



Standing Committee Report Summary

The Admiralty Bill, 2005

- The Standing Committee on Transport, Tourism & Culture submitted its 99th Report on The Admiralty Bill, 2006 on March 21, 2006. The Chairperson of the Committee was Shri Nilotpal Basu.
- The Bill seeks to consolidate and amend existing laws related to shipping, vest civil jurisdiction with High Courts, and establish the scope of admiralty jurisdiction. The Bill also repeals several existing Acts related to admiralty jurisdiction.
- The Bill defines 'High Court' as what is given under the Merchant Shipping Act, 1958. The Act defines High Court as a court whose appellate jurisdiction encompasses the port of registry of the vessel, where the vessel is located, or where the action in question occurred. The Committee notes that ships only spend a brief amount of time in ports, and recommends giving the High Courts pan-India admiralty jurisdiction.
- The Bill defines ships to exclude sailing vessels. The Committee notes that the Bill does not further define sailing vessels. They recommend revising the definition to make exemptions to the Bill clearer.
- The High Court shall be given civil jurisdiction with respect to all claims under the Bill. The Committee observes that multiple High Courts have been given admiralty jurisdiction. They recommend that the Department Shipping, in consultation with the Ministry of Law & Justice, create a centralized registry where information about other proceedings are accessible.
- The Bill stipulates that a court shall have jurisdiction over any of its previous admiralty jurisdictions stipulated under other earlier laws. Among the earlier Acts mentioned, the Committee believes the courts with jurisdiction under the Admiralty Court Act, 1840 should also be included.
- The Bill defines certain instances where the court may exercise admiralty jurisdiction. This includes claims regarding ownership of a ship, damages caused to a ship, and claims arising related to carriage of goods. Noting numerous stakeholder concerns with aspects of this clause, the Committee recommends its revision.

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