
 STATUTORY INSTRUMENTS

1972 No. 656

MERCHANT SHIPPING

**The Merchant Shipping (Tonnage) (Amendment)
Regulations 1972**

<i>Made</i>	- - -	<i>26th April 1972</i>
<i>Laid before Parliament</i>		<i>9th May 1972</i>
<i>Coming into Operation</i>		<i>1st June 1972</i>

The Secretary of State in exercise of the powers conferred upon him by section 1 of the Merchant Shipping Act 1965^(a) and of all other powers enabling him in that behalf hereby makes the following Regulations:—

1.—(1) These Regulations may be cited as the Merchant Shipping (Tonnage) (Amendment) Regulations 1972 and shall come into operation on 1st June 1972.

(2) The Interpretation Act 1889^(b) shall apply for the interpretation of these Regulations as it applies for the interpretation of an Act of Parliament.

2. The Merchant Shipping (Tonnage) Regulations 1967^(c), as amended^(d), shall have effect subject to the following further amendments:—

(1) After Regulation 7 there shall be added the following as Regulation 7A:—

“7A—(1) Paragraph (2) of this Regulation applies—

- (a) to ships registered in the United Kingdom under Part 1 of the principal Act before 1st March 1967 the tonnage of which is to be measured under these Regulations; and
- (b) to ships previously registered elsewhere than in the United Kingdom which are to be so registered; and
- (c) to ships registered elsewhere than in the United Kingdom in respect of which application is made for a certificate of British tonnage pursuant to Regulation 3(2).

(2) Without prejudice to the provisions of Regulation 7, space situated on or above the upper deck of a ship to which this paragraph applies, being space—

- (a) which, in the case of a ship described in sub-paragraph (1)(a), was by virtue of openings in it not included in the gross tonnage of the ship under the law in force immediately prior to 1st March 1967^(e), or
- (b) which, in the case of a ship described in sub-paragraph

(a) 1965 c. 47.

(b) 1889 c. 63.

(c) S.I. 1967/172 (1967 I, p. 283).

(d) S.I. 1967/1093 (1967 II, p. 3237).

(e) Section 77 of the principal Act and the tonnage regulations of that Act as defined in that section.

1(b) or (c), was by virtue of there being or having been openings in it not included in the gross tonnage of the ship specified in the national certificate of registry in force in respect of the ship immediately prior to her registry in the United Kingdom or the said application as the case may be, shall not be included in the gross tonnage of the ship irrespective of whether such openings have been closed or not, if—

- (i) there has been no change since the date on which the tonnage of the ship was last measured in the purpose for which the space is used; and
 - (ii) in the case of a ship described in sub-paragraph (1)(b) or (c), the space is such that it would not, had the ship been registered in the United Kingdom prior to 1st March 1967 with the openings unclosed, have been included in her gross tonnage.”
- (2) In Regulation 11(3)(a) after “Regulation 7” there shall be added “Regulation 7A”.

Michael Noble,
Minister for Trade,
Department of Trade and Industry.

26th April 1972.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the Merchant Shipping (Tonnage) Regulations 1967 (the principal Regulations).

They apply to ships registered in the United Kingdom before 1st March 1967 (the date on which the principal Regulations came into force) and to ships registered elsewhere which either are to be transferred to the United Kingdom register or for which application is made for certificates of British tonnage. They permit in the case of such ships the omission from the ship's gross tonnage of the tonnage of certain spaces, situated on or above the upper deck and defined in the Regulations, notwithstanding structural changes in such spaces which would otherwise involve the inclusion of their tonnage in that of the ship.

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