



# Merchant Shipping (Safety Convention) Act 1949

## 1949 CHAPTER 43

*Safety Convention Ships not registered in the United Kingdom*

### **14 Certificates of Convention ships not registered in United Kingdom**

- (1) The Minister may, at the request of the government of a country to which the Safety Convention applies, issue in respect of a ship registered in that country any certificate the issue of which in respect of British ships registered in the United Kingdom is authorised under the preceding provisions of this Act if he is satisfied that it is proper for him to do so; 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 purposes of this Act as if it had been issued by the said government and not by the Minister.
- (2) The Minister shall make such regulations as appear to him to be necessary for the purpose of securing that certificates issued in accordance with the Safety Convention by the government of any country other than the United Kingdom in respect of Safety Convention ships not registered in the United Kingdom, or having effect under the preceding subsection as if so issued, shall be accepted as having the same force as corresponding certificates issued by the Minister under this Act; and any certificate required by those regulations to be so treated is in this Act referred to as an "accepted Safety Convention certificate."
- (3) A surveyor of ships, for the purpose of verifying—
  - (a) that there is in force in respect of a Safety Convention ship not registered in the United Kingdom an accepted Safety Convention certificate ; or
  - (b) that the condition of the hull, equipments and machinery of any such Safety Convention ship corresponds substantially with the particulars shown in such a certificate ; or,
  - (c) except where such a certificate states that the ship is wholly exempt from the provisions of the Safety Convention relating to radiotelegraphy and radiotelephony, that the number, grades and qualifications of radio officers or operators on board correspond with those shown in the certificate ; or

(d) that any conditions on which such a certificate, being the equivalent of an exemption certificate, is issued are complied with,  
shall have all the powers of a Ministry of Transport inspector under the Merchant Shipping Acts.

- (4) Where there is attached to an accepted Safety Convention certificate in respect of a Safety Convention passenger steamer not registered in the United Kingdom a memorandum which—
- (a) has been issued by or under the authority of the government of the country in which the steamer is registered ; and
  - (b) modifies for the purpose of any particular voyage, in view of the number of persons carried on that voyage, the particulars stated in the certificate with respect to life-saving appliances,
- the certificate shall have effect for the purpose of that voyage as if it were modified in accordance with the memorandum.

## **15 Modified survey of passenger steamers holding Convention certificates**

- (1) Where an accepted Safety Convention certificate is produced in respect of a Safety Convention passenger steamer not registered in the United Kingdom—
- (a) the steamer shall not be required to be surveyed under the Merchant Shipping Acts by a surveyor of ships except for the purpose of determining the number of passengers that she is fit to carry;
  - (b) on receipt of any declaration of survey for the purpose aforesaid, the Minister shall issue a certificate under section two hundred and seventy-four of the principal Act containing only a statement of the particulars set out in paragraph (b) of that section (which relates to the said number of passengers); and a certificate so issued shall have effect as a passenger steamer's certificate.
- (2) Where there is produced in respect of any such passenger steamer as aforesaid an accepted Safety Convention certificate, and also a certificate issued by or under the authority of the government of the country in which the steamer is registered showing the number of passengers that the steamer is fit to carry, and the Minister is satisfied that that number has been determined substantially in the same manner as in the case of a British passenger steamer registered in the United Kingdom, he may if he thinks fit dispense with any survey of the steamer for the purpose of determining the number of passengers that she is fit to carry and direct that the last-mentioned certificate shall have effect as a passenger steamer's certificate.

## **16 Miscellaneous privileges of ships holding Convention certificates**

- (1) Where an accepted Safety Convention certificate is produced in respect of a Safety Convention passenger steamer not registered in the United Kingdom, the steamer shall be exempt from paragraphs (d) and (f) of subsection (1) of section two hundred and ninety of the principal Act (which relate to the equipments of emigrant ships) and section four hundred and twenty of that Act (which relates to lights and fog-signals) and from the rules for life-saving appliances.
- (2) Where an accepted Safety Convention certificate, being the equivalent of a safety-equipment certificate, is produced in respect of a Safety Convention ship (other than a passenger steamer) not registered in the United Kingdom, the ship shall be exempt

from section four hundred and twenty of the principal Act (which relates to lights and fog-signals) and from the rules for life-saving appliances.

- (3) Where an accepted Safety Convention certificate is produced in respect of a Safety Convention ship not registered in the United Kingdom, and the certificate shows that the ship complies with the requirements of the Safety Convention relating to radiotelegraphy, radiotelephony and direction-finders, or that she is exempt from some of those requirements and complies with the rest, or that she is wholly exempt from those requirements, the ship shall be exempt from the provisions of the radio rules and the rules for direction-finders.

## **17 Further provisions as to the production of Convention certificates**

- (1) The master of every Safety Convention ship not registered in the United Kingdom shall produce to the officer of customs from whom a clearance for the ship is demanded in respect of an international voyage from a port in the United Kingdom accepted Safety Convention certificates that are the equivalent of the certificates issued by the Minister under this Act that would be required to be in force in respect of the ship if she were a British ship so registered ; and a clearance shall not be granted, and the ship may be detained, until such certificates are so produced.
- (2) The production of an accepted Safety Convention certificate being the equivalent of—
  - (a) a qualified certificate, or
  - (b) an exemption certificate, other than a certificate stating that a ship is wholly exempt from the provisions of the Safety Convention relating to radiotelegraphy, radiotelephony and direction-finders,shall not avail for the purposes of either of the last two preceding sections unless there is also produced the corresponding, exemption certificate or qualified certificate as the case may be.