

(3) An Order in Council under this section may contain such transitional and other consequential provisions as appear to Her Majesty to be expedient, and may confer any functions under the Order on a Minister of the Crown in the United Kingdom or on any Governor or other authority in any of the countries or places mentioned in paragraphs (a), (b) and (c) of subsection (1) of the last foregoing section, including a power to grant exemptions from any requirements imposed by such an Order.

(4) An Order in Council under this section may be varied or revoked by a subsequent Order in Council.

(5) An Order in Council under this section shall not be made unless a draft of the Order has been laid before Parliament and approved by a resolution of each House of Parliament:

Provided that this subsection shall not apply to an Order which applies only to the Isle of Man or all or any of the Channel Islands.

Application
to Scotland.

11. In the application of this Act to Scotland—

(a) there shall be substituted—

(i) for any reference to a tort, a reference to a wrongful act or a negligent act or omission;

(ii) for any reference to a tortfeasor, a reference to a person who has been or might be held liable for loss or damage arising from any such act or omission;

(iii) for any reference to the obtaining of judgment, a reference to the pronouncing of decree;

(iv) for any reference to the issuing of execution, a reference to the execution of diligence;

(v) for any reference to an arbitrator, a reference to an arbiter; and

(vi) for any reference to a plaintiff, a reference to a pursuer;

(b) for section three there shall be substituted the following section—

Fatal
accidents.

3. The reference in Article 17 in the First Schedule to this Act to the liability of a carrier for damage sustained in the event of the death of a passenger shall be construed as including liability to such persons as are entitled, apart from this Act, to sue the carrier (whether for patrimonial damage or solatium or both) in respect of the death.”;

(c) in section five, subsection (1) shall have effect notwithstanding anything in section six of the Law Reform (Limitation of Actions, &c.) Act, 1954; and in subsection (3), for the words from “and subsections (3) and (4)” to the end of the subsection there shall be substituted the words “and for the purpose of this subsection an arbitration shall be deemed to be commenced when one party to the arbitration