之女皇陛下政府或北愛爾蘭女皇陛下政府的權利而屬於王國之氣墊船。