# SCHEDULES

## SCHEDULE 2

Section 11(4).

## OIL TANKERS

### *Surveys, inspections and certificates*

1 (1) Oil tanker construction rules may provide for any surveys or inspections under the rules to be undertaken, and certificates to be issued, in such circumstances as may be specified in the rules, by persons appointed by such organisations as may be authorised for the purpose by the Secretary of State.

(2) Sub-paragraph (1) above shall have effect notwithstanding section 86 of the Merchant Shipping Act 1894 (which requires certain surveys and measurements to be carried out by officers of the Secretary of State).

(3) The rules may apply any of the following provisions of the Merchant Shipping Act 1894 with such exceptions or modifications as may be prescribed by the rules, that is—

(a) section 272(2) (surveyor to deliver declaration of survey to owner),
(b) section 273 (owner to deliver declaration to Secretary of State),
(c) section 275 (appeal to court of survey),
(d) section 276 and sections 278 to 281 (provisions about certificates),
(e) section 282 (forgery of certificate or declaration of survey).

### *Duty to notify alterations*

2 (1) The rules may require the owner of a United Kingdom oil tanker to notify the Secretary of State of any alteration to the tanker which may affect the question of its qualification or continued qualification for a tanker construction certificate or a tanker exemption certificate.

(2) If any person contravenes the rules by failing to notify such an alteration, he shall be guilty of an offence and liable on summary conviction to a fine not exceeding £1,000.

### *Clearance of outgoing tanker*

3 (1) Before a certificated oil tanker proceeds to sea, the master of the tanker shall produce the certificate to the officer of customs from whom a clearance for the ship is demanded.

(2) Before any oil tanker which is not certificated proceeds to sea, the master of the tanker shall produce to the officer of customs from whom a clearance for the ship is demanded evidence to the satisfaction of the officer that the departure will not be in contravention of section 12 of this Act.

(3) A clearance shall not be granted, and the tanker may be detained, until the certificate or other evidence is so produced.

*Inspection of foreign tanker*

4 (1) For the purpose of determining whether an oil tanker not registered in the United Kingdom is certificated, or whether, if it were a United Kingdom oil tanker, it would qualify for the issue of a tanker construction certificate or a tanker exemption certificate, a competent officer may at all reasonable times go on board the tanker and inspect any part of it, and call for the production of any document carried in the tanker.

(2) An officer exercising powers under this paragraph shall not unnecessarily detain or delay a tanker but may, if he considers it necessary in order to determine—

(a) whether the tanker should be issued with leave to sail under section 12 of this Act, or whether leave to sail should be issued subject to any conditions under subsection (3) of that section, or

(b) whether an order should be issued in respect of the tanker under section 13 of this Act,

require the tanker to be taken into dock for a survey of its hull, cargo-spaces or fuel-tanks.

(3) If any person obstructs an officer acting under this paragraph, or fails to comply with a requirement made under sub-paragraph (2) above, or fails to produce a document carried in the tanker when called on by the officer to produce it, he shall be guilty of an offence and liable on summary conviction to a fine of not more than £100.

(4) In this paragraph " competent officer " means an officer of the Secretary of State authorised by him to act thereunder.

(5) Nothing in this paragraph prejudices section 76 of the Merchant Shipping Act 1970 (general powers of inspection).

*Offences*

5 (1) Oil tanker construction rules may provide for the punishment of any contravention of or failure to comply with the rules by making a person liable on summary conviction to a fine not exceeding £100, or such lower limit as may be specified in the rules.

(2) This paragraph is without prejudice to liability for any offence against the rules for which a punishment is provided by some other provision of this Act.

*Fees*

6 Oil tanker construction rules—

(a) may, with the approval of the Treasury, prescribe the fees payable in respect of surveys and inspections carried out, and certificates issued, under the rules ;

(b) shall, subject to sub-paragraph (c) below, provide for all fees payable under the rules to be paid to the Secretary of State ; and

(c) may, in the case of surveys and inspections carried out,

and certificates issued, by persons appointed by organisations authorised under paragraph 1 above, provide for fees to be payable to those persons or organisations.