

**PART X**  
**WRECK AND SALVAGE**  
*Vessels in Distress*

**366. Interpretation**

In this Part, unless the context otherwise requires -

"receiver" means receiver of wreck;

"salvage" includes all expenses properly incurred by the salvor in the performance of salvage services;

"vehicle" includes any vehicle of any description, whether propelled by mechanical power or otherwise and whether used for drawing other vehicles or otherwise;

"wreck" includes jetsam, flotsam, lagan and derelict found in or on the shores of the sea or any tidal water.

**367. Appointment of a Principal Receiver of Wreck and receivers of wreck**

*(1) The Director of Marine shall be the Principal Receiver of Wreck and shall have all the powers of a receiver throughout the Federation.*

*(2) The Principal Receiver of Wreck shall exercise general direction and supervision over all matters relating to wreck and salvage.*

*(3) The Minister (LN 332/58) may appoint any person to be a receiver of wreck in any district and to perform the duties of receiver under this Part and shall give notice of the appointment in the Gazette. (No. 49 of 1955)*

**368. Duty of receiver where vessel in distress**

(1) Where a British, Malayan or foreign vessel is wrecked, stranded or in distress at any place on or near coasts of the Federation or any tidal water within the limits of the Federation, the receiver of wreck for the district in which that place is situated shall upon being made acquainted with the circumstances, forthwith proceed there, and upon his arrival shall take the command of all persons present and shall assign such duties and give such directions to each person as he thinks fit for the preservation of the vessel and of the lives of the persons belonging to the vessel, in this Part referred to as shipwrecked persons, and of the cargo and apparel of the vessel.

(2) Any person, who wilfully disobeys the direction of the receiver, shall be liable for each offence to a fine not exceeding five hundred dollars, but the receiver shall not interfere between the master and the crew of the vessel in reference to the management thereof unless he is requested to do so by the master.

### **369. Powers of receiver in case of vessels in distress**

(1) The receiver may, with a view to such preservation as aforesaid of shipwrecked persons or of the vessel, cargo or apparel -

- (a) require such persons as he thinks necessary to assist him;
- (b) require the master or other person having the charge of any vessel near at hand to give such aid with his men or vessel as is in his power;
- (c) demand the use of any vehicle or any draught animal that may be near at hand.

(2) Any person who refuses without reasonable cause to comply with any such requisition or demand shall be liable for each refusal to a fine not exceeding one thousand dollars.

### **370. Power to pass over adjoining lands**

(1) Whenever a vessel is wrecked, stranded or in distress as aforesaid, all persons may for the purpose of rendering assistance to the vessel, or of saving the lives of the shipwrecked persons, or of saving the cargo or apparel of the vessel, unless there is some public road equally convenient, pass and repass, either with or without vehicles or draught animals, over any adjoining lands without being subject to interruption by the owner or occupier, so that they do as little damage as possible, and may also on the like condition, deposit on those lands any cargo or other article recovered from the vessel.

(2) Any damage sustained by an owner or occupier in consequence of the exercise of the rights given by this section shall be a charge on the vessel, cargo or articles, in respect of or by which the damage is occasioned, and the amount payable in respect of the damage shall, in case of dispute, be determined and shall, in default of payment, be recoverable in the same manner as the amount of salvage is under this Part determined or recoverable.

(3) Any owner or occupier of any land who -

- (a) impedes or hinders any person in the exercise of the rights given by this section by locking his gates, or refusing upon request to open the same, or otherwise; or
- (b) impedes or hinders the deposit of any cargo or other articles recovered from the vessel as aforesaid on the land; or
- (c) prevents or endeavours to prevent any such cargo or other article from remaining deposited on the land for a reasonable time until it can be removed to a safe place of public deposit;

shall be liable for each offence to a fine not exceeding one thousand dollars.

### **371. Power of receiver to suppress plunder and disorder by force**

(1) Whenever a vessel is wrecked, stranded or in distress as aforesaid, and any person plunders, creates disorder or obstructs the preservation of the vessel or of the shipwrecked persons or of the cargo or apparel of the vessel, the receiver may cause that person to be apprehended.

(2) The receiver may use force for the suppression of any such plundering, disorder or obstruction, and may command any person to assist him in so using force.

(3) If any person is killed, maimed or hurt, by reason of his resisting the receiver or any person acting under the orders of the receiver in the execution of the duties by this Part committed to the receiver, neither the receiver nor the person acting under his order shall be liable to any punishment or to pay any damages by reason of the person being so killed, maimed or hurt.

### **372. Exercise of powers of receiver in his absence**

(1) Where a receiver is not present, the following officers or persons in succession, each in the absence of the other, in the order in which they are named, namely, Superintendent or Assistant Superintendent of Police, Magistrate or Justice of the Peace, may do anything by this Part authorized to be done by the receiver.

(2) An officer acting under this section for a receiver shall, with respect to any goods or articles belonging to a vessel the delivery of which to the receiver is required by this Ordinance, be considered as the agent of the receiver, and shall place the same in the custody of the receiver, but he shall not be entitled to any fees payable to receiver or be deprived by reason of his so acting of any right to salvage to which he would otherwise be entitled.

### **373. Examination in respect of ships in distress**

(1) Where any ship, British, Malayan or foreign, is or has been in distress on the coasts of the Federation, a receiver of wreck, or in his absence a Magistrate or a Justice of the Peace, shall as soon as conveniently may be examine on oath any person belonging to the ship, or any other person who is able to give any account thereof or of the cargo or stores thereof, as to the following matters:-

- (a) the name and description of the ship;
- (b) the name of the master and of the owners;
- (c) the names of the owners of the cargo;
- (d) the ports from and to which the ship was bound;
- (e) the occasion of the distress of the ship;
- (f) the services rendered;

- (g) such other matters or circumstances relating to the ship or to the cargo on board the same as the person holding the examination thinks necessary.
- (2) The person holding the examination shall take the same down in writing, and shall send one copy thereof to the *Minister (LN 332/58)*, and another to any Port Officer within the district, where it shall be placed in some conspicuous situation for the inspection of persons desirous of examining the same.
- (3) The person holding the examination shall for the purpose thereof have all the powers of an Inspector under this Ordinance.

### *Dealing with Wreck*

#### **374. Rules to be observed by persons finding wreck**

(1) Where any person finds or takes possession of any wreck within the limits of the Federation or of any wreck found or taken possession of outside the limits of the Federation and brought within the limits of the Federation, he shall -

(a) if he is the owner thereof, give notice to the receiver of the district stating that he has found or taken possession of the same, and describing the marks by which the same may be recognised;

(b) if he is not the owner thereof, as soon as possible deliver the same to the receiver of the district.

(2) Any person who fails, without reasonable cause, to comply with this section, shall be liable for such offence to a fine not exceeding one thousand dollars, and shall in addition, if he is not the owner, forfeit any claim in salvage, and shall be liable to pay to the owner of the wreck if it is claimed, or if it is unclaimed to the person entitled to the same, double the value thereof, to be recovered in the same way as a fine of a like amount under this Ordinance.

#### **375. Penalty for taking wreck at the time of casualty**

(1) Where a vessel is wrecked, stranded or in distress at any place on or near the coasts of the Federation, or any tidal water within the limits of the Federation, any cargo or other articles belonging to or separated from the vessel which are washed on shore or otherwise lost or taken from the vessel shall be delivered to the receiver.

(2) Any persons, whether the owner or not, who secretes or keeps possession of any such cargo or article, or refuses to deliver the same to the receiver or any person authorised by him to demand the same, shall be liable for each offence to a fine not exceeding one thousand dollars.

(3) The receiver or any person authorised as aforesaid may take any such cargo or articles by force from the person so refusing to deliver the same.

### **376. Notice of wreck to be given by receiver**

Where a receiver takes possession of any wreck, he shall within forty-eight hours cause to be posted in any Port Office within the district where the wreck was found or was seized by him, and, if he thinks it desirable, he shall send to the Secretary of Lloyd's in London, a description thereof and of any marks by which it is distinguished.

### **377. Claim of owners to wreck**

(1) The owner of any wreck in the possession of the receiver, upon establishing his claim to the same to the satisfaction of the receiver within one year from the time at which the wreck came into possession of the receiver, shall, upon paying the salvage fees and expenses due, be entitled to have the wreck or the proceeds thereof delivered up to him.

(2) Where any wreck or any articles belonging to or forming part of a foreign ship which has been wrecked on or near the coasts of the Federation, or belonging to and forming part of the cargo, are found on or near those coasts or are brought into any port in the Federation, the consular officer of the country to which the ship, or, in the case of cargo, to which the owners of the cargo may have belonged shall, in the absence of the owner and of the master or other agent of the owner, be deemed to be the agent of the owner, so far as relates to the custody and disposal of the wreck or such articles.

### **378. Immediate sale of wreck by receiver in certain cases**

(1) A receiver may at any time sell any wreck in his custody, if in his opinion -

- (a) it is under the value of one hundred dollars;
- (b) it is so much damaged or of so perishable a nature that it cannot with advantage be kept; or
- (c) it is not of sufficient value to pay for ware-housing.

(2) The proceeds of the sale shall, after defraying the expenses thereof, be held by the receiver for the same purposes and subject to the same claim, rights and liabilities as if the wreck had remained unsold.

### ***Unclaimed Wreck***

### **379. Unclaimed wreck**

(1) Where no owner establishes a claim to any wreck found in the Federation, or to any wreck found or taken possession of outside the Federation and brought within the Federation and in the possession of a receiver, within one year after it came into his possession, the receiver shall sell the same, and shall pay the proceeds of the sale into the Treasury, after deducting therefrom the expenses of the sale and any other expenses incurred by him and his fees and paying there out to the salvors such amount of salvage as the Minister in each case or by any general rule determines.

### **380. Delivery of unclaimed wreck by receiver not to prejudice title**

Upon delivery of wreck or payment of the proceeds of sale of wreck by a receiver, in pursuance of this Part, the receiver shall be discharged from all liability in respect thereof, but the delivery thereof shall not prejudice or affect any question which is raised by third parties concerning the right or title to the wreck.

### **381. Removal of wreck by receiver**

*(1) Where any ship is sunk, stranded or abandoned in any port, navigable river, tidal waters or in any place within Malaysia waters in such manner as, in the opinion of the receiver, to be or likely to become an obstruction or danger to navigation or a public nuisance or to cause inconvenience, the receiver may either -*

*(a) take possession of, and raise, remove or destroy, the whole or any part of the ship;*  
*(b) light or buoy any such ship or part until the raising, removal or destruction thereof;*  
*(c) sell, in such manner as he thinks fit, any ship or part so raised or removed and also any other property recovered in the exercise of his powers under this section, and, out of the proceeds of the sale, reimburse himself for the expenses incurred by him in relation thereto under this section, and the receiver shall hold the surplus, if any, of the proceeds in trust for the persons entitled thereto; and*

*(d) take all necessary measures to prevent pollution from the ship;*

*or alternatively -*

*(e) consent to the owner or master of the ship taking such action under paragraphs (a) to (d) as the receiver thinks fit; and*

*(f) require the owner or master to furnish security in such reasonable amount as the receiver may consider necessary for the purpose of ensuring the performance of all actions which the owner or master has agreed to undertake.*

*(2) Apart from the proceeds of any sale carried out by the receiver pursuant to paragraph (c) of subsection (1), the receiver may also resort to the security furnished under paragraph (f) to reimburse himself and if the proceeds of sale together with any security are insufficient to cover the costs incurred by the receiver when acting under paragraphs (a) to (d) of subsection (1), he may recover the difference from the owner or master of the ship concerned. (A792/91)*

### **382. Powers of removal extend to tackle, cargo etc.**

The provision of this Part relating to removal of wrecks shall apply to every article or thing or collection of things being or forming part of the tackle, equipments, cargo, stores or ballast in the term "vessel" and for the purposes of these provisions any proceeds of sale arising from a vessel and from the cargo thereof, or any other property recovered therefrom, shall be regarded as a common fund.

### **383. Powers to be cumulative**

The powers conferred by this Part on a receiver for the removal of wrecks shall be in addition to and not in derogation of any other powers conferred upon a Port Officer under Part XIII.

### **384. Taking wreck to foreign port**

Any person who takes into any foreign port any vessel, stranded, derelict or otherwise in distress found on or near the coasts of the Federation, or any tidal water within the limits of the Federation, or any part of the cargo or apparel thereof or anything belonging thereto, or any wreck found within those limits, and there sells the same, shall be liable to a fine not exceeding two thousand dollars or to imprisonment for a term not exceeding five years.

### **385. Interfering with wrecked vessel or wreck**

(1) No person shall, without the leave of the master, board or endeavour to board any vessel which is wrecked, stranded or in distress, unless that person is, or acts by command of, the receiver or a person lawfully acting as such.

(2) Any person who acts in contravention of sub-section (1) shall be liable for each offence to a fine not exceeding five hundred dollars and the master of the vessel may repel him by force.

(3) No person shall -

(a) impede or hinder, or endeavour in any way to impede or hinder, the saving of any vessel stranded or in danger of being stranded, or otherwise in distress, on or near any coast or tidal water, or of any part of the cargo or apparel thereof or of any wreck;

(b) secrete any wreck, or deface or obliterate any marks thereon; or

(c) wrongfully carry away or remove any part of a vessel stranded or in danger of being stranded, or otherwise in distress on or near any coast or tidal water, or any part of the cargo or apparel thereof or any wreck.

(4) Any person who acts in contravention of sub-section (3) shall be liable for each offence to a fine not exceeding five hundred dollars, and such fine may be inflicted in addition to any punishment to which he may be liable by law under this Ordinance or otherwise.

### **386. Summary procedure for concealment of wreck**

(1) Where a receiver suspects or receives information that any wreck is secreted or in the possession of some person who is not the owner thereof, or that any wreck is otherwise improperly dealt with, he may apply to any Magistrate's Court for a search warrant.

(2) Such Court may grant such a warrant, and the receiver, by virtue thereof, may enter any house or other place wherever situate and also any vessel and search for, seize and detain any such wreck there found.

(3) If any such seizure of wreck is made in consequence of information given by any person to the receiver, the informer shall be entitled, by way of salvage, to such sum not exceeding in any case fifty dollars as the receiver allows.

### ***Collision***

#### **387. General duty to render assistance to persons in danger at sea**

(1) The master or person in charge of a vessel shall, so far as he can do so without serious danger to his own vessel, her crew and passengers (if any), render assistance to every person, even if such person be a subject of a foreign State at war with the *Yang Di Pertuan Agong*, (LN 332/58) who is found at sea in danger of being lost, and, if he fails to do so, he shall be guilty of an offence and shall be liable to imprisonment for a term not exceeding two years or to a fine not exceeding two thousand dollars or to both.

(2) Compliance by the master or person in charge of a vessel with the provisions of this section shall not affect his right or the right of any other person to salvage.

### **388. Duty of vessel to assist the other in case of collision**

(1) In every case of collision between two vessels it shall be the duty of the master or person in charge of each vessel, if and so far as he can do so without danger to his own vessel, crew, and passengers (if any) -

(a) to render to the other vessel, her master, crew, and passengers (if any) such assistance as may be practicable and may be necessary to save them from any danger caused by the collision and to stay by the other vessel until he has ascertained that she has no need of further assistance; and also

(b) to give to the master or person in charge of the other vessel the name of his own vessel and of the port to which she belongs and also the names of the ports from which she comes and to which she is bound.

(2) If the master or person in charge fails without reasonable cause to comply with this section, he shall be guilty of an offence and shall be liable to imprisonment for a term not exceeding two years or to a fine not exceeding two thousand dollars or to both.

### *Salvage*

### **389. Salvage payable for saving life**

(1) Where services are rendered wholly or in part within British waters or within the territorial waters of the Federation in saving life from any British, Malayan or foreign vessel, or elsewhere in saving life from any British or Malayan vessel, or from any foreign vessel belonging to a country as to which an Order in Council has been made under section 545 of the Merchant Shipping Act, 1894, there shall, subject to the case of a foreign ship to any condition or qualifications contained in the Order, be payable to the salvor by the owner of the vessel, cargo or apparel saved, a reasonable amount of salvage, to be determined in case of dispute in manner hereinafter mentioned.

(2) Salvage in respect of the preservation of life when payable by the owners of the vessel shall be payable in priority to all other claims for salvage.

(3) Where the vessel, cargo and apparel are destroyed, or the value thereof is insufficient, after payment of the actual expenses incurred, to pay the amount of salvage payable in respect of the preservation of life, the Minister may, in his discretion, award to the salvor out of the general revenue of the Federation such sum as he thinks fit in whole or part satisfaction of any amount of salvage so left unpaid.

### **390. Salvage of cargo or wreck**

Where any vessel is wrecked, stranded, or in distress at any place on or near the coasts of the Federation, or in any tidal water within the limits of the Federation, and services are rendered by any person in assisting that vessel or saving the cargo or apparel of that vessel or any part thereof, and where services are rendered by any person other than a receiver in saving any wreck, there shall be payable to the salvor by the owner of the vessel, cargo, apparel or wreck, a reasonable amount of salvage to be determined in case of dispute in manner hereinafter mentioned.

### **391. Services to which sections 354 and 355 do not apply**

Nothing in section 389 or section 390 shall entitle any person to remuneration -

- (a) In respect of services rendered contrary to an express and reasonable prohibition of such services on the part of the vessel to which the same were rendered;
- (b) in respect of services rendered by a tug to or in respect of the vessel which she is towing or the cargo thereof, except where such services are of an exceptional character such as are outside the scope of the contract of towage.

### **392. Where both vessels belong to the same owner**

Sections 389 and 390 shall have effect notwithstanding that the vessel rendering the services and the vessel to which the services are rendered may be owned by the same person.

## *Procedure in Salvage*

### **393. Determination of salvage disputes**

(1) Disputes as to the amounts of salvage, whether of life or property and whether rendered within or without the Federation, arising between the salvor and the owners of any vessel, cargo, apparel or wreck shall, if not settled by agreement, arbitration or otherwise, be determined summarily by a Sessions Court in any case where -

- (a) the parties to the dispute consent; or
- (b) the value of the property saved does not exceed five thousand dollars; or
- (c) the amount claimed does not exceed one thousand dollars.

(2) Subject as aforesaid, disputes as to salvage shall be determined by the High Court, but if the claimant does not recover in the High Court more than one thousand dollars, he shall not be entitled to recover any costs, charges or expenses incurred by him in the prosecution of his claim unless such Court certifies that the case is a fit one to be tried by the High Court.

(3) Disputes relating to salvage may be determined on the application either of the salvor or of the owner of the property saved or of their respective agents.

#### **394. Determination of disputes as to salvage summarily**

(1) Disputes as to salvage which are to be determined summarily in manner provided by this Ordinance shall -

(a) where the dispute relates to the salvage of wreck, be referred to a Sessions Court having jurisdiction at or near the place where the wreck is found; or

(b) where the dispute relates to salvage in the case of services rendered to any vessel or to the cargo or apparel thereof or in saving life therefrom be referred to a Sessions Court having jurisdiction at or near the port in the Federation into which the vessel is first brought after the occurrence by reason whereof the claim of salvage arises.

(2) A Sessions Court may, for the purpose of determining any such dispute, call in to its assistance any person conversant with maritime affairs as assessor, and there shall be paid as part of the costs of the proceedings to every such assessor in respect of his services such sum not exceeding fifty dollars as the Minister directs.

#### **395. Apportionment of salvage amongst owners, etc. foreign ship**

Where any dispute arises as to the appointment of any amount of salvage among the owners, master, pilot, crew, and other persons in the service of any foreign vessel, the amount shall be apportioned by the Court or person making the apportionment in accordance with the law of the country to which the vessel belongs.

#### **396. Matters to be considered in determining amount or distribution of salvage**

(1) In determining the amount payable under section 389 or section 390 or the proportion in which the remuneration is to be distributed among the salvors, the Court shall take into consideration -

(a) the measure of success obtained;

(b) the effects and deserts of the salvors;

(c) the danger run by the salvaged vessel, by her passengers, crew, and cargo;

(d) the danger run by the salvaging vessel and the salvors;

(e) the time expended, the expenses incurred, the losses suffered, and the risks of liability and other risks run by the salvors and the value of the property exposed to such risks, due

regard being had to the special appropriation (if any) of the salvors' vessel for salvage purposes;

(f) the value of the property salvaged.

(2) If it appear to the Court that the salvors have by their fault rendered the salvage or assistance necessary or have been guilty of theft or of any fraud, the Court may disallow or otherwise deal with any claim to remuneration as it may deem fit.

### **397. Appeal in case of salvage disputes**

Where a dispute relating to salvage has been determined by a Sessions Court, any party aggrieved by the decision may appeal therefrom in accordance with the Rules of the Supreme Court to the Court of Appeal, but no such appeal shall be allowed unless the sum in dispute exceeds five hundred dollars.

### **398. Valuation of property by receiver**

(1) Where any dispute as to salvage arises, the receiver of the district where the property is in respect of which the salvage claim is made may, on the application of either party, appoint a valuer to value that property, and shall give copies of the valuation to both parties.

(2) Any copy of the valuation purporting to be signed by the valuer, and to be certified as a true copy by the receiver, shall be admissible as evidence in any subsequent proceeding.

(3) Such fee as the Minister directs shall be paid in respect of the valuation by the person applying for the same.

### **399. Detention of property liable to salvage by a receiver**

(1) Where salvage is due to any person under this Ordinance, the receiver shall -

(a) if the salvage is due in respect of services rendered in assisting any vessel, or in saving life therefrom, or in saving the cargo or apparel thereof, detain the vessel and cargo or apparel; and

(b) if the salvage is due in respect of the saving of any wreck, and the wreck is not sold as unclaimed under the Ordinance, detain the wreck.

(2) Subject as hereinafter mentioned, the receiver shall detain the vessel and the cargo and apparel, or the wreck (hereinafter referred to as "detained property), until payment is made for salvage or process is issued for the arrest or detention thereof by the High Court.

(3) A receiver may release any detained property if security is given to his satisfaction or, if the claim for salvage exceeds one thousand dollars and any question is raised as to the sufficiency of the security, to the satisfaction of a Judge of the High Court.

(4) Any security given for salvage in pursuance of this section to an amount exceeding one thousand dollars may be enforced by the High Court in the same manner as if bail had been given by that Court.

#### **400. Sale of detained property**

(1) The receiver may sell any detained property, if the person to pay the salvage in respect of which the property is detained are aware of the detention, in the following cases -

(a) where the amount is not disputed and payment of the amount due is not made within twenty days after the amount is due;

(b) where the amount is disputed but no appeal lies, and payment is not made within twenty days after the decision of such Court; or

(c) where the amount is disputed and an appeal lies from the decision of the Court to the Court of Appeal, and within twenty days of the decision neither payment of the sum due is made nor have any proceedings been taken for the purpose of appeal.

(2) The proceeds of sale of detained property shall, after payment of the expenses of the sale, be applied by the receiver in payment of the expenses, fees and salvage, and, so far as not required for that purpose, shall be paid to the owners of the property or any other person entitled to receive the same.

#### **401. Apportionment of salvage by receiver**

(1) Where the aggregate amount of salvage payable in respect of salvage services rendered in the Federation has been finally determined, either summarily in manner provided by this Ordinance or by agreement, and does not exceed one thousand dollars, but a dispute arises as to the apportionment thereof among several claimants, the person liable to pay the amount may apply to the receiver for liberty to pay the same to him.

(2) The receiver shall, if he thinks fit, receive the same accordingly, and shall grant to the person paying the amount a certificate of the amount paid and of the services in respect of which it is paid, and that certificate shall be a full discharge and indemnity to the person by whom the money is held and to his vessel, cargo, apparel and effects against the claims of all persons whomsoever in respect of the services mentioned in the certificate.

(3) The receiver shall with all convenient speed distribute any amount received by him under this section among the persons entitled to the same on such evidence and in such shares and

proportions as he thinks fit, and may retain any money which appears to him to be payable to any person who is absent.

(4) A distribution made by the receiver in pursuance of this section shall be final and conclusive as against all persons claiming to be entitled to any portion of the amount distributed.

#### **402. Apportionment of salvage by High Court**

Whenever the aggregate amount of salvage payable in respect of salvage service rendered in the Federation has been finally ascertained and exceeds one thousand dollars, and whenever the aggregate amount rendered elsewhere has been finally ascertained, whatever that amount may be, then, if any delay or dispute arises as to the apportionment thereof, the High Court-

- (a) may cause the same to be apportioned amongst the persons entitled thereto in such manner as it thinks just, and may for that purpose, if it thinks fit, appoint any person to carry that apportionment into effect;
- (b) may compel any person in whose hands or under whose control the amount may be to distribute the same or to bring the same into Court to be there dealt with as the Court directs; and
- (c) may for the purposes aforesaid issue such processes as it thinks fit.

#### ***Jurisdiction of High Court in Salvage***

#### **403. Jurisdiction of High Court in salvage**

Subject to this Ordinance and any Imperial Act in force in the Federation or any part thereof, the High Court shall have jurisdiction to decide upon all claims whatsoever relating to salvage, whether the services in respect of which salvage is claimed were performed on the high seas or within the Federation, or partly on the high seas and partly within the Federation, and whether the wreck in respect of which salvage is claimed is found on the sea or on the land or partly on the sea and partly on the land.

#### ***Fees of Receivers of Wreck***

#### **404. Receiver's fees**

(1) There shall be paid to every receiver the expenses properly incurred by him in the performance of his duties, and also, in respect of the several matters specified in the Ninth Schedule, such fees as are therein mentioned, but a receiver shall not be entitled to any remuneration other than those payments.

(2) The receiver shall, in addition to all other rights and remedies for the recovery of those expenses or fees, have the same rights and remedies in respect thereof as a salvor has in respect of salvage due to him.

(3) Whenever any dispute arises as to the amount payable to any receiver in respect of expenses or fees, that dispute shall be determined by the Minister, whose decision shall be final.

(4) All fees received by a receiver in respect of any services performed by him as receiver shall be accounted for to Government, and shall be applied in defraying any expenses duly incurred in carrying this Ordinance into effect, and, subject to such application, shall form part of the public revenue of the Federation.