

1967 No. 1093

MERCHANT SHIPPING

The Merchant Shipping (Tonnage) (Amendment) Regulations 1967

| | |
|-------------------------------|-----------------|
| <i>Made - - - -</i> | 21st July 1967 |
| <i>Laid before Parliament</i> | 27th July 1967 |
| <i>Coming into Operation</i> | 1st August 1967 |

The Board of Trade in exercise of the powers conferred on them by section 1 of the Merchant Shipping Act 1965(a) and of all other powers enabling them in that behalf hereby make the following Regulations:—

1. The Merchant Shipping (Tonnage) Regulations 1967(b) shall have effect subject to the amendment that for Regulation 15 there shall be substituted the following Regulation:—

“15(1) Space to be taken into account for the purposes of section 85 of the principal Act (payment of dues where goods carried in spaces not forming part of registered tonnage) shall, subject to paragraph (2) of this Regulation, be ascertained in accordance with the provisions of paragraph 5 of Rule 1 of Schedule 1 to these Regulations.

(2) Where—

(a) a ship has been assigned alternative tonnages in pursuance of Regulation 12, and

(b) the tonnages applicable to the ship are the modified tonnages ascertained in accordance with Regulation 11(3),

no account shall be taken for the purpose of the said section 85 of any space, which is included in the register tonnage ascertained in accordance with Part II of these Regulations but which is not included in the modified register tonnage, to the extent that the tonnage of such space exceeds the difference between those register tonnages.

(3) Goods or stores shall not be carried in any permanently closed in space on board the ship which has not been included in the registered tonnage of the ship other than

(a) dry cargo spaces;

(b) workshops or storerooms appropriated for the use of pump men, engineers, electricians, carpenters and boatswains;

(c) the lamp room; or

(d) double bottom tanks.

(4) If goods or stores are carried in a permanently closed in space on board ship in contravention of paragraph (3) of this Regulation, the master and the owner of the ship shall each be liable to a fine not exceeding £100.”

2.—(1) The Interpretation Act 1889(a) shall apply to the interpretation of these Regulations as if these Regulations and the Regulations hereby amended were Acts of Parliament.

(2) These Regulations may be cited as the Merchant Shipping (Tonnage) (Amendment) Regulations 1967 and shall come into operation on 1st August 1967.

21st July 1967.

J. P. Mallalieu,
Minister of State,
Board of Trade.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the Merchant Shipping (Tonnage) Regulations 1967.

The principal change is that dry cargo and certain other spaces cease to be exempt for the purposes of section 85 of the Merchant Shipping Act 1894, which provides for the payment of dues based on tonnage on space not included in the registered tonnage of a ship, and consequently those spaces will be taken into account in calculating such dues if goods are carried in them.

Special provision is made where a ship has been assigned alternative tonnages and the lower of those alternative tonnages is applicable.