
STATUTORY INSTRUMENTS

1997 No. 2330

MERCHANT SHIPPING

**The Statistical Returns (Carriage of Goods
and Passengers by Sea) Regulations 1997**

Made - - - - *24th September 1997*
Laid before Parliament *8th October 1997*
Coming into force - - *1st November 1997*

The Secretary of State, being a Minister designated for the purposes of section 2(2) of the European Communities Act 1972⁽¹⁾ in relation to measures relating to maritime transport⁽²⁾, in exercise of the powers conferred on him by the said section 2(2), and of all other powers enabling him in that behalf, hereby makes the following Regulations:

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Statistical Returns (Carriage of Goods and Passengers by Sea) Regulations 1997 and shall come into force on 1st November 1997.

(2) These Regulations extend to Northern Ireland.

Interpretation

2.—(1) In these Regulations:

“maritime transport operator” means any person by whom or on behalf of whom a contract for the transport of goods or persons by sea is concluded with a shipper or a passenger:

“person carrying on business or trade in the maritime transport sector” includes any maritime transport operator and any person who acts as an agent on behalf of a maritime transport operator in relation to a contract for the transport of goods or persons by sea concluded with a shipper or a passenger;

“harbour authority”—

(a) in Great Britain, means a harbour authority within the meaning of the Harbours Act 1964⁽³⁾, and

(1) 1972. c.68.
(2) S.I.1994/757.
(3) 1964. c.40.

(b) in Northern Ireland, has the same meaning as in the Harbours Act (Northern Ireland) 1970⁽⁴⁾.

(2) Unless given a definition in these Regulations expressions used herein have the same meaning as in Council Directive 95/64/EC on statistical returns in respect of carriage of goods and passengers by sea⁽⁵⁾ (hereinafter the “Directive”).

Returns

3. The Secretary of State may require by notice in writing any person carrying on business or trade in the maritime transport sector or any harbour authority to furnish, in such form and manner and within such time as may be specified, such periodical or other returns about such of the matters set out in the Schedule to these Regulations in relation to the carriage of goods and passengers by sea going vessels as may be specified.

Offences

4. If any person required to furnish returns under these Regulations fails to furnish those returns as required, or makes a return which he knows to be false or recklessly makes a false return, he shall, unless he proves that he had reasonable excuse for the failure or false return, be liable on summary conviction to a fine not exceeding level 4 on the standard scale.

Signed by authority of the Secretary of State for Transport

Glenda Jackson
Parliamentary Under-Secretary of State,
Department of the Environment, Transport and
the Regions

24th September 1997

(4) 1970 c.

(5) OJNo. L320, 30.12.95 p.25.

SCHEDULE

Regulation 3

The matters about which persons may be required to furnish returns pursuant to regulation 3 of these Regulations are:

(1.1) Cargo, passenger and vessel movement information:

- gross weight of goods in tonnes loaded onto or unloaded from a vessel or vessels;
- type of cargo, according to the nomenclature shown in Annex II to the Directive;
- reporting port;
- direction of movement of vessel, whether inwards or outwards;
- number of movements of vessels;
- for inward cargo: the port of loading (i.e. the port in which the cargo was loaded on to the ship in which it arrived in the reporting port);
- for outward cargo: the port of unloading (i.e. the port in which the cargo is to be unloaded from the ship in which it left the reporting port);
- the number of passengers embarking on and disembarking from a voyage.

(1.2) In relation to the transport of containers or ro-ro units, the following additional particulars may be required:

- number of containers with cargo;
- number of containers without cargo;
- number of mobile (ro-ro) units with cargo;
- number of mobile (ro-ro) units without cargo;

(1.3) Information in relation to the vessel:

- deadweight and gross tonnage of vessel;
- country or territory of registration of vessel;
- type of vessel;
- name of vessel;
- Lloyds Register Number of vessel (or alternative agreed between the Secretary of State and the maritime transport operator or agent supplying the data);
- name of maritime transport operator and/or agent.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations implement Council Directive [95/64/EC](#) on statistical returns in respect of the carriage of goods and passengers by sea.

Regulation 3 enables the Secretary of State to require shipping lines, their agents and harbour authorities to furnish data concerning the matters set out in the Schedule.

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

Regulation 4 provides for criminal penalties for failure to furnish returns or furnishing of false returns.