

THE MERCHANT SHIPPING (AMENDMENT) ACT, 1981

No. 43 OF 1981

[28th September, 1981.]

An Act further to amend the Merchant Shipping Act, 1958.

Enacted by Parliament in the Thirty-second Year of the Republic of India as follows:—

1. This Act may be called the Merchant Shipping (Amendment) Act, 1981.

Short  
title.

44 of 1958.

2. In section 21 of the Merchant Shipping Act, 1958 (hereinafter referred to as the principal Act),—

Amend-  
ment of  
section 21.

(i) in the opening portion, for the word "either", the word "any" shall be substituted;

(ii) in clause (b), the word "or" shall be added at the end;

(iii) after clause (b), the following clause shall be inserted, namely:—

"(c) a co-operative society which satisfies the following requirements, namely:—

2 of 1912.

(i) the co-operative society is registered or deemed to be registered under the Co-operative Societies Act, 1912, or any other law relating to co-operative societies for the time being in force in any State;

(ii) every individual who is a member of the co-operative society and where any other co-operative society is a member thereof, every individual who is a member of such other co-operative society, is a citizen of India."

3. In clause (e) of section 25 of the principal Act, after the words "a company", the words "or a co-operative society" shall be inserted.

Amend-  
ment of  
section  
25.

4. In section 26 of the principal Act, after the words "a company" at both the places where they occur, the words "or a co-operative society" shall be inserted.

Amend-  
ment of  
section  
26.

Amend-  
ment of  
section  
29.

5. In section 29 of the principal Act,—

(i) in the opening portion, after the words “a company”, the words “or a co-operative society” shall be inserted;

(ii) in clause (a), for the words, brackets, letter and figures “or in the case of a company, whether the company satisfies the requirements specified in clause (b) of section 21”, the words, brackets, letters and figures “or in the case of a company or a co-operative society, whether the company or the co-operative society satisfies the requirements specified in clause (b) or, as the case may be, clause (c) of section 21” shall be substituted;

(iii) in clause (d), after the words “the company”, the words “or the co-operative society” shall be inserted.

Amend-  
ment of  
section  
45.

6. In sub-section (2) of section 45 of the principal Act, for the words, brackets, letter and figures “or any company which satisfies the requirements specified in clause (b) of section 21”, the words, brackets, letters and figures “or any company or any co-operative society which satisfies the requirements specified in clause (b) or, as the case may be, clause (c) of section 21” shall be substituted.

Amend-  
ment of  
section  
406.

7. In sub-section (1) of section 406 of the principal Act, after the words “or a company” at both the places where they occur, the words “or a co-operative society” shall be inserted.

Amend-  
ment of  
section  
407.

8. In sub-section (1) of section 407 of the principal Act, for the words, brackets, letter and figures “or a company which satisfies the requirements specified in clause (b) of section 21”, the words, brackets, letters and figures “or a company or a co-operative society which satisfies the requirements specified in clause (b) or, as the case may be, clause (c) of section 21” shall be substituted.

Amend-  
ment of  
section  
415.

9. In section 415 of the principal Act, for the words, brackets, letter and figures “or a company which satisfies the requirements specified in clause (b) of section 21”, the words, brackets, letters and figures “or a company or a co-operative society which satisfies the requirements specified in clause (b) or, as the case may be, clause (c) of section 21” shall be substituted.

Amend-  
ment of  
section 431.

10. In sub-section (1) of section 431 of the principal Act, for the words, brackets, letter and figures “or a company which satisfies the requirements specified in clause (b) of section 21”, the words, brackets, letters and figures “or a company or a co-operative society which satisfies the requirements specified in clause (b) or, as the case may be, clause (c) of section 21” shall be substituted.

Amend-  
ment of  
section 441.

11. In section 441 of the principal Act, in clause (a) of the *Explanation*, for the words “company” includes a firm, the words “company” includes a co-operative society, a firm shall be substituted.