

SCHEDULES

SCHEDULE 6

Section 43.

ALTERATION OF PENALTIES

PART I

MAXIMUM FINE OF £50 ON SUMMARY CONVICTION

<i>Enactment</i>	<i>Subject matter</i>
Merchant Shipping Act 1894 (c. 60) —	
section 111(4)	Engaging of seamen by unauthorised person.
section 112(2)	Receiving remuneration from seamen for engagement.
section 280(2)	Surrender of passenger steamer's certificate.
section 281(2)	Display of passenger steamer's certificate.
section 287	Miscellaneous offences in connection with passenger steamers.
section 373(4)	Use of unregistered fishing boat.
section 385(5)	Failure to record or report occurrences on fishing boats.
section 417(4)	Transfer of fish from fishing boats to collecting vessels.
section 543(2)	Failure by manufacturer to mark information on anchor.
section 722(2)	Use or supply of unauthorised forms.
Merchant Shipping (International Labour Conventions) Act 1925 (c. 42) —	
section 4	Employment in ships of persons under 18.
Merchant Shipping (Safety and Load Line Conventions) Act 1932 (c. 9) —	
section 12(2)	Failure to return memorandum about life-saving appliances.
section 31(2)	Failure to give notice of Atlantic routes used by passenger line.
Merchant Shipping Act 1970 (c. 36) —	

Status: This is the original version (as it was originally enacted).

<i>Enactment</i>	<i>Subject matter</i>
section 8(5), including section 8(5) as set out in Schedule 2	Delivery to seaman of account of wages.
section 78	Unauthorised persons on ship in port.
section 89(4)	Impeding arrest of deserter from foreign ship.

PART II

MAXIMUM FINE OF £200 ON SUMMARY CONVICTION

<i>Enactment</i>	<i>Subject matter</i>
Merchant Shipping Act 1894 (c. 60)—	
section 7(5)	Marking of ships.
section 15(2)	Delivery up of ship's certificate of registry for purpose of navigation.
section 18(3)	Delivery up of ship's provisional certificate of registry to registrar.
section 20(4)	Delivery up of certificate on change of ownership of ship.
section 21(3)	Notice and delivery up of certificate on loss of ship or transfer to person not qualified to own British ship.
section 44(11)	Production of certificates on sale of ship to person not qualified to own British ship.
section 47(8)	Breach of rules as to name of ship.
section 59(3)	Registration of particulars of ship's managing owner or manager.
section 74(2)	Failure to hoist national colours.
section 536(1)	Unauthorised boarding of vessel which is wrecked or in distress.
section 726(3)	Failure to give information and assistance to surveyor of ship.
Merchant Shipping (Safety and Load Line Conventions) Act 1932 (c. 9)—	
section 27	Going to sea without approved signalling lamp.
section 29(2)	Form of steering orders.
Merchant Shipping Act 1970 (c. 36)—	
section 22(4) excluding paragraphs (a) and (b)	Master's failure to arrange for seamen to complain to proper officer about food.

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

<i>Enactment</i>	<i>Subject matter</i>
section 23(3)	Master's failure to arrange for seamen to complain to proper officer about conditions on board.
section 47	Production of certificates of qualification.
section 51(4)	Employment in ships of persons under 18.
section 59	Failure to deliver certificate as required by section 52, 53, 54 or 56.
section 74	Handing over of documents on change of master.
paragraph 3 of Part I of Schedule 2 Prevention of Oil Pollution Act 1971 (c. 60)—	Production of certificates of qualification.
section 10(5)	Restrictions on transfer of oil at night.
section 18(8) except so far as it relates to obstruction	Failure to comply with requirement to produce book or records or to certify true copy.

PART III

MAXIMUM FINE OF £500 ON SUMMARY CONVICTION

<i>Enactment</i>	<i>Subject matter</i>
Merchant Shipping Act 1894 (c. 60)—	
section 10(3)	False statement in certificate given by builder of ship.
section 518	Failure to deliver wreck or particulars of wreck to receiver.
section 519(2)	Retaining cargo washed up from wreck.
section 536(2)	Impeding assistance for a ship in distress or removing its cargo.
section 666(2)	Injuring lighthouses, lightships and similar equipment.
Merchant Shipping (Safety and Load Line Conventions) Act 1932 (c. 9)—	
section 24(3)	Failure to report danger to navigation.
Merchant Shipping Act 1970 (c. 36)—	
section 1(8)	Breach of provisions about crew agreements.
section 21(4)	Breach of regulations about food.

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

<i>Enactment</i>	<i>Subject matter</i>
section 22(4)(a) and (b)	Retention or use of food which is unfit or of wrong quality.
section 24(2)	Inadequate medical stores.
section 68(6)	Destruction and mutilation of official log book.
section 70(4)	False statement to obtain British seaman's card.
section 86(2)	Going to sea without appropriate charts etc.
paragraph 4(2) of Part I of Schedule 2	Maximum period of duty for seamen employed in fishing vessels.
Merchant Shipping (Oil Pollution) Act 1971 (c. 59)—	
section 10(7)	Carrying and production of certificate in respect of insurance cover for oil pollution damage.
Prevention of Oil Pollution Act 1971 (c. 60)—	
section 18(8) so far as it relates to obstruction	Failure to comply with requirements to produce book or records or to certify true copy.

PART IV

MAXIMUM FINE OF £1,000 ON SUMMARY CONVICTION

<i>Enactment</i>	<i>Subject matter</i>
Merchant Shipping Act 1894 (c. 60)—	
section 436(4)	Recording of ship's draught.
section 488(4)	Obstruction of survey of ship.
section 689(4)	Conveyance from abroad of offenders and witnesses.
Merchant Shipping (Load Lines) Act 1967 (c. 27)—	
section 5	Observance of marking requirements of ship.
Merchant Shipping Act 1970 (c. 36)—	
section 20(6)	Contravention of crew accommodation regulations.
section 43(5)	False statement to obtain certificate of competence.

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

<i>Enactment</i>	<i>Subject matter</i>
section 48(2)	Going to sea with inadequate arrangements for translating orders to foreign crew.
section 50(2)	False statement to obtain special certificate of competence.
section 73(2)	Failure to report shipping casualty.
section 76(4)	Obstruction of inspections and surveys.
Prevention of Oil Pollution Act 1971 (c. 60)—	
section 11(3)	Failure to report discharge of oil into waters of harbour.
Merchant Shipping Act 1974 (c. 43)—	
section 3(5)	Unauthorised disclosure of information.
section 14(8)	Unauthorised disclosure of information.
paragraph 4(3) of Schedule 2	Obstruction of inspection or survey of foreign oil tanker.

PART V

FINE ON CONVICTION ON INDICTMENT AND MAXIMUM FINE OF £1,000 ON SUMMARY CONVICTION

<i>Enactment</i>	<i>Subject matter</i>
Merchant Shipping Act 1894 (c. 60)—	
section 285(5)	Safety equipment for passenger steamers.
section 286	Unauthorised weight on safety valve of passenger steamer.
section 413(2)	Fishing boat sailing without certificated skipper and second hand.
section 413(3)	Service or employment of uncertificated person as skipper or second hand of fishing boat.
section 430(1)	Provision of life-saving appliances for ships.
section 432(2)	Adjustment of compasses and provision of hose in ship.
section 433	Unauthorised weight on safety valve of steamship.
The Merchant Shipping Act 1906 (c. 48)—	
section 16(2)	Passengers not to be carried on more than one deck below water line.

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

<i>Enactment</i>	<i>Subject matter</i>
Merchant Shipping (Safety and Load Line Conventions) Act 1932 (c. 9)— section 30(2)	Avoidance of danger from ice.
Merchant Shipping (Safety Convention) Act 1949 (c. 43)— section 5(5)	Breach of rules for direction-finders.
section 6(3)	Breach of rules about radio navigational aids.
section 6(4)	Using unauthorised apparatus for signals to or from radio navigational aids.
section 12(3)(b)	Steamer other than passenger steamer going to sea without certificates.
section 12(6)	Compliance with conditions of exemption certificate.
section 19(2)	Compliance with rules about closing of openings in ship's hull.
section 21(3)	Misuse of distress signals.
section 23(3)	Breach of rules about carriage of dangerous goods.
section 24(1)	Failure to take precautions in loading grain to prevent it from shifting.
section 24(2)	Entering port with grain which was loaded without precautions to prevent it from shifting.
Merchant Shipping Act 1964 (c. 47)— section 5(2)	Going to sea without safety construction certificate.
section 7(1)	Breach of cargo ship construction and survey rules.
Merchant Shipping (Load Lines) Act 1967 (c. 27)— section 3(2)	Breach of load line rules in respect of British ship.
section 4(4)	Taking or sending ship to sea with load line submerged.
section 9(3)	Going to sea without load line certificate.
section 13(3)	Breach of load line rules in respect of foreign ship.
section 24(4)	Breach of deck cargo regulations.
Fishing Vessels (Safety Provisions) Act 1970 (c. 27)—	

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

<i>Enactment</i>	<i>Subject matter</i>
section 1(4)	Contravention of construction rules.
section 4(2)	Going to sea without certificates of compliance with construction and other rules.
Merchant Shipping Act 1970 (c. 36)—	
section 45	Going to sea undermanned.
section 46(1)	Unqualified person going to sea as qualified.

PART VI

MISCELLANEOUS PENALTIES ON SUMMARY CONVICTION

Maximum fines of £50

- 1 In section 373(5)(d) of the Merchant Shipping Act 1894 (which enables regulations relating to the registration of fishing boats to provide for fines for breaches of the regulations of up to £50 in some cases and £20 in others) for the words from " fines" to " pounds" there shall be substituted the words " fines not exceeding fifty pounds ".
- 2 In subsection (2) of section 77 of the Merchant Shipping Act 1906 (which provides that the master of a ship carrying cattlemen to the United Kingdom who fails to make a return of particulars of the cattlemen as required by that section shall be liable on summary conviction to a fine not exceeding £100 and that a cattleman who refuses to give information required for the purposes of a return under that section shall be liable on summary conviction to imprisonment for up to 3 months) for the words " one hundred pounds" there shall be substituted the words " fifty pounds " and for the words from " imprisonment" onwards there shall be substituted the words " such a fine ".
- 3 In subsection (4) of section 6 of the Merchant Shipping Act 1970 (which provides that a person shall be liable to a fine of up to £50 if he acts in contravention of subsection (1) of that section and £20 if he acts in contravention of subsection (2) of that section) after the words " subsection (1) " there shall be inserted the words " or subsection (2) " and the words from " and if " onwards shall be omitted.
- 4 In sections 68(5), 69(5), 70(2), 71(2) and 72(4) of the Merchant Shipping Act 1970 (which relate respectively to official log books, lists of crews, British seamen's cards, discharge books and returns of births and deaths on ships and authorise regulations under the section in question to provide for maximum fines of £10 in the case of sections 70(2) and 71(2) and £20 in the case of sections 68(5), 69(5) and 72(4) for contraventions of the regulations) for the word " £10 " or, as the case may be, " £20" there shall be substituted the word " £50 ".

Maximum fines of £200 and £20 a day

- 5 In subsection (2) of section 48 of the Merchant Shipping Act 1894 (which among other things provides that if default is made in registering an alteration of a ship or in registering a ship anew as required by that section the owner shall be liable to a fine of up to £100 and a further fine of up to £5 for each day during which the offence continues after conviction) for the words " one hundred pounds " there shall

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be substituted the words " two hundred pounds " and for the words " five pounds " there shall be substituted the words " twenty pounds ".

6 In subsections (2)(d) and (6A) of section 1 of the Merchant Shipping Act 1965 (which authorise tonnage regulations to provide for fines not exceeding £100 for the contraventions and failures there mentioned) for the words " one hundred pounds" in subsection (2)(d) and the word "£100" in subsection (6A) there shall be substituted the word " £200 ".

7 In Schedule 1 to the Merchant Shipping (Load Lines) Act 1967 (which among other things provides for a fine of up to £50 on summary conviction of an offence under section 281(3) of the Merchant Shipping Act 1894 of not posting up a passenger steamer's certificate) in column 3 of the entry relating to the said section 281(3) for the word " £50 " there shall be substituted the word " £200 ".

8 In sections 2(2), 3(4), 62(6) and 65(3) of the Merchant Shipping Act 1970 (which relate respectively to crew agreements, the discharge of seamen, the return of seamen left overseas and the property of deceased seamen and authorise regulations under the section in question to provide for maximum fines of £50 in the case of section 2(2) and £100 in other cases for contraventions of the regulations) for the word " £50" or, as the case may be, " £100" there shall be substituted the word " £200 ".

9 In section 77(1) of the Merchant Shipping Act 1970 (under which the punishment for stowing away is a fine not exceeding £100 or imprisonment not exceeding three months) for the words from "£100" onwards there shall be substituted the word " £200 ".

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

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- 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 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 ".

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- 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 ".

PART VII

OTHER PENALTIES

The Merchant Shipping Act 1894

- 1 At the end of section 66 of the Merchant Shipping Act 1894 as it has effect in Scotland (which among other things provides that a person who forges a document mentioned in that section shall be guilty of felony) there shall be inserted the words " and liable on conviction on indictment to imprisonment for not more than seven years ".
- 2 In section 73 of the Merchant Shipping Act 1894 (which among other things provides that if unauthorised colours are hoisted on board a vessel belonging to a British subject the master or owner of the vessel and the person who hoists the colours shall be guilty of an offence for which he is liable on conviction on indictment to a fine in some cases and to a fine of up to £500 in others or on summary conviction to a fine of up to £1,000 in some cases and £100 in others)—
- (a) in subsection (2) for the words from " incur a fine " onwards there shall be substituted the words " be liable on conviction on indictment to a fine or on summary conviction to a fine not exceeding one thousand pounds "; and
 - (b) subsections (4) and (5) shall be omitted.
- 3 In section 271 of the Merchant Shipping Act 1894 (which among other things provides that, except in certain cases, no ship shall proceed to sea or on any voyage or excursion with more than twelve passengers on board unless a certificate as to survey under Part III of that Act is in force in respect of the ship) after subsection (2) there shall be inserted the following subsection—
- “(3) If a ship proceeds to sea or on any voyage or excursion when it is prohibited from doing so by subsection (1) of this section, the owner and the master of the ship shall each be guilty of an offence and liable on conviction on indictment to a fine or on summary conviction to a fine not exceeding one thousand pounds.”
- 4 Subsection (3) of section 360 of the Merchant Shipping Act 1894 (which provides that a person employed under Part III of that Act who demands or takes unauthorised remuneration for performing his duty under that Part shall for each offence be liable to a fine not exceeding £50) shall be omitted.
- 5 In section 419(2) of the Merchant Shipping Act 1894 (which provides that if an infringement of the collision regulations is caused by the wilful default of the master or owner of a ship he shall be guilty of a misdemeanour) for the words " guilty of a misdemeanour " there shall be substituted the words " liable, on conviction on indictment, to a fine and imprisonment for a term not exceeding two years or, on summary conviction.—

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- (a) to a fine not exceeding fifty thousand pounds and imprisonment for a term not exceeding six months in the case of an infringement of Rule 10(b)(i) of the regulations set out in Schedule 1 to the Collision Regulations and Distress Signals Order 1977 ; and
 - (b) to a fine not exceeding £1,000 in any other case "
- 6 In subsection (3) of section 422 of the Merchant Shipping Act 1894 (which among other things provides that if a person in charge of a vessel involved in a collision with another vessel fails without reasonable cause to render assistance to the other vessel or persons on her as required by subsection (1)(a) of that section or to give the name of his vessel and certain other information to the person in charge of the other vessel as required by subsection (1)(b) of that section he shall be guilty of a misdemeanour) for the words " a misdemeanour, and " there shall be substituted the words "an offence and—
 - (a) in the case of a failure to comply with subsection (1)(a) of this section, liable on conviction on indictment to a fine and imprisonment for a term not exceeding two years and on summary conviction to a fine not exceeding fifty thousand pounds and imprisonment for a term not exceeding six months ; and
 - (b) in the case of a failure to comply with subsection (1)(b) of this section, liable on conviction on indictment to a fine and on summary conviction to a fine not exceeding one thousand pounds,and in either case”.
- 7 In subsection (2) of section 446 of the Merchant Shipping Act 1894 (which among other things provides that a person who sends dangerous goods by ship without marking the goods and giving notice about them as required by that section shall be liable to a fine not exceeding £100 or, if he shows that he was merely an agent in the shipment and was not aware mat the goods were dangerous, then to a smaller fine)—
 - (a) for the words from " liable " to " shows that he " there shall be substituted the words " liable on conviction on indictment to a fine or on summary conviction to a fine not exceeding one thousand pounds ; but it shall be a defence to show that the accused " ; and
 - (b) the words from " then " onwards shall be omitted.
- 8 In section 447 of the Merchant Shipping Act 1894 (under which, among other things, a person who sends dangerous goods by ship under a false description or with a false description of the sender is liable on conviction on indictment to a fine in some cases and to a fine of up to £500 in others) for the words from " liable " onwards there shall be substituted the words " liable on conviction on indictment to a fine or on summary conviction to a fine not exceeding one thousand pounds ".
- 9 In paragraph (a) of subsection (1) of section 680 of the Merchant Shipping Act 1894 (under which, except in certain cases, an offence under that Act, which is declared to be a misdemeanour is punishable on conviction on indictment by a fine or by imprisonment not exceeding two years or on summary conviction with imprisonment for a term not exceeding six months or with a fine not exceeding £1,000 in some cases and £100 in others)—
 - (a) for the words " or by imprisonment" there shall be substituted the words " and by imprisonment " ;

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- (b) for the words from " or with a fine " onwards there shall be substituted the words " and with a fine not exceeding one thousand pounds ";
- and in paragraph (b) of that subsection (under which an offence under that Act which is punishable by a fine not exceeding £100 can only be prosecuted summarily except in certain cases) for the words " one hundred pounds " there shall be substituted the words " one thousand pounds ".
- 10 In section 692(1) of the Merchant Shipping Act 1894 (which among other things provides that if a ship which is detained in pursuance of that section proceeds to sea before it is released the master and the owner of the ship and any other person who sends it to sea shall be liable to a fine not exceeding £200) for the words from " liable " onwards there shall be substituted the words " liable on conviction on indictment to a fine and on summary conviction to a fine not exceeding fifty thousand pounds. ".
- 11 In section 692(2) of the Merchant Shipping Act 1894 (which among other things provides that the master and the owner of a ship which takes to sea an officer authorised to detain the ship or certain other officials shall be liable to a fine of which the maximum amount varies with the circumstances) for the words from " to a fine " onwards there shall be substituted the words " on conviction on indictment to a fine or on summary conviction to a fine not exceeding one thousand pounds ".
- 12 In section 696(2) of the Merchant Shipping Act 1894 (under which, among other things, a person who obstructs the service on the master of a ship of any document under that Act about the detention of ships as unseaworthy is liable to a fine not exceeding £25 in some cases and £10 in others) for the words from " to a fine " to " and" there shall be substituted the words " on conviction on indictment to a fine or on summary conviction to a fine not exceeding one thousand pounds, and ".
- 13 In section 702 of the Merchant Shipping Act 1894 (which provides for prosecution on indictment in Scotland)—
- (a) after the words " High Court of Justiciary ", there shall be inserted the words " or the sheriff court "; and
- (b) after the word "punishable" there shall be inserted the words " , subject to any maximum penalty prescribed in respect of any particular offence in this Act, ".
- 14 For section 703 of the Merchant Shipping Act 1894 (which provides for summary proceedings in Scotland) there shall be substituted the following section—
- “**703** In Scotland—
- (a) any offence under this Act may be tried in a summary manner before the sheriff court and if so tried shall, subject to any other penalty prescribed in respect of any particular offence in this Act, on summary conviction be punishable with imprisonment for a term not exceeding six months and with a fine not exceeding one thousand pounds ;
- (b) all prosecutions in respect of offences under this Act in respect of which the maximum penalty which may be imposed does not exceed imprisonment for a period of three months or a fine of two hundred pounds or both may be tried in a summary manner before the district court.”

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The Merchant Shipping Act 1921

- 15 In section 2(1) of the Merchant Shipping Act 1921 (under which a person who, among other things, uses in navigation a lighter or similar vessel which is so unsafe as to endanger human life is liable on summary conviction to a fine of up to £100 or to imprisonment for up to 6 months) for the words from "liable" onwards there shall be substituted the words " liable on conviction on indictment to a fine or on summary conviction to a fine not exceeding one thousand pounds ".

The Merchant Shipping (Safety Convention) Act 1949

- 16 In subsection (5) of section 3 of the Merchant Shipping (Safety Convention) Act 1949 (under which a radio officer who contravenes certain radio rules is liable to a fine not exceeding £10 and, if other radio rules are contravened in relation to a ship, the owner or master is liable on conviction on indictment to a fine in some cases and a fine not exceeding £500 in others or on summary conviction to a fine not exceeding £1,000 in some cases and £100 in others)—
- (a) for the word " £10 " there shall be substituted the word " £500 " ; and
 - (b) for the words from " on indictment" onwards there shall be substituted the words " on indictment to a fine or on summary conviction to a fine not exceeding £1,000 ".

The Merchant Shipping (Load Lines) Act 1967

- 17 In section 4 of the Merchant Shipping (Load Lines) Act 1967 (of which subsection (2) provides that if any ship is loaded in contravention of subsection (1) of that section the owner or master shall be liable on summary conviction to a fine not exceeding £400 and to an additional fine not exceeding an amount calculated in accordance with subsection (3) of that section in terms of £400 for each inch or part of an inch by which the load line is or would have been submerged)—
- (a) in subsection (2) for the words “on summary conviction—
 - (a) to a fine not exceeding £400, and” there shall be substituted the words “—
 - (a) on conviction on indictment to a fine ;” and at the beginning of paragraph (b) there shall be inserted the words " on summary conviction to a fine not exceeding £1,000 and”; and
 - (b) in subsection (3) for the words from " £400 " to " complete inches" there shall be substituted the words " £1,000 for each complete centimetre " and the words following paragraph (b) shall be omitted.

The Merchant Shipping Act 1970

- 18 In section 19(5) of the Merchant Shipping Act 1970 (which authorises safety regulations to make a contravention of the regulations punishable on summary conviction with a fine not exceeding £200 if the offence is committed by the master or owner of the ship and £20 if it is committed by another person) for the words from " summary conviction " onwards there shall be substituted the words " conviction on indictment with a fine and on summary conviction with a fine not exceeding £1,000 ".
- 19 In section 27(1) of the Merchant Shipping Act 1970 (under which the master or a member of the crew of a ship registered in the United Kingdom who improperly

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endangers the ship or persons on board the ship is liable on conviction on indictment to imprisonment for up to 2 years or to a fine and on summary conviction to a fine not exceeding £1,000 in some cases and £400 in others)—

- (a) for the words " or to a fine " there shall be inserted the words " and a fine "; and
- (b) for the words from " summary conviction " onwards there shall be substituted the words " summary conviction to a fine not exceeding £1,000 ".

20 In section 28 of the Merchant Shipping Act 1970 (which provides that a seaman who is under the influence of drink or drugs while on duty to such an extent that his capacity to carry out his duties is impaired shall be liable on summary conviction to a fine not exceeding £50) for the words from " summary conviction" onwards there shall be substituted the words " conviction on indictment to imprisonment for a term not exceeding two years and a fine and, on summary conviction, to a fine not exceeding £1,000 ".

21 In section 30 of the Merchant Shipping Act 1970 (which provides among other things that a seaman employed in a ship registered in the United Kingdom who persistently neglects his duty or disobeys orders or combines with other seamen to do so or to impede the ship's progress shall be liable on summary conviction to a fine not exceeding £100) for the words from " summary conviction " to " £100 " there shall be substituted the words " conviction on indictment, to imprisonment for a term not exceeding two years and a fine and, on summary conviction, to a fine not exceeding £1,000 ".

The Merchant Shipping Act 1974

22 In paragraph 5 of Schedule 2 to the Merchant Shipping Act 1974 (which among other things authorises oil tanker construction rules to provide for a person who breaks the rules to be liable on summary conviction to a fine of up to £100) for the word " £100 " there shall be substituted the word " £1,000 " and at the end of subparagraph (1) there shall be inserted the words " and on conviction on indictment to a fine ".