



# Merchant Shipping Act 1950

## 1950 CHAPTER 9

### 1 Regulations with respect to crew accommodation in fishing boats

- (1) The Minister may, after consultation with such organisation or organisations as appear to him to be representative of owners of British fishing boats and with such organisation or organisations as appear to him to be representative of seamen employed in British fishing boats, make regulations with respect to the crew accommodation to be provided in fishing boats of any class specified in the regulations, being—
- (a) British fishing boats registered in the United Kingdom, whether under Part I or Part IV of the principal Act and whether so registered before or after the date on which the regulations come into force; or
  - (b) boats which at any time after the said date are being constructed for use as fishing boats, and are being so constructed to the order of any person qualified under the principal Act to be the owner of a British ship, and have not been registered in the United Kingdom or elsewhere:

Provided that, subject to the provisions of any Order in Council made under the First Schedule to this Act, such regulations shall not apply to any fishing boat under construction which is being constructed at any place in His Majesty's dominions outside the United Kingdom, in India, in the Republic of Ireland or in any protectorate, protected state, trust territory or mandated territory within the meaning of the British Nationality Act, 1948, or is intended on her first registration to be registered at any such place.

- (2) Without prejudice to the generality of the preceding subsection, regulations made thereunder may, in particular—
- (a) prescribe the minimum space per man which must be provided in any fishing boat to which the regulations apply by way of sleeping accommodation for seamen and apprentices, and the maximum number of persons by whom any specified part of such accommodation may be used;
  - (b) regulate the position in any such fishing boat in which the crew accommodation or any part thereof may be located, and the standards to be observed in the construction, equipment and furnishing of any such accommodation ;

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*Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

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- (c) require the submission to a surveyor of ships of plans and specifications of any works proposed to be carried out for the purpose of the provision or alteration of any such accommodation, and authorise the surveyor to inspect any such works ;
  - (d) provide for the maintenance and repair of any such accommodation, and prohibit or restrict the use of any such accommodation for purposes other than those for which it is designed ;
- and may make different provision in respect of different classes of fishing boats and in respect of crew accommodation provided for different classes of persons.
- (3) If the provisions of any regulations made under this section are contravened in the case of any fishing boat, the owner or skipper of the fishing boat shall be liable to a fine not exceeding one hundred pounds.
  - (4) Regulations made under this section may provide that any store rooms comprised in the crew accommodation of a fishing boat shall, to such extent as may be prescribed under the regulations, be disregarded in estimating the space to be deducted from the tonnage of the fishing boat under section seventy-nine of the principal Act in respect of crew accommodation.
  - (5) The provisions of the First Schedule to this Act (being provisions contained in sections two, three, four, nine and eleven of the Merchant Shipping Act, 1948, set out with modifications) shall have effect in relation to fishing boats to which regulations made under this section apply.
  - (6) The power of the Minister to make regulations under this section shall be exercisable by statutory instrument, and any such statutory instrument shall be subject to annulment in pursuance of a resolution of either House of Parliament.