

## SCHEDULES

### SCHEDULE 6

#### ALTERATION OF PENALTIES

#### PART VI

##### MISCELLANEOUS PENALTIES ON SUMMARY CONVICTION

###### *Miscellaneous*

- 10 In section 667(3) of the Merchant Shipping Act 1894 (under which a person who fails to comply with a notice to extinguish or screen a light which may be mistaken for a lighthouse is guilty of a common nuisance and is also liable to a fine not exceeding £100) for the words from " a common nuisance " onwards there shall be substituted the words " an offence and liable to a fine not exceeding one thousand pounds ".
- 11 In subsection (2) of section 723 of the Merchant Shipping Act 1894 (which provides that a person who fails to produce a log book or document which he is required to produce under that section or who refuses to allow the same to be inspected or copied or commits any other offence mentioned in that subsection shall be liable to a fine not exceeding £50 in some cases and £20 in others)—
- (a) for the words " or refuses to allow the same " there shall be substituted the words " that person shall be liable to a fine not exceeding two hundred pounds and if any person on being so required refuses to allow such a book or document "; and
  - (b) for the words from " for each offence " onwards there shall be substituted the words " be liable to a fine not exceeding one thousand pounds ".
- 12 Subsection (4) of section 724 of the Merchant Shipping Act 1894 (which provides that a surveyor of ships who receives unauthorised remuneration in respect of the duties he performs under that Act shall be liable to a fine not exceeding £50) shall be omitted.
- 13 In section 76(3) of the Merchant Shipping Act 1906 (under which the master of a ship carrying passengers who fails to make a return of particulars of the passengers as required by that section or makes a false return and a passenger who refuses to give information required for such a return or gives false information is liable on summary conviction to a fine not exceeding £50 in some cases and £20 in others) for the words from "not exceeding" onwards there shall be substituted the words " not exceeding fifty pounds in the case of a failure or refusal and two hundred pounds in the case of a false return or false information ".
- 14 In subsection (5) of section 24 of the Merchant Shipping (Safety Convention) Act 1949 (under which a master of a ship carrying grain who fails to deliver to customs the notice required by that section or delivers such a notice which is false in a

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*Status: This is the original version (as it was originally enacted).*

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- material particular is liable to a fine not exceeding £100) for the words " one hundred pounds " there shall be substituted the words " two hundred pounds in the case of a failure and five hundred pounds in the case of a false statement ".
- 15 In Schedule 1 to the Merchant Shipping (Load Lines) Act 1967 (under which any of the following offences, namely, an offence under section 283 of the Merchant Shipping Act 1894 of carrying passengers in excess, an offence under section 21 of the Merchant Shipping Act 1906 of not complying with provisions requiring a passenger steamer to be surveyed and to have a passenger steamer's certificate and an offence under section 12(3)(a) of the Merchant Shipping (Safety Convention) Act 1949 of going to sea without appropriate certificates, is punishable on summary conviction with a fine of up to £1,000 in some cases and £400 in others)—
- (a) in column 3 of the entry relating to the said section 283, for the word " £400 " there shall be substituted the word " £50,000 "; and
  - (b) in column 3 of the entries relating to the said sections 21 and 12(3)(a), for the word " £400 " there shall be substituted the word " £1,000 ".
- 16 In subsection (8) of section 9 of the Prevention of Oil Pollution Act 1971 (under which a harbour authority is liable to a fine not exceeding £10 for each day on which it fails to comply with a direction to provide oil reception facilities) for the word " £10 " there shall be substituted the words " £500 and to a further fine not exceeding £50 ".
- 17 In section 17(5) of the said Act of 1971 (which among other things provides for a fine of up to £500 on summary conviction of an offence of making a false entry in a record relating to oil) for the word "£500" in the third place where it occurs there shall be substituted the word " £1,000 ".
- 18 In subsection (6) of section 3 of the Merchant Shipping Act 1974 (under paragraph (a) of which a person who fails to provide information as required by that section is liable on summary conviction to a fine not exceeding £1,000 in some cases and £400 in others and under paragraph (b) of which a person who provides false information is so liable) for paragraph (i) there shall be substituted the words " (i) on summary conviction to a fine not exceeding £500 in the case of an offence under paragraph (a) of this subsection and not exceeding £1,000 in the case of an offence under paragraph (b) of this subsection, and ".
- 19 In subsection (9) of section 14 of the Merchant Shipping Act 1974 (under paragraph (a) of which a person who fails to provide information as required by that section is liable on summary conviction to a fine not exceeding £400 and under paragraph (b) of which a person who provides false information is so liable), for the word " £400 " there shall be substituted the words " £500 in the case of an offence under paragraph (a) of this subsection and not exceeding £1,000 in the case of an offence under paragraph (b) of this subsection ".
- 20 In paragraph 3(2) of Schedule 5 to the Merchant Shipping Act 1974 (under which a person who commits an offence created by regulations relating to submersible or supporting apparatus is liable on summary conviction to a fine not exceeding £1,000 in some cases and £400 in others unless the regulations prescribe a lower limit) for paragraph (a) there shall be substituted the words " (a) on summary conviction a fine not exceeding £1,000 ".