



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

## 1932 CHAPTER 9

### PART II

#### LOAD LINE AND LOADING

##### *General Provisions as to Ships not registered in the United Kingdom*

#### **56 Survey, marking and conditions of assignment in case of ships not registered in United Kingdom**

The provisions of section forty-three of this Act shall apply to load line ships not registered in the United Kingdom, proceeding or attempting to proceed to sea from ports in the United Kingdom, as they apply to British load line ships registered in the United Kingdom, subject to the following modification, namely:—

- (a) the said section shall not apply to a Load Line Convention ship not registered in the United Kingdom, if a valid Load Line Convention certificate is produced in respect of the ship; and
- (b) subject to the provisions of paragraph (a) of this section, a foreign ship which does not comply with the conditions of assignment to the extent required in her case by the said section forty-three shall be deemed to be unsafe for the purpose of section four hundred and sixty-two of the principal Act.

#### **57 Submersion of load line on ships not registered in United Kingdom**

The provisions of section forty-four of this Act shall apply to load line ships not registered in the United Kingdom, while they are within any port in the United Kingdom, as they apply to British load line ships registered in the United Kingdom, subject to the following modifications, namely:—

- (a) no Load Line Convention ship shall be detained, and no proceedings shall be taken against the owner or master thereof, by virtue of the said section, except

after an inspection by a ship surveyor or engineer surveyor as hereinbefore provided; and

- (b) the expression "the appropriate load line," in relation to any ship not registered in the United Kingdom, shall mean—
  - (i) in the case of a Load Line Convention ship in respect of which there is produced on such an inspection as aforesaid a valid Load Line Convention certificate, the load line appearing by the certificate to indicate the maximum depth to which the ship is for the time being entitled under the Load Line Convention to be loaded ;
  - (ii) in any other case, the load line which corresponds with the load line indicating the maximum depth to which the ship is for the time being entitled under the load line rules to be loaded or, if no load line on the ship corresponds as aforesaid, the lowest load line thereon.

### **58 Inspection of ships not registered in United Kingdom**

The provisions of section forty-six of this Act shall apply to load line ships, other than British ships registered in the United Kingdom or Load Line Convention ships not registered in the United Kingdom, while they are within any port in the United Kingdom, as they apply to British load line ships registered in the United Kingdom.

### **59 Load line certificates of ships not registered in United Kingdom**

- (1) The provisions of this Part of this Act relating to the issue, effect, duration, renewal and cancellation of United Kingdom load line certificates shall apply to load line ships not registered in the United Kingdom as they apply to British load line ships registered in the United Kingdom, subject to the following modifications, namely :—
  - (a) any such certificate may be issued in respect of an international load line ship as in respect of a local load line ship, so however that any such certificate issued in respect of a Load Line Convention ship shall only be valid so long as the ship is not plying on international voyages, and shall be endorsed with a statement to that effect, and shall be cancelled by the Board if they have reason to believe that the ship is so plying; and
  - (b) the survey required for the purpose of seeing whether the certificate should remain in force shall take place when required by the Board of Trade.
- (2) Where the Board of Trade certify—
  - (a) either—
    - (i) that by the law in force in any part of His Majesty's dominions outside the United Kingdom provision has been made for the fixing, marking and certifying of load lines on British ships (or any class or description of British ships) registered in that part of His Majesty's dominions; or
    - (ii) that provision has been made as aforesaid by the law in force in any foreign country with respect to ships (or any class or description of ships) of that country and has also been so made (or has been agreed to be so made) for recognising United Kingdom load line certificates as having the same effect in ports of that country as certificates issued under the said provision; and
  - (b) that the said provision for the fixing, marking and certifying of load lines is based on the same principles as the corresponding provisions of this Part of this Act and is equally effective;

His Majesty may by Order in Council direct that load line certificates issued in pursuance of the said provision in respect of British ships (or that class or description of British ships) registered in that part of His Majesty's dominions, or in respect of ships (or that class or description of ships) of that foreign country, as the case may be, shall have the same effect for the purpose of this Part of this Act as United Kingdom load line certificates:

Provided that no Order in Council made under this subsection shall apply to Load Line Convention ships plying on international voyages.

- (3) Sub-paragraph (i) of paragraph (a) of the last foregoing subsection shall apply with respect to any foreign country in which for the time being His Majesty has jurisdiction, as if that country was a part of His Majesty's dominions.

## **60 Certificates to be produced to Customs by ships not registered in United Kingdom**

The master of every load line ship, other than a British ship registered in the United Kingdom or a Load Line Convention ship not registered in the United Kingdom, shall produce to the officer of Customs, from whom a clearance or transire for the ship from any port in the United Kingdom is demanded, either a United Kingdom load line certificate or a certificate having effect under this Act as such a certificate, being a certificate for the time being in force in respect of the ship, and a clearance or transire shall not be granted, and the ship may be detained, until the certificate required by this section is so produced.