



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

## 1932 CHAPTER 9

### PART III

#### GENERAL.

#### **68 Provisions as to rules and regulations.**

- (1) Notwithstanding any rules or regulations made in pursuance of this Act for the purpose of giving effect to, or implementing, any provision of the Safety Convention or Load Line Convention which requires a particular fitting, appliance, or apparatus or type thereof, to be fitted or carried in a ship, or any particular provision to be made in a ship, the Board of Trade may allow any other fitting, appliance or apparatus, or type thereof, to be fitted or carried, or any other provision to be made if they are satisfied that that other fitting, appliance or apparatus, or type thereof, or provision, is at least as effective as that required by the Convention.
- (2) Where under this Act the Board of Trade are required to make such regulations or rules as appear to them to be necessary for the purpose of giving effect to any of the provisions of the Safety Convention or Load Line Convention, the requirement shall, in the case of a provision the terms of which are such as to vest in the several Governments who are parties to the Convention a discretion as to whether any or what action should be taken thereunder, be construed as an authority to the Board to make by regulations or rules such provision (if any) with respect to the matter in question as the Board in the exercise of that discretion think proper.

#### **69 Notice to be given to Consular officer where proceedings taken in respect of foreign ships.**

Where any foreign ship is detained under this Act, and where any proceedings are taken under this Act against the master or owner of any such ship, notice shall forthwith be served on the Consular officer for the country to which the ship belongs at

or nearest to the port where the ship is for the time being, and such notice shall specify the grounds on which the ship has been detained or the proceedings have been taken.

**70 Cost of detaining ships.**

Where a ship is detained in pursuance of any provision of this Act which provides for the detention of a ship until a certain event occurs, subsection (2) of section four hundred and sixty of the principal Act (which makes provision as to the costs of the Board of Trade of and incidental to the detention and survey of the ship) shall apply as if the ship had been finally detained within the meaning of that subsection.

**71 Forgery of certificates.**

The provisions of section two hundred and eighty-two of the principal Act (which imposes penalties for the forgery of passenger steamers' certificates) shall apply with respect to any certificate required for the purposes of this Act as they apply with respect to a passenger steamer's certificate.

**72 Summary prosecution of offences.**

Notwithstanding anything in section six hundred and eighty of the principal Act, any offence whatsoever under Part I or Part II of this Act may be prosecuted summarily.

**73 Interpretation and construction.**

- (1) In this Act the following expressions have the meanings hereby respectively assigned to them, that is to say:—

" Contravention " includes, in relation to any provision, failure to comply with that provision, and the expression " contravenes " shall be construed accordingly;

" The Merchant Shipping Acts " means the Merchant Shipping Acts, 1894 to 1928, and this Act;

" Passenger " has the same meaning as it has for the purpose of Part III of the principal Act ;

" Passenger steamer " means a steamer carrying more than twelve passengers;

" The principal Act " means the Merchant Shipping Act, 1894.

- (2) In this Act references to a ship constructed before or after any date shall be construed as references to a ship the keel of which has been laid before or after that date, as the case may be.
- (3) For the purpose of any provision of this Act relating to Safety Convention ships, Safety Convention passenger steamers or Load Line Convention ships not registered in the United Kingdom, a passenger steamer or other ship registered in any of the Channel Islands or in the Isle of Man shall be deemed to be registered in the United Kingdom.
- (4) Any references in this Act to any provision of the Merchant Shipping Acts, 1894 to 1928, which has been amended by any subsequent Act, including this Act, shall be construed as a reference to that provision as so amended.

**74 Short title, citation and repeal.**

- (1) This Act may be cited as the Merchant Shipping (Safety and Load Line Conventions) Act, 1932, and shall be construed as one with the Merchant Shipping Acts, 1894 to 1928, and those Acts and this Act may be cited together as the Merchant Shipping Acts, 1894 to 1932.
- (2) The enactments set out in Part III of the Fourth Schedule to this Act shall be repealed, to the extent specified in the third column of that Part of that Schedule, as from the passing of this Act.