



# Merchant Shipping Act 1965

## 1965 CHAPTER 47

An Act to amend the law relating to the measurement of the tonnage of merchant ships and the marking of load lines. [5th August 1965]

### Modifications etc. (not altering text)

- C1** Functions of Board of Trade which were exercisable concurrently by Secretary of State: *S.I. 1970/1537, art. 2(1)* ceased to be exercisable by the Board of Trade: *S.I. 1983/1127, art. 2(4)*
- C2** Act modified by *Merchant Shipping Act 1988 (c. 12, SIF 111), s. 47(2)(b)*, (with s. 58(4), Sch 8 para. 1) and by *S.I. 1989/1991, art. 10*
- C3** Act excluded by *S.I. 1989/1991, arts. 11–14*

### Commencement Information

- II** Act not in force at Royal Assent. Act wholly in force at 1.3.1967.

## 1 Tonnage regulations.

- (1) The tonnage of any ship to be registered under the principal Act (whether under Part I or Part IV thereof) shall be ascertained in accordance with regulations made by the Board of Trade by statutory instrument; and those regulations shall, as respects anything done after the commencement of this Act, be taken to be the provisions referred to in the principal Act as the tonnage regulations of that Act.
- (2) Regulations under this section—
- may make different provision for different descriptions of ships or for the same description of ships in different circumstances;
  - may make any provision thereof dependent on compliance with such conditions, to be evidenced in such manner, as may be specified in the regulations;
  - .....<sup>F1</sup>
  - may prohibit or restrict the carriage of goods or stores in spaces not included in the registered tonnage of a ship and may provide for making the master and the owner each liable to a fine not exceeding [<sup>F2</sup>level 3 on the standard scale] where such a prohibition or restriction is contravened.

*Status: Point in time view as at 01/02/1991.*

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- (3) Regulations under this section may make provision for assigning to a ship, either instead of or as an alternative to the tonnage ascertained in accordance with the other provisions of the regulations, a lower tonnage applicable where the ship is not loaded to the full depth to which it can be safely loaded, and for indicating on the ship, by such mark as may be specified in the regulations, that such a lower tonnage has been assigned to it and, where it has been assigned to it as an alternative, the depth to which the ship may be loaded for the lower tonnage to be applicable.
- (4) Regulations under this section may provide for the measurement and survey of ships to be undertaken, in such circumstances as may be specified in the regulations and notwithstanding sections 6 and 86 of the principal Act, by persons appointed by such organisations as may be authorised in that behalf by the Board of Trade; and so much of [<sup>F3</sup>sections 83 and 676 of the principal Act as require the payment of fees into the Consolidated Fund] shall not apply to fees payable under the said section 83 to persons appointed in pursuance of this subsection.
- [<sup>F4</sup>(5) Regulations under this section may make provision for the alteration (notwithstanding section 82 of the principal Act) of the particulars relating to the registered tonnage of a ship.
- (6) Regulations under this section may provide for the issue by the Board of Trade or by persons appointed by such organisations as may be authorised in that behalf by the Board of Trade of certificates of the registered tonnage of any ship or of the tonnage which is to be taken for any purpose specified in the regulations as the tonnage of a ship not registered in the United Kingdom, and for the cancellation and delivery up of such certificates in such circumstances as may be prescribed by the regulations.
- (6A) Regulations under this section requiring the delivery up of any certificate may make a failure to comply with the requirement an offence punishable on summary conviction with a fine not exceeding [<sup>F2</sup>level 3 on the standard scale].]
- (7) Any statutory instrument made under this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.

**Textual Amendments**

**F1** S. 1(2)(c) repealed by Merchant Shipping Act 1988 (c. 12, SIF 111), s. 57(5), **Sch. 7**, (with s. 58(4), Sch. 8 para. 1)

**F2** Words substituted by virtue of (E.W.) Criminal Justice Act 1982 (c. 48, SIF 39:1), **s. 46**; (S.) Criminal Procedure (Scotland) Act 1975 (c. 21, SIF 39:1), **s. 289G** and (N.I.) S.I. 1984/703 (N.I. 3), **art. 5**

**F3** Words substituted by Merchant Shipping Act 1988 (c. 12, SIF 111), s. 57(4), **Sch. 6**, (with s. 58(4), Sch. 8 para. 1)

**F4** S. 1(5)(6)(6A) substituted by Merchant Shipping Act 1970 (c. 36), **ss. 91**,

2 <sup>F5</sup> .....

**Textual Amendments**

**F5** S. 2 repealed by Merchant Shipping (Load Lines) Act 1967 (c. 27), s. 33(1), **Sch. 2**

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### 3 Transitional provision.

The provisions made with respect to the ascertainment of tonnage by the <sup>M1</sup>Merchant Shipping (Fishing Boats Registry Order 1927 shall have effect as if contained in, and accordingly may be amended or revoked by, regulations under this Act.

#### Marginal Citations

**M1** 1927 No. 642.

### 4 <sup>F6</sup> .....

#### Textual Amendments

**F6** S. 4 repealed by [Industrial Expansion Act 1968 \(c. 32\)](#), [Sch. 4](#)

### 5 Provisions as to Northern Ireland.

(1) This Act extends to Northern Ireland.

(2) ..... <sup>F7</sup>

#### Textual Amendments

**F7** S. 5(2) repealed by [S.I. 1981/233](#), [Sch. 1 Pt. I](#)

### 6 Application to British possessions, etc.

Her Majesty may by Order in Council direct that the provisions of this Act shall extend, with such exceptions, adaptations and modifications as may be specified in the Order, to—

- (a) the Isle of Man;
- (b) any of the Channel Islands;
- (c) any colony, or any country or place outside Her Majesty's dominions in which for the time being Her Majesty has jurisdiction, or any territory consisting partly of one or more colonies and partly of one or more such countries or places.

### 7 Amendments and repeals.

(1) The enactments mentioned in Schedule 1 to this Act shall have effect subject to the amendments specified in relation thereto in the second column of that Schedule, being minor amendments and amendments consequential on the foregoing provisions of this Act.

(2) ..... <sup>F8</sup>

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**Textual Amendments**

**F8** [S. 7\(2\)](#) repealed by Statute Law (Repeals) Act 1974 (c. 227, Sch. Pt. XI)

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**Modifications etc. (not altering text)**

**C4** The text of [S. 7\(1\)](#) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

**8 Interpretation, construction, citation and commencement.**

- (1) In this Act “the principal Act” means the <sup>M2</sup>Merchant Shipping Act 1894.
- (2) This Act shall be construed as one with the Merchant Shipping Acts 1894 to 1964.
- (3) This Act may be cited as the Merchant Shipping Act 1965, and the Merchant Shipping Acts 1894 to 1964 and this Act may be cited together as the Merchant Shipping Acts 1894 to 1965.
- (4) This Act shall come into operation on such day as Her Majesty may by Order in Council appoint.

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**Modifications etc. (not altering text)**

**C5** 1.3.1967 appointed under s. 8(4) by [S.I. 1967/157](#)

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**Marginal Citations**

**M2** [1894 c. 60.](#)

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## SCHEDULES 1

Section 7(1).

### MINOR AND CONSEQUENTIAL AMENDMENTS

#### Modifications etc. (not altering text)

- C6** The text of Schedule 1 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

#### Enactment amended

The Merchant Shipping Act 1894 57 & 58  
Vict. c. 60.

#### Amendment

In section 84, there shall be added at the end of subsection (1) the words “and any space shown by the certificate of registry or other national papers of any such ship as deducted from the tonnage shall, where a similar deduction in the case of a British ship depends on the compliance with any conditions or on the compliance being evidenced in any manner, be deemed to comply with those conditions and to be so evidenced, unless a surveyor of ships certifies to the Board of Trade that the construction and the equipment of the ship as respects that space do not come up to the standard which would be required if the ship were a British ship registered in the United Kingdom”.

...  
**F9**

...  
**F10**

At the end of Part II of Schedule 1 there shall be added the words “Bill of sale”.

...  
**F11**

#### Textual Amendments

- F9** Entry repealed by [Merchant Shipping Act 1988 \(c. 12, SIF 111\)](#), s. 57(5), [Sch. 7](#), (with s. 58(4), Sch. 8 para. 1)
- F10** [Sch. 1](#) repealed in part by [Merchant Shipping \(Load Lines\) Act 1967 \(c. 27\)](#), s. 33(1), [Sch. 2](#) and [Statute Law \(Repeals\) Act 1974 \(c. 22\)](#), [Sch. Pt. XI](#)
- F11** Entry repealed by [Merchant Shipping Act 1979 \(c. 39, SIF 111\)](#), [ss. 47\(2\)](#), 50(4)

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F12F12 SCHEDULE 2

**Textual Amendments**

**F12** Sch. 2 repealed by Statute Law (Repeals) Act 1974 (c. 22), **Sch. Pt. XI**

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F12

**Status:**

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**Changes to legislation:**

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