

PUBLICLY OWNED SHIP AND FOREIGN STATE OWNED

The Admiralty (Jurisdiction and Settlement of Maritime Claims) Act, 2017 shall not apply to a warship, naval auxiliary or other vessel owned or operated by the Central or a State Government and used for any non-commercial purpose, and, shall also not apply to a foreign vessel which is used for any non-commercial purpose as may be notified by the Central Government.

A vessel owned by Government owned companies are within the purview of the act.

If the ship belongs to Government of Foreign State, in that event consent of the Central Government in India would be required to proceed against the vessel and its owners. State-owned vessels serving commercial purposes are subject to the same rules as private vessels and therefore do not enjoy immunity. On the other hand, state-owned vessels serving public purposes (Navy, etc.) enjoy immunity from arrest.