



# Merchant Shipping (Safety and Load Line Conventions) Act 1932

## 1932 CHAPTER 9

### PART II

#### LOAD LINE AND LOADING.

##### *Certificates.*

#### **47 Issue of load line certificates and effect thereof.**

- (1) Where a British load line ship registered in the United Kingdom has been surveyed and marked in accordance with the foregoing provisions of this Part of this Act and complies with the conditions of assignment to the extent required in her case by those provisions, there shall be issued to the owner of the ship on his application and on payment of the prescribed fee—
  - (a) in the case of an international load line ship, a load line certificate hereafter in this Act referred to as " a Load Line Convention certificate "; and
  - (b) in the case of a local load line ship, a load line certificate hereafter in this Act referred to as " a United Kingdom load line certificate. "
- (2) Every such certificate shall be issued either by the Board of Trade or by such other person as may be authorised in that behalf by the Board, and shall be issued in such form and manner as may be prescribed by the load line rules, and those rules shall make such provision with respect to Load Line Convention certificates as appears to the Board to be necessary, having regard to the provisions of Rules IV and LXVUI of the Load Line Convention, for the purpose of giving effect to the provisions of Article thirteen of that Convention.
- (3) Any such certificate issued by the Board of Trade may be signed on behalf of the Board by any person authorised by the Board for the purpose, and a certificate purporting to be so signed shall be admissible in evidence in like manner as if it had been signed by

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one of the persons mentioned in section seven hundred and nineteen of the principal Act.

- (4) The Board of Trade may request the Government of a country to which the Load Line Convention applies to issue a Load Line Convention certificate in respect of a Load Line Convention ship registered in the United Kingdom, and a certificate issued in pursuance of such a request and containing a statement that it has been so issued shall have effect for the purpose of this Part of this Act as if it had been issued by the Board.
- (5) Where a load line certificate, issued in pursuance of this section and for the time being in force, is produced in respect of a ship, the ship shall, for the purpose of the foregoing provisions of this Part of this Act, be deemed to have been surveyed as required by those provisions, and, if the deck-line and load lines on the ship are of the number and description required by the load line rules and the position of the deck-line and load lines corresponds with the position specified in the certificate, the ship shall be deemed to be marked as required by those provisions.

#### **48 Duration, renewal and cancellation of certificates.**

- (1) Every load line certificate issued by or under the authority of the Board of Trade shall, unless it is renewed in accordance with the provisions of subsection (2) of this section, expire at the end of such period, not exceeding five years from the date of its issue, as may be specified therein.
- (2) Any such load line certificate may, after a survey not less effective than the survey required by the load line rules before the issue of the certificate, be renewed from time to time by the Board of Trade, or by any person authorised by the Board to issue a load line certificate, for such period (not exceeding five years on any occasion) as the Board of Trade or other person renewing the certificate thinks fit.
- (3) The Board of Trade shall cancel any such load line certificate in force in respect of a ship, if they have reason to believe that—
  - (a) material alterations have taken place in the hull or superstructures of the ship which affect the position of the load lines; or
  - (b) the fittings and appliances for the protection of openings, the guard rails, the freeing ports or the means of access to the crew's quarters have not been maintained on the ship in as effective a condition as they were in when the certificate was issued.
- (4) The owner of every ship in respect of which any such certificate has been issued shall, so long as the certificate remains in force, cause the ship to be surveyed in the prescribed manner once at least in each year after the issue of the certificate for the purpose of seeing whether the certificate should remain in force, having regard to the last foregoing subsection, and if the ship is not so surveyed, the Board of Trade shall cancel the certificate:

Provided that the Board, if they think fit in any particular case, may extend the said period of one year.

- (5) Where any such load line certificate has expired or been cancelled, the Board of Trade may require the owner or master of the ship to which the certificate relates to deliver up the certificate as they direct, and the ship may be detained until such requirement has been complied with, and if the owner or master fails without reasonable cause to comply with such requirement, he shall for each offence be liable to a fine not exceeding ten pounds.

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- (6) On the survey of any ship in pursuance of this section there shall be paid by the owner of the ship such fee as may be prescribed.

**49 Ships not to proceed to sea without certificate.**

- (1) No British ship registered in the United Kingdom, being an international load line ship, shall proceed to sea unless there is in force in respect of the ship a Load Line Convention certificate.
- (2) No British ship registered in the United Kingdom, being a local load line ship, shall proceed to sea unless there is in force in respect of the ship a United Kingdom load line certificate.
- (3) The master of every British load line ship registered in the United Kingdom shall produce to the officer of Customs, from whom a clearance or transire for the ship is demanded, the certificate which is required by the foregoing provisions of this section to be in force when the ship proceeds to sea, and a clearance or transire shall not be granted, and the ship may be detained, until that certificate is so produced.
- (4) The master of every ship which proceeds or attempts to proceed to sea in contravention of this section shall for each offence be liable to a fine not exceeding one hundred pounds.

**50 Publication of load line certificate and particulars relating to depth of loading.**

- (1) When a load line certificate has been issued in pursuance of the foregoing provisions of this Part of this Act in respect of a British load line ship registered in the United Kingdom—
- (a) the owner of the ship shall forthwith on the receipt of the certificate cause it to be framed and posted up in some conspicuous place on board the ship, and to be kept so framed and posted up and legible so long as the certificate remains in force and the ship is in use; and
  - (b) the master of the ship, before making any other entry in any official log-book, shall enter therein the particulars as to the position of the deck-line and load lines specified in the certificate.
- (2) Before any British load line ship registered in the United Kingdom leaves any dock, wharf, harbour or other place for the purpose of proceeding to sea, the master thereof shall—
- (a) enter in the official log-book such particulars relating to the depth to which the ship is for the time being loaded as the Board of Trade may by regulations prescribe; and
  - (b) cause a notice, in such form and containing such of the said particulars as may be required by the said regulations, to be posted up in some conspicuous place on board the ship and to be kept so posted up and legible until the ship arrives at some other dock, wharf, harbour or place:

Provided that the Board may by the said regulations exempt home trade ships or any class of home trade ships from the requirements of paragraph (b) of this subsection.

- (3) If the master or owner of any British load line ship registered in the United Kingdom fails to comply with the provisions of this section, he shall for each offence be liable to a fine not exceeding twenty pounds.

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## **51 Insertion of particulars as to load line in agreements with crew.**

- (1) Before an agreement with the crew of any British load line ship registered in the United Kingdom, in respect of which a load line certificate is in force, is signed by any member of the crew, the master of the ship shall insert in the agreement the particulars as to the position of the deck-line and load lines specified in the certificate, and if he fails to do so, he shall for each offence be liable to a fine not exceeding twenty pounds.
- (2) In the case of a British load line ship registered in the United Kingdom, being a foreign-going ship, a superintendent shall not proceed with the engagement of the crew until—
  - (a) there is produced to him a load line certificate for the time being in force in respect of the ship; and
  - (b) he is satisfied that the particulars required by this section have been inserted in the agreement with the crew.